patrol boat will be provided for Vancouver; the hon. member for York-Simcoe (Mr. Stevens)—The Canadian Economy—Reason for continuing high level of inflation—Date when level will reach four per cent; the hon. member for Ottawa-Vanier (Mr. Gauthier)—Administration of Justice—Request for amendment to permit use of French in Ontario courts.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's order paper, namely, public bills, private bills, and notices of motions.

I wish to bring to the attention of hon. members the fact that the notations "allowed to stand at the request of the government" which appeared on the order paper at the time we adjourned for Christmas have been removed from the various orders under public bills as listed on today's order paper. This was an administrative decision taken by me. It arose out of my ruling of December 5, 1977, and the decision I made in the House on December 12, 1977, which had the effect of removing similar notations under notices of motions. Actually all that did was to eliminate any notation that had been made under a motion or a notice of motion for a private member's public bill, so that my ruling of December 5 will not be retroactive and the only note that would appear from now on with regard to notices of motions for public bills would be those that would result from the proceedings in the private members' hour following my decision of December 5.

● (1702)

There seems to be a disposition to proceed with Bill C-215 appearing in the name of the hon. member for London East (Mr. Turner). If there is unanimous consent, orders Nos. 2, 4, 8, 9, 10 and 13 will be stood. Is that agreed?

Some hon. Members: Agreed.

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CRIMINAL CODE

AMENDMENT RESPECTING ISSUANCE OF CHEQUES

Mr. J. Larry Condon (for Mr. Turner (London East)) moved that Bill C-215, to amend the Criminal Code (NSF cheques) be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, the purpose of Bill C-215 where a cheque has been returned "NSF", is to delay the raising of a presumption of false pretences until 15 days after notification by the bank, and to allow the person who made the cheque to avoid criminal liability by paying off the debt within the period of grace.

First of all, I should like to bring to the attention of the House the fact that this bill was put forward by the hon. member for London East (Mr. Turner), but because the rules of the House do not permit occupants of the chair to speak on their bills, I shall do so for the hon. member. When the time comes to discuss changes in the rules of the House, this is one change which I believe should be considered because our rules take away a very important function from members. I believe that all members should be allowed to speak on any bill they put forward.

As I said, the purpose of this bill is to try to improve the law so as to protect better, first, small businessmen; second, landlords; and third, people who suffer most from NSF cheques. In the past the recipients of NSF cheques have had no other recourse but to go to the small claims court or to go through the process of the criminal law to receive the money which they have lost.

There are a good many reasons for which people write bad cheques. In some cases it is an honest error on the part of the drawer of the cheque, as he is called by banks, and in most cases he will redeem the worthless cheque promptly after being notified that his cheque was dishonoured. In such cases payment, or even an arrangement to pay, is sufficient evidence to indicate that the cheque drawer did not commit fraud as would otherwise appear.

As has become evident in the last nine or ten years, those who have suffered most from NSF cheques have been small businessmen who, on seeing a person with the intention of paying a bill, took the word of the man as indicated on a piece of paper which designates to the person receiving it that money will be available when the cheque is put through the normal banking processes. One of the problems is that some people who make out such cheques have no intention of honouring them. Certainly the law has not been sufficiently strong to protect the recipients of such cheques, and this has caused many problems.

Let us take a look at the Ontario Landlords and Tenants Act. For example, a person who intends to rent an apartment pays the rent in advance by cheque. Three or four months later when the landlord tells him the cheque has bounced, the person says that he intended to honour the cheque but that since now it is October or November, the landlord cannot kick him out anyway. This puts the landlord in a very difficult position because he forfeits four or five months at a time of year when it is difficult to rent the apartment. It puts him in the position of having to house the tenant for free. In such circumstances the landlord cannot enforce the law under which he owns that property and for which he expects money.

Another problem we find is when a person purchases some goods. In the past the government has made an attempt to assist small businessmen and to give them an opportunity to develop their businesses, but the latter have been restricted by the law under which it is possible for people to pay for their purchases by cheque. The small businessman depends on the