

No. 90

JOURNALS

OF THE

HOUSE OF COMMONS

OF CANADA

OTTAWA, FRIDAY, MARCH 5, 1971

11.00 o'clock a.m.

PRAYERS

Mr. Marceau for Mr. Tolmie, from the Standing Committee on Justice and Legal Affairs, presented the Fourth Report of the said Committee, which is as follows:

Pursuant to its Order of Reference of Friday, February 5, 1971, your Committee has considered Bill C-218, An Act to amend the provisions of the Criminal Code relating to the release from custody of accused persons before trial or pending appeal, and has agreed to report it with the following amendments:—

Clause 5

(a) Strike out lines 5 to 9 both inclusive, on page 5 and substitute the following therefor:

“(d) “officer in charge” means the officer for the time being in command of the police force responsible for the lock-up or other place to which an accused is taken after arrest or a peace officer designated by him for the purposes of this Part who is in charge of such place at the time an accused is taken to that place to be detained in custody;”

(b) Strike out lines 35 to 38, both inclusive, on page 6 and substitute the following therefor:

“(2) A peace officer shall not arrest a person without warrant for

(a) an indictable offence mentioned in section 467,

(b) an offence for which the person may be prosecuted by indictment or for which he is punishable on summary conviction, or

(c) an offence punishable on summary conviction, in any case where”

(c) Strike out lines 2 and 3, on page 7, and substitute the following therefor:

“grounds to believe that the public interest, having regard to all the circumstances including the need to”

(d) Add immediately after line 37, on page 15 the following new sub-clause:

“(4) Notwithstanding subsection (3), a peace officer or officer in charge having the custody of a