

Government Orders

These new elements will bring Canada back to the lead in EIA regulation! And give us inspiration for new developments.

That is an extremely noteworthy compliment to be received from a government for which we at least on this side of the House have a great deal of respect. With all deference to the hon. member, it would seem to me that this individual who is head of EIA department in the Dutch government is an individual whose views I would certainly hold in great esteem. I am wondering how the contrast could be so great.

Mrs. Campbell (South West Nova): Holland, Mr. Speaker, is a very small country. Its government may think that this legislation looks good and maybe it would like to have it there. However, this legislation is not as strong as the existing guidelines wherein one had to do something in order to be in compliance with them.

This time the responsible authority will screen. It will go to the agency. The agency will make a decision as to how much further it goes, but the agency does not have the teeth to reject. I do not see that it has much power.

Mr. Dennis Mills (Broadview—Greenwood): Mr. Speaker, I want to follow along on that point because we have seen the track record of this government when it comes to national standards. It seems to retreat from national standards.

I want to cite specifically Bill C-29 respecting the forestry act wherein we have a definition of sustainable development. That is the national standard. Presumably Bill C-29 is the national forestry standard for this country which has been put forward by this government. Time after time we have seen where the provincial standard is lower and yet our standard is subservient.

Does the member not think that without the necessary teeth to rule supreme on this act we are going to see a situation evolve across this country where we have 10, 11, or 12 different standards?

Mrs. Campbell (South West Nova): Mr. Speaker, I thank my colleague for his question. I would say definitely we will have 12 different standards. The most important point about this legislation is that if the government of the day decides that water is not important then chances are it is going to destroy the water.

It allows the Governor in Council to make the ultimate power to control the process. I think we should have the guts, the boldness, and the leadership in a country this size, with the natural resources at our

disposal, to enhance our environmental review process, and to give the minister or this new agency sole discretion to make the decision as to the effect on the environment that the project will have, and then have the government have the guts to say to the people: "We are going against that."

Mr. Dingwall: Mr. Speaker, I am fully prepared to proceed with debate. However, my colleague from Prince Edward Island who represents the riding of Egmont is ready to proceed.

I would only ask, on this point of order, if the Minister of Finance would be kind enough to remain for the rest of the day so that he will have an opportunity to hear my speech first-hand. Then perhaps he would respond with some questions and thereafter we could have a good debate.

The Acting Speaker (Mr. Paproski): That is not a point of order.

Mr. Joe McGuire (Egmont): Mr. Speaker, I am very pleased to be able to speak on Bill C-78 today, an act to establish the federal environmental assessment process.

The purpose of this bill was supposed to be the creation of binding legislation to ensure that environmental assessments are carried out on certain projects within the federal jurisdiction. It was designed to replace the federal policy on environmental assessment and review known as the "guidelines order" which has been in effect since June 1984. Under the guidelines order environmental assessments are discretionary.

• (1600)

All major projects defined to fall under the provisions of this bill will have to undergo mandatory environmental assessments. The assessment process would be transformed from a recommended course of action based on guidelines to a binding and statutory one.

However, in a decision rendered by the Federal Court of Appeal on March 13, 1990 the question as to whether or not the guidelines order was binding or discretionary became subject to interpretation. The court basically ruled that a federal minister had responsibility to comply with the guidelines order and that the guidelines order was intended actually to bind the minister in the performance of his duties and functions. This actually means that the minister is bound by the process but the result is not binding.