

Criminal Code

controlled lotteries which are set up for charitable or religious purposes, or lotteries the proceeds of which go for scientific or medical research or for other purposes in which philanthropists believe. But on this side of the house the majority of the members question the right of the federal government to set up a state controlled lottery which might be used to raise the revenue of the country. This was the argument which was presented this afternoon by the Leader of the New Democratic party, and I am glad that it is catching on to some extent among the members of that party.

So there are two kinds of lotteries: Those that are under state control and which will be exempt from the code, and those that are run by provincial governments. If there are lotteries such as the one run by the city of Montreal, they would have to be legalized by the provinces because the cities are creatures of the provincial legislatures and their jurisdiction comes from a provincial act. In most of our provinces there are city acts which have been passed by the legislatures. So the powers of the cities, their jurisdictions and their constitutions are really under provincial statutes. This is why I rose to speak on this matter. These amendments are pretty complicated and I hope that when they are voted on what I have said will have clarified them.

I have one last thought on this matter. I and other members of my party have great respect for the hon. member for Brandon-Souris, but this is the way I see the argument. I do not have the statistics before me but a lady in Calgary collected many thousands of signatures—although many people do not know what they are signing when such petitions are brought to them. As a result of her research she found that perhaps \$90 million is raised in Canada from the class of people to whom reference was made today, namely, those in the low income brackets, and that great amount goes out of the country to the Irish sweepstakes. If it is right to raise money in Canada for a purpose outside Canada, then perhaps it might be right to raise money here for the good of the people who live within our boundaries. We should give some thought to that point.

Some hon. Members: Hear, hear.

Mr. Woolliams: Of the \$90 million for the Irish sweepstakes, which I am advised is a private corporation and not all that charitable, only \$6 million finds its way back to Canada in prizes. If those figures are correct,

\$84 million goes out of the country. I got these figures from the lady in Calgary who did much research in that regard and who came to see the then minister of justice, now the Prime Minister (Mr. Trudeau), on this subject. There are lotteries in other countries, tickets for which are sold here.

There is a point here about which I have thought for years. As a member of the legal profession and a member of parliament I cannot believe that we should have a law which, as was said in *Oliver Twist*, is an ass, in other words, a law which cannot be enforced or endorsed. I am sure there is not a member of this house who, on hearing that Mr. Jones had won \$150,000, would pick up the telephone and ask the Minister of Justice or the Attorney General to prosecute the man. If a person wins a sweepstake, accepting the winnings is just as illegal as buying the ticket. Yet there are never any prosecutions in such cases.

• (4:10 p.m.)

Having listened to the arguments that have been made on the other side of the house, I can only say that if we really believe the law is as it has been put forward by my distinguished friend we should pick up the telephone as citizens of Canada and ask for the prosecution of people like Mr. Jones who, having bought a ticket on the Irish sweepstakes and won \$150,000, has told the newspapers that he is going to buy a new house for his son, educate his daughter, take his wife on her first trip and buy her a fur coat. If the law is as the minister outlined, then in our consciences and in our hearts we should enforce it. If we do not believe that this is the law, then surely we should accept lotteries for charitable, religious and other good purposes. But again I repeat that this is not an endorsement of the kind of lottery about which the minister is talking, namely, state-operated lotteries.

I must be fair with the minister. If the government were to pass an Order in Council to authorize a state lottery for the purpose of raising revenue I assume that the opposition in this house could move a vote of non-confidence in the government on returning from the recess, assuming the Order in Council was passed while parliament was not sitting, which is the way the Prime Minister (Mr. Trudeau) operates in regard to NATO and some other statements he has made.

The trouble with this sort of thing is that although it may be successful with minority