

Government Orders

ceed, in my view, to militarize at every single opportunity. I do not think Canadians want, in any way, to know or even to have the possibility out there that the new space agency might be involved in star wars or in any kind of space militarization or space military activity. Those are the reasons for my remarks.

[*Translation*]

Mrs. Suzanne Duplessis (Parliamentary Secretary to Minister of State (Science and Technology)): Mr. Speaker, I would like to give the government's position on Motion No. 1, moved by the Hon. Member for Okanagan—Shuswap (Mr. MacWilliam), which adds the words "for non-military, peaceful purposes" to paragraphs 5(2)(b) and 5(2)(c). The government cannot accept the motion because the Agency's objects are stated clearly in clause 4 of the Bill. They consist in promoting the peaceful use and development of space. Consequently, adding the word "peaceful" to subsection 5(2) is redundant, especially since this provision specifically mentions the Agency's objects from the outset.

The terms "for peaceful purposes" are entirely appropriate, since those are the terms used in treaties on outer space.

Mr. Speaker, I would therefore like to remind the Hon. Member for the New Democratic Party and the Hon. Member for Skeena that according to the Canadian government's policy, also stated in clause 4 of the bill which provides for promoting the peaceful use and development of space, Canada is a signatory to the Outer Space Treaty which requires space to be used for "exclusively peaceful" purposes.

The terms "peaceful purposes" can apply to certain non-aggressive activities such as monitoring compliance with arms control treaties, telecommunications and search and rescue operations. It is clear the terms "peaceful purposes" do not apply to aggressive activities such as the "militarization" of space.

Thus, the Agency can only exercise its duties in relation to matters concerning space that are not by or pursuant to law assigned to any other department, board or agency of the Government of Canada.

Section 4 of the Department of National Defence Act provides that the Minister of National Defence has the management and direction of all matters relating to

national defence, including preparation for civil defence against enemy action.

Consequently, there is nothing in the proposed legislation that empowers the Agency to engage, in space, in activities related to the national defence of Canada, since this is an area that by law is assigned to another department, in this case the Department of National Defence.

Regarding the motion moved by the Hon. Member for Ottawa West (Mrs. Catterall), Motion No. 2, sub-section 5(2) on functions, adds a new paragraph, 5(2)(c):

assume all existing contracts, memoranda of understanding or other arrangements in the name of Her Majesty in right of Canada related to its functions.

This motion is not acceptable to the government because the new paragraph is redundant and in fact might cause confusion and create problems of a legal nature. It is unnecessary because all these obligations are obligations of Her Majesty in right of Canada.

It is the program or project that is transferred that determines whether a contract or other agreement is transferred or not. An agreement is not transferred automatically. It must be part of a program, project or other obligation that is transferred to the Agency.

Adding this clause might create legal uncertainty in cases where one party to a contract maintains that the contract now comes under the Agency because it relates to space, while in fact, the contract is still the responsibility of another department.

Therefore, Mr. Speaker, we intend to vote against both motions.

[*English*]

Mr. Stan J. Hovdebo (Saskatoon—Humboldt): Mr. Speaker, I would like to make a few comments on these particular amendments. Canadians have accepted the idea that the space agency is for peaceful and non-military purposes. That has been the basis on which the planning was done for the space agency.

However, members of this House who have watched agencies develop relative to their responsibility to this government know that quite often they do not ultimately fulfil their mandates, particularly the aims as stated by the government in many cases. Consequently it is neces-