

THE HOUSE OF COMMONS OF CANADA.

BILL C-92.

An Act to amend the Criminal Code (Capital Murder).

1953-54, c. 51;
1955, cc. 2, 45;
1956, c. 48;
1957-58, c. 28;
1958, c. 18;
1959, c. 41;
1960, c. 37.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The *Criminal Code* is amended by adding thereto, immediately after section 202 thereof, the following section: 5

Classification of murder.

Capital murder defined.

“202A. (1) Murder is capital murder or non-capital murder.

(2) Murder is capital murder, in respect of any person, where

(a) it is planned and deliberate on the part of such 10 person, or

(b) it is within section 202 and such person

(i) by his own act caused or assisted in causing the bodily harm from which the death ensued,

(ii) by his own act administered or assisted in 15 administering the stupefying or over-powering thing from which the death ensued,

(iii) by his own act stopped or assisted in the stopping of the breath from which the death ensued,

(iv) himself used or had upon his person the weapon 20 as a consequence of which the death ensued, or

(v) counselled or procured another person to do any act mentioned in subparagraph (i), (ii) or (iii) or to use any weapon mentioned in subparagraph (iv). 25

Non-capital murder.

(3) All murder other than capital murder is non-capital murder.”