

time. In reaching this decision I am somewhat comforted, as I pointed out, by the fact that the new rules of the house will make it possible for hon. members to achieve, to some extent at least, a similar result by taking advantage of the report stage proceedings of the revised standing orders of the house.

I should say that I was to some extent disturbed by the suggestion of the hon. member for Calgary North that if an adverse ruling were made on the procedural acceptability of his amendment he would feel he would not have had his day in court. Even though he is an experienced solicitor, a member of the bar of excellent reputation and with wide experience in the country, I am sure that he must have had an occasion or so when he was not successful in court but felt that, even though he had not won the day, he had still had his day in court.

That comment is not part of my ruling, and perhaps I am overstepping the bounds of jurisdiction of the Chair. However, it does seem to me that the hon. member for Calgary North has today had a brilliant and most impressive day in this, the highest court in the land.

Mr. Nielsen: Mr. Speaker, there is one further point that was raised by the President of the Privy Council with which Your Honour did not deal, and that was concerning the matter of notice. For the clarification, particularly of members on this side, I was wondering whether you would deal with the question whether or not notice is required under standing order 75(4).

Mr. Speaker: I cannot, of course, rule *in abstracto*. The hon. member knows that he cannot ask the Chair to rule on a situation which is not before the house. He is asking the Chair to interpret the rules with regard to a situation which may happen later on if such notice were given. It seems to me, having read the rules, that it is clear enough what is required to bring the matter before the house at the report stage.

Mr. Nielsen: I was not asking Your Honour to rule on a hypothetical matter. The President of the Privy Council did raise the point and put it to the Chair, and I am wondering whether the Chair would rule on it.

Mr. Speaker: Perhaps the reason I did not rule on it was that I did not consider the argument relevant.

Mr. David Lewis (York South): Fortunately for hon. members, Mr. Speaker, I do not have

unlimited time. Therefore I will try to confine my remarks to the 40 minutes which are allotted me; if I do not succeed it will not be for want of trying.

Before dealing with the substance of the bill, I want to say that my colleagues and I agree that it is proper for the bill to come before this house as one bill. We believe that the new procedure will enable every member who has any particularly strong feeling about any part of the bill to move the necessary amendment at the report stage, to get his views heard and to get those views voted on separately from anything else.

● (9:10 p.m.)

I also want to say, Mr. Speaker, that I listened with interest to the speech of the hon. member for Calgary North (Mr. Williams). The logic of his argument on abortion escaped me. He first stressed, as I will later show, that the amendments to the code do not really change the law in any basic sense. Then he spoke very eloquently about the need to give opportunity for expressions of conscience with respect to an amendment which brings in no change. Those words left me wondering, Mr. Speaker. I could not follow their meaning.

We welcome this measure as an important one. I emphasize that it is only a partial and rather inadequate revision of the Criminal Code and related statutes. We think these revisions of the Criminal Code should be on the statute books of Canada and are long overdue. I therefore do not propose, nor do any of my colleagues, to move any amendment to the bill at this stage. We shall try to improve the bill in the standing committee and, if necessary, at the report stage. But we want to take no step that will delay passage of this measure. We want even these inadequate revisions of the Criminal Code on the statute books of this country.

Although the Minister of Justice (Mr. Turner) defended the bill excellently and impressively, if I may say so, I submit that the claims he makes for it are very much exaggerated. The suggestion he and others have made that these revisions of the Criminal Code constitute a tremendously radical reform is a complete and utter exaggeration. In my view important social matters in this bill are treated with timidity or, to use a favourite word of the right hon. member for Prince Albert (Mr. Diefenbaker), pusillanimity. Certain matters are treated narrowly and inadequately; and this is 1969. Important provisions concerning the public law of this