

*Canada Oil and Gas Act*

good legislation and bad legislation, and a fine line between discretion and an abuse of power.

I want to deal briefly with those clauses of the bill that involve ministerial discretion. Under Clause 10(2), the minister determines the exploration agreement which includes the dates and terms. Under Clause 12(1), the minister may enter into an exploration agreement without a call for public tenders, if he determines that is not in the public interest. Regardless of whether this minister is the minister for all time, which he will not be, at some point in the future that clause has to be subject or open to some kind of abuse. There must be some form of protection to assure us that no minister or government will abuse those very fundamental privileges.

Under Clause 14(1), the minister may select any proposal put before him. There is a lot of power there. Under Clause 15, if there are no other proposals put in front of him, he may enter into a proposal with any party he chooses. We do not know whether the conditions of the first proposal are the same as for the second. Things could change. That too is open to abuse.

Clause 35 really intrigued me. It allows the minister to change the operator, to go in and, on his own, to literally change the operator of a particular drilling program going on in a part of the country. This opens up a whole series of questions and concerns, or at least it should. That is pretty fundamental.

Let us take Dome Petroleum Canada as an example. It could be developing an oil well in the north, have taken it from the exploration stage through financing by initial investors, through the initial development, until the well is drilled and ready to operate so that it can bring the oil out of the ground. The minister can walk in under the authority of Clause 35 and change the operator. In other words, he can say to the operator, "You have done a wonderful job, a super job, and now it is time to let somebody else take over". That can cause all sorts of problems and have all sorts of implications. It is subject to abuse.

I referred earlier to Clause 48(1) (a) as having far-reaching implications. It talks about the minister ordering the commencement or continuation of drilling, where to deliver the product, when, what quantity and at what price. As I said, it covers the whole gambit in the development of oil. All of those powers are concentrated in one man and are in the hands of a few of his officials and colleagues.

Subclause (b) gives him the right to cease production. That kind of power or authority centralized in one area becomes extremely worrisome. We can see the potential for abuse. The opportunity for misuse is wide open.

Clause 48 is subject to appeal under Clause 56. Let us look briefly at Clause 56. Motion No. 7, which we are addressing tonight, calls for Clause 10 to be subject to appeal under Clause 56. The minute we think of a hearing, we think of some sort of arbitrator, judge or jury, or someone to whom we can present our case. You become the complainant and they the defendants. When one thinks of an appeal process, one thinks

of a neutral board one can address, lay his claim before, make his case and hope for an unbiased, neutral and fair hearing.

● (2130)

Let us look at Clause 56. Who holds the hearing? The Minister of Energy, Mines and Resources (Mr. Lalonde) holds the hearing. Who is the judge? Again, it is the Minister of Energy, Mines and Resources. Who is the jury? It is the minister. Here you have a complaint on this side against the minister, Mr. Speaker. You appeal it. Who do you appeal it to? Not over here but to the same minister. I believe this is something we should be concerned about.

This bill is important. We are talking about the development of the north. We are talking about the future of the north. We are talking about the opportunities for northern people, northern Indians, northern Eskimos. We are talking about their opportunities for jobs. We are talking about their potential for education. We are literally talking, Mr. Speaker, about their future. Any bill that does not properly address that, that does not fairly look at their needs, that does not fairly look at the potential they have, and that does not, in some manner, in a very definite, careful and fair way present them with an opportunity, is not doing its job. I do not believe, Mr. Speaker, there is room for abuse.

If we were to look at the goals of Bill C-48, as my colleague, the hon. member for Halifax West (Mr. Crosby), said, we should be looking at energy self-sufficiency for our country. That has to be our concern. We should be making sure the bill addresses development. We have to see that development focuses on Canadian companies and uses Canadian employees and Canadian people. Any bill we bring forward has to benefit Canadians. I do not mean just the Canadians living in Toronto, and I do not mean Canadians living within 50 miles of the American border; I mean the Canadians that live in that area, and I mean the Canadians that live throughout the rest of Canada. We have to address that.

Motion No. 8 addresses those issues. It addresses oil self-sufficiency for our country. Motion No. 9 talks about Canadian content and the importance it has for our country, the importance it has for our potential, and the importance it has for our future. Motion No. 15 first deals with the environmental concerns we have to face in an area such as we have in this country, an area that is ecologically very sensitive. Second, it deals with the Canadian content of manpower obligations and manpower opportunities.

I was in Inuvik a couple of weeks ago. One of the things the mayor of the town, who appeared before us in committee, talked about is the opportunities available to people in this country to develop their job skills, to employ them in working in their home areas, to earn a livelihood, and to contribute to our country and to our economy.

My time has just about run out, Mr. Speaker. In conclusion, let me pose a couple of questions. First, why do we not have any public boards to which appeals could be made? Why do we not have an opportunity for public appeal? Why do we have one appeal opportunity only, and that is to the minister