

“poses of coordination, consultation, exchange of information and the determination of factors to be considered in relation to the”;

(b) by striking out line 41 at page 42 and substituting the following therefor:

“substitution pursuant to section 43;

(h) establish criteria for the purposes of an alternative manner of conducting an assessment of the environmental effects of a project referred to in subsection 46(2) or 47(2); and”.

Mr. Lee Clark (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, may I rise on a point of order or a question.

The note I have in front of me states that Motion No. 21 would apply to Motions Nos. 22 and 30. I am not sure whether that is what I heard you read or not.

The Acting Speaker (Mr. Paproski): It is that a vote on Motion No. 30 will apply to Motions Nos. 21 and 22, which is the Speaker's ruling. The hon. parliamentary secretary.

Mr. Clark (Brandon—Souris): In any contest of will, Mr. Speaker, you clearly would win over anyone else in the House. I understand that and recognize that.

I would like to make a number of brief comments with respect to Motions Nos. 21, 22 and 30, which are amendments to clauses 46, 47 and 58 and are designed to establish criteria to the ministerial power for transboundary clauses.

Clauses 46(2) and 47(2) outline the circumstances under which, in the case of a project that may cause significant transboundary environmental effects, the Minister of the Environment may exercise the discretion not to establish a review panel where it can be left to other jurisdictions if all parties are in agreement as to the alternative means. I want to stress the qualification there.

During our clause by clause, which was very extensive—and as members will recall, the minister himself was present for a significant portion of that, which indeed was a generous commitment on his part that we appreciated—the committee amended the above provisions to require the criterion already required for the substitution of other federal processes to be met before the minister could exercise his discretion not to establish a review panel.

That criterion I would like to bring to the attention of the House. It is found on page 31 in the bill, and it is identified in four different instances. Clause 47(1)(a):

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(a) includes a consideration of the factors required to be considered under subsections 16(1) and (2);

(b) includes an opportunity for the public to participate in the assessment;

(c) includes a requirement that the report is to be submitted to the Minister at the end of the assessment; and

(d) includes a requirement that the report is to be published.

What we are doing is adding to the requirement for public participation in the process.

In addition, in subclause 58(1) under “*Minister's Powers*” we provide for the development of additional criteria which may be required to guide the minister's decision. We did that simply in recognition, as I said earlier, of the fact that this is an evolving science and if other criteria are to be identified they can indeed be added there with little difficulty. This same type of provision was added to the federal substitution clauses in clause-by-clause consideration.

The government has agreed to consider such an amendment for the transboundary provisions and has therefore proposed this change. As a consequence of the proposed change cross-references would have to be made in 45(2) and 47(2).

As a further technical matter, the amendments to subclauses 47(1) and (2) are required because the criteria were erroneously placed at an earlier time under subclause 47(1). This motion will result in paragraphs (a) through (d) being placed under subclause 47(2) where they properly belong.

Earlier in the day I referred to amendments which I perceived to be technical amendments, in some cases simply being a clarification of the French language translation. This led to extremely extensive debate on a variety of issues, the extent of which was somewhat of a surprise to me. I would simply suggest to the House that this is a tightly framed series of amendments being proposed by the government. I would hope that it would meet with both approval and speedy concurrence.

Ms. Lynn Hunter (Saanich—Gulf Islands): Mr. Speaker, I will take that as an admonition from the parliamentary secretary and presume to ignore it. I will extend an admonition toward him. This is the most important environmental legislation this House has seen in many a long year. Although he may think that we do not need to debate it any further, I do and I think most Canadians do.