

lengthy process, involving careful consideration, consultation, and many months of serious study and deliberation in order to respond to this difficult issue in a fair and reasonable way. Abortion has been put into the Criminal Code in order to balance and protect throughout the pregnancy the rights of the woman who seeks an abortion and the societal interests in protection of the fetus.

Abortion is not simply a medical procedure. It touches many of the issues with which the criminal law has traditionally been concerned. The constitutional boundaries for Bill C-43 were set by the Supreme Court of Canada in the *Morgentaler* case. In bringing forward this legislation the government has always emphasized the necessity to enact a law that will be capable of withstanding constitutional challenge. Bill C-43 represents a very careful effort to comply with constitutional requirements, and we believe that the proposed bill will be a workable law within constitutional parameters. Although this bill may not be the first choice of every member of the Senate, we must ask ourselves the following question: Is this bill not the most reasonable compromise to balance the rights we all wish to protect in Canada, and yet give some recognition to the competing interests reflected in the great debate that has gone on for so many years in our country?

It is time, honourable senators, to send this bill to a committee for study. The Legal and Constitutional Affairs Committee seems to be the appropriate committee. I should stress again that this is not the last time honourable senators will have an opportunity to speak on this enormously important bill. We simply ask at this time that it be referred to committee for study and for consideration. I am sure that many of the points raised by Senator Haidasz this evening will be reviewed at that time. At third reading stage the concerns that many senators have may be addressed again. I commend the bill to honourable senators, and, at the appropriate time, I will move that it be referred to committee.

**Hon. Royce Frith (Deputy Leader of the Opposition):** Honourable senators, I do not wish to continue the debate. I rise on a procedural point to say that I know that some senators are opposed to the principle of this bill, perhaps for different reasons, and that that is the explanation for the fact that the bill will receive second reading, on division.

Motion agreed to and bill read second time, on division.

#### REFERRED TO COMMITTEE

**The Hon. the Speaker:** Honourable senators, when shall this bill be read the third time?

**Hon. C. William Doody (Deputy Leader of the Government):** Honourable senators, I move that the bill be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

**The Hon. the Speaker:** Honourable senators, is it your pleasure to adopt the motion?

**Hon. Royce Frith (Deputy Leader of the Opposition):** Honourable senators, on the motion, I think it is worth noting that Senator Haidasz has provided a very detailed critique of the

[Senator Doody.]

bill, which, if I heard him correctly, contains some 14 flaws. I refer them to the committee for particular study.

Motion agreed to.

[Translation]

#### THE HONOURABLE MARTIAL ASSELIN, P.C.

TRIBUTES ON THE OCCASION OF HIS NOMINATION AS  
LIEUTENANT GOVERNOR OF THE PROVINCE OF QUEBEC

**Hon. Gerald R. Ottenheimer:** Honourable senators, I just heard that our colleague, the Hon. Martial Asselin, has been appointed Lieutenant Governor of the Province of Quebec.

**Some Hon. Members:** Hear, hear!

**Senator Ottenheimer:** Although we will miss him, I think I can say we all wish him good luck and are all very happy for him. We are sure that in this post he will serve the people of Quebec with the same dedication and effectiveness he showed in his work as a senator.

**Hon. Royce Frith (Deputy Leader of the Opposition):** Honourable senators, on the principle that brevity is the soul of wit, I concur with Senator Ottenheimer's remarks. I also would like to express our appreciation and congratulate our beloved colleague on this well-deserved appointment.

**Hon. Jean-Marie Poitras:** Honourable senators, I would like to add my comments to those of all previous speakers.

I have known Senator Asselin, the new Lieutenant Governor of Quebec, for many years. I had the honour and the privilege of working with him on various occasions and was able to benefit from his experience and tremendous competence.

As a resident of Quebec City where the Lieutenant Governor of the province resides, I am delighted that someone from the area more specifically from Charlevoix should receive this honour.

It is an honour he certainly deserves. I am sure that he will serve well both his fellow citizens and the Government of Quebec in his new post. I also wish to congratulate him and wish him many years in a new career to which I am sure he will bring the same qualities that made his career in the Senate and in the other place so successful.

#### CANADIAN LAWS OFFSHORE APPLICATION ACT

SECOND READING—DEBATE ADJOURNED

**Hon. Gerald R. Ottenheimer** moved the second reading of Bill C-39, an Act to apply federal laws and provincial laws to offshore areas and to amend certain Acts in consequence thereof.

He said: Honourable senators, the purpose of the Canadian Laws Offshore Application Act is to complete and update the legal framework that applies to Canada's marine spaces. It is also intended to make our laws comply with the new provisions of the Law of the Sea.

We exercise our fishing rights in a 200-mile zone. The law for the resources of the continental shelf applies up to the