

Harbour Commissions Act

● (1750)

There are many hundreds of these small ports, and they need help; it is a practical problem. We should realize that Canada has a terrific water transportation system, including the ocean ports in the east and in the west. Improvements are constantly being sought. Efforts are being made to enlarge the port of Churchill which is at present open only for two or three months of the year. The day may come when more ports will be constructed in this region of Hudson Bay and James Bay, perhaps even in the Arctic itself. Those responsible for the planning of our deepwater ports must think nowadays of providing for ships which draw 80 feet or more, compared with 30 feet which we used to consider exceptional. These large vessels are already discharging cargoes of oil and general merchandise in Vancouver and Halifax and shortly, it is thought, it will be possible to bring them right up to Montreal.

Developments are under consideration concerning harbours at Rivière du Loup and Gros Cacouna both by the province of Quebec and by private developers. Anyone familiar with the Welland canal and the canal system in general from Montreal to Thunder Bay and Chicago knows that the seaway is used by ships as large as some of the biggest which ply a purely ocean trade. To facilitate the passage of such ships, the seaway will have to be enlarged—another \$500 million or more will have to be spent on it. Increasing importance is being attached to water transportation because it is cheaper. But the attention of the federal government is needed if these tasks are to be done well.

The mover and the seconder of this bill are probably looking for help for the smaller ports. I should like to see every assistance possible given to these small ports in their rehabilitation both for pleasure and for commercial uses. However, the institution of action of this kind would, I think, call for a change in the Canadian Constitution which has made certain provisions respecting the care of both ocean and inland ports. I believe that one of my hon. friends who is to follow me in this debate will make this point in more detail from a legal standpoint.

Some hon. Members: Question.

Mr. J.-J. Blais (Nipissing): Mr. Speaker, at the outset of my remarks I should like to commend the idea which generated the bill now before us. However, I feel that as a private member I have an obligation to address myself to one particular difficulty which, as I see it, this measure presents. As I read the bill, it became evident that it gives rise to a substantial constitutional problem and in my view it is defective on that basis.

Section 91 of the British North America Act provides:

It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this act assigned exclusively to the legislatures of the provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms in this section, it is hereby declared that notwithstanding anything in this act the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated—

A number of subsections are then enumerated. I shall quote three of them:

[Mr. Railton.]

9. Beacons, buoys, lighthouses and Sable Island.

10. Navigation and shipping.

12. Sea coast and inland fisheries.

It is an understanding of the whole system of government which seems to me lacking among the sponsors of this bill, because evidently the constitution provides that authority over ports and coastal matters is given to the federal government. As everyone knows, the federal government comes to power as the result of an election. There are in the constitution certain provisions with regard to elections at the provincial level as well. At the municipal level there are provisions for elections under statutes created by the provinces. I am sure no one here would wish to restrict or to limit our rights and prerogatives as members of the House, but I suggest that the effect of the bill before would do just that. Its sponsors are saying, in effect, "If we do not have the power to deal with harbours, we must let the public decide on a municipal basis, under electoral provisions set out in provincial legislation, the way in which these harbour commissions are to be appointed."

Mr. Knowles (Winnipeg North Centre): Question.

Mr. Blais: It appears to me that those who support the bill are ignoring the provisions of the constitution. I would even suggest that the bill should not even have been introduced because it is out of order.

The Acting Speaker (Mr. Laniel): Order. The hour for the consideration of private members' business having expired, I do now leave the chair until eight o'clock tonight.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

EXTERNAL AFFAIRS

ARAB-ISRAELI WAR

Mr. Speaker: Pursuant to the special order made earlier this day, Mr. Sharp, seconded by Mr. MacEachen, moves: That this House do now adjourn.

Hon. Mitchell Sharp (Secretary of State for External Affairs): Mr. Speaker, ten days ago Egyptian and Syrian troops launched heavily armoured attacks across the ceasefire lines of the Suez Canal and on the Golan Heights into territories occupied by Israel since 1967 and large-scale warfare replaced an uneasy truce in the Middle-East. I speak for the government and I think I speak for all members in this House when I deplore this development. Canadian sympathies go out to the people caught up in this dreadful tragedy. Canadian efforts must be directed to what can be done to stop the fighting and start the process of achieving by peaceful means a just and lasting settlement.

After these ten days of heavy fighting, with great losses in lives, the military outcome is still unclear and indeed