

HOUSE OF COMMONS

Friday, May 1, 1953

The house met at eleven o'clock.

→ CRIMINAL CODE

SECOND REPORT OF SPECIAL COMMITTEE

Mr. D. F. Brown (Essex West): Mr. Speaker, I have the honour to present the second report in French and in English of the special committee on the criminal law.

The Clerk Assistant:

The special committee appointed to consider Bill No. 93 (letter O of the Senate), intitled: "An act respecting the criminal law", and all matters pertaining thereto, begs leave to present the following as its second report—

Some hon. Members: Dispense.

Mr. Drew: No; I wish it read. Perhaps it might help if just before it is read I ask this question. Is it a unanimous report?

Mr. Speaker: The report is presented; I think it should be read.

Mr. Abbott: The report is the report of the committee.

The Clerk Assistant:

Pursuant to the order of reference of twenty-third January 1953 whereby Bill No. 93 (Letter O of the Senate), intitled: "An act respecting the criminal law", was referred to it your committee has carefully considered the said bill and has agreed to report same with the following amendments, namely:

Clause 2, paragraph (10). Delete paragraph (10) and substitute the following:

"Court of criminal jurisdiction."

(10) "court of criminal jurisdiction" means

(a) a court of general or quarter sessions of the peace, when presided over by a superior court judge or a county or district court judge, or in the cities of Montreal and Quebec, by a municipal judge of the city, as the case may be, or a judge of the sessions of the peace,

(b) a magistrate or judge acting under part XVI, and

(c) in the province of New Brunswick, the county court."

Clause 8. Delete the figure "(1)" where it appears in line 35 on page 9.

Delete subclauses (2), (3) and (4) and substitute the following:

"Appeal.
5. (1) Where a court, judge, justice or magistrate summarily convicts a person for a contempt of court and imposes punishment in respect thereof, that person may, with leave of the court of appeal or a judge thereof, appeal to the court of appeal
(a) from the conviction, or
(b) against the punishment imposed.

Part XVIII applies.

(2) For the purposes of an appeal under subsection (1) the provisions of part XVIII apply, *mutatis mutandis*."

Clause 9. Renumber as clause 10.
Clause 10. Renumber as clause 11.
Clause 11. Delete clause 11 of the Bill as it appears in lines 25 to 28 on page 10.

Mr. Drew: Mr. Speaker, may I interrupt?

Some hon. Members: Order.

Mr. Drew: Oh, I am quite agreeable that this be read. But I would point out that we are only on the second page—

An hon. Member: You asked for it.

Mr. Drew: We are only on the second page of this extended report which hon. members have only now received, since the reading of this document was begun. It was not in our hands at the time it was presented to the house.

In view of this, I hope hon. members will realize the extent of the problem that is involved, and that they will decide whether they want the reading of it or not.

Mr. Abbott: You asked for it.

Mr. Drew: I suggest that the reading, then, be proceeded with, so that hon. members may realize the extent of the job that must now be done, and I hope plans will be made appropriately for a sufficient period of time for that job.

Mr. Abbott: Thank you, kind sir.

Mr. Speaker: I understand from the remarks of the Leader of the Opposition that he is not insisting upon further reading of the report.

Mr. Drew: Hon. members are.

Mr. Speaker: Order, but if hon. members in the house wish to have it read, he would not object. Is it the wish of the house that we dispense with the reading of the report at this time?

Some hon. Members: Dispense.

Some hon. Members: No.

Mr. Speaker: Agreed.

PRIVATE BILL

FIRST READING—SENATE BILL

Mr. Irvin Studer (for Mr. Bater) moved the first reading of Bill No. 364, to incorporate Canadian Co-operative Credit Society Limited.

Motion agreed to and bill read the first time.