

tion and move up into the system and thus carry the contamination much further.

The definition of "waste", as placed into Bill C-51, reads:

(a) any substance that, if added to water, would degrade or alter or form part of a process of degradation or alteration of the quality of the water to the extent that is detrimental to its use by people or by any animal, fish or plant,

That sounds like quite a mouthful. However, the Fisheries Act contains some very strong provisional sections in terms of the placement of deleterious substances into water. The attempt in this piece of legislation, at least I would say at first blush, is to cover principal users of water, that being humans, animals and fish, although as the legislative committee deals with it there may well be a need to expand this particular definition to include birds and perhaps other users.

• (1840)

We see that the definition of waters means any inland water, whether in a liquid or frozen state, on or below the surface of the land in the Northwest Territories. This is a very extensive piece of legislation in that it applies to aquifer water, whether it is frozen or liquid and whether it is frozen or liquid on the surface of the land, so long as it is inland water. This piece of legislation does not apply once we go beyond the estuary of the water that flows either into the Beaufort or into Hudson Bay.

The legislation under its general section deals with the traditional clause of the legislation being binding on Her Majesty. In clause 4, in terms of a section called waters vested in Her Majesty, it states:

Subject to any rights, powers or privileges granted pursuant to the Dominion Water Power Act or preserved under that Act, the property in and the right to the use and flow of all waters are vested in Her Majesty in right of Canada.

That is to make clear legislatively that this legislation is a delegation of authority from the Crown to another order of government. In terms of application of other acts, it makes clear:

Nothing in this Act, the regulations or a licence authorizes a person to contravene or fail to comply with any other Act or any other regulation or order made thereunder, except as provided in that other Act, regulation or order.

### *Government Orders*

This legislation is quite tight in terms of scope, even though I think it will be of considerable administrative benefit to the N.W.T.

The actual delegation section is clause 6. It is worthy of note because it is really the active part of this piece of legislation. It states in clause 6:

The Minister may, in writing, delegate to the person occupying the recognized position of Minister of the Northwest Territories responsible for water resources any of the Minister's functions under section 10—

It goes on and lists a series of sections:

—either generally or as otherwise provided in the instrument of delegation.

There have been many debates and arguments in this House about duplication. I think we as a Parliament and as legislators make efforts wherever possible to try to avoid or reduce duplication. There are few enough dollars to go around and large enough jobs to do in the environmental field that duplication is certainly something that should and must be avoided.

In this particular clause the delegation of authority is designed to take an administrative function that is presently handled by the Minister of Indian Affairs, and following the election of each new minister responsible for water resources in the N.W.T., and redelegate it.

It also provides in the subsequent clause for agreements with provinces and territories, which obviously is necessary. As I pointed out when I began my remarks, waters flow from the provinces, particularly from British Columbia, Alberta and Saskatchewan, to the N.W.T. Naturally there is a need for agreements and the minister to whom the power is delegated naturally requires the capacity for agreements.

That clause states: "With the approval of the Governor in Council and subject to any agreement entered into pursuant to sections 5 or 11 of the Canada Water Act, the minister may on behalf of the Government of Canada enter into an agreement with a provincial or territorial government providing for the management of any waters situated partially in the Northwest Territories and partially in a province or the Yukon territory or flowing between the Northwest Territories and a province or the Yukon territory".