

*Idem.*

(5) A summary conviction court that waives jurisdiction in accordance with subsection (4) shall name the summary conviction court in favour of which jurisdiction is waived, except where, in the province of Quebec, the summary conviction court that waives jurisdiction is a judge of the sessions of the peace.

Clause 697, as amended, was passed.

Clauses 698 and 707 were severally considered and passed.

Clause 709 was, by unanimous consent, reconsidered in view of representations made thereon by the Quebec Bar Association.

After some discussion thereon, the said clause was again passed without change.

*On clause 726,*

On motion of Mr. MacNaught,

*Resolved:* That subclause (3) of this clause be deleted entirely.

Clause 726, as amended, was passed.

*On clause 746,*

On motion of Mr. Noseworthy,

*Resolved:* That this clause be deleted and the following substituted therefor:

*Transitional.*

746. (1) Where proceedings for an offence against the criminal law were commenced before the coming into force of this Act, the offence shall, after the coming into force of this Act, be dealt with, inquired into, tried and determined in accordance with this Act, and any penalty, forfeiture or punishment in respect of that offence shall be imposed as if this Act had not come into force, but where, under this Act, the penalty, forfeiture or punishment in respect of the offence is reduced or mitigated in relation to the penalty, forfeiture or punishment that would have been applicable if this Act had not come into force, the provisions of this Act relating to penalty, forfeiture and punishment shall apply.

*Idem.*

(2) Where proceedings for an offence against the criminal law are commenced after the coming into force of this Act the following provisions apply, namely,

- (a) the offence, whenever committed, shall be dealt with, inquired into, tried and determined in accordance with this Act;
- (b) if the offence was committed before the coming into force of this Act, the penalty, forfeiture or punishment to be imposed upon conviction for that offence shall be the penalty, forfeiture or punishment authorized or required to be imposed by this Act or by the law that would have applied if this Act had not come into force, whichever penalty, forfeiture or punishment is the less severe; and
- (c) if the offence is committed after the coming into force of this Act, the penalty, forfeiture or punishment to be imposed upon conviction for that offence shall be the penalty, forfeiture or punishment authorized or required to be imposed by this Act.

Clause 746, as amended, was passed.

Clause 747 was passed.