

Indian Act

Members of the committee will be well acquainted with the many hours of discussions which we had on the matter. Of course, the point was that we wanted to determine if we could establish a mechanism that would allow us to deal with those bands which would be affected to a far greater degree in terms of community members returning to their communities. Therefore, there were a number of thoughts and concerns as to how we might proceed.

With respect to Motion No. 37A, I have carefully studied the committee's proposal and I certainly appreciate the hard work that went into devising a solution to the high impact problem. I cannot, however, endorse the 10 per cent rule which was proposed by the committee in Clause 19. I think the rule was an imaginative approach to the issue, however, I believe that it is seriously flawed. Therefore, it is not possible for me to support that 10 per cent solution.

I had proposed another amendment, which is contained in Motion No. 35A. It is clear that the people who would gain the most from it are not in favour of it. I have listened to representations from the Hon. Member for Athabasca (Mr. Shields), the Hon. Member for Wetaskiwin (Mr. Schellenberger) and a number of Indian communities and organizations from the Province of Alberta and elsewhere. However, I can find no one who wishes to support the proposal and, therefore, I will withdraw Motion No. 35A. I do so, without gilding the lily in any way, for those who do not think that the parliamentary system yields opportunities for people to be heard and to have matters changed to suit their interests. Those who doubt that the process works ought to come and visit the life of Bill C-31.

Mr. Deputy Speaker: Motion No. 35A has been withdrawn by the Minister. I will now move to Motion No. 37A, which I have not done.

Hon. David Crombie (Minister of Indian Affairs and Northern Development) moved:

Motion No. 37A

That Bill C-31, be amended

(a) by striking out lines 31 to 46 at page 18 and lines 1 to 9 at page 19

(b) and by renumbering the subsequent Clauses accordingly.

Mr. Penner: Mr. Speaker, I am rising on a point of order. You said that the Minister had withdrawn Motion No. 35A, but I believe when a motion is on the Order Paper, it must be withdrawn by unanimous consent. We are prepared to offer consent to have the motion withdrawn. I would like to make a comment, apropos that, which I think will be in order.

As my Party gave consent to the Minister to withdraw Motion No. 35A, I wanted to point out, as the Minister said, that there was a very genuine effort made in committee, and a very genuine effort made by the Minister himself, to accommodate Bill C-31 to those bands which would be impacted upon much more than other bands as a result of the enactment of this legislation. The House should be aware that the so-called "high impact" bands are primarily located in western Canada, in the Province of Alberta. Those bands also have the

good fortune of being resource rich. If this Bill is not restricted in any way, they could have their populations increase from 200 per cent to 400 per cent.

Committee members made a genuine effort, in listening to testimony, to attempt to find a way in which we could lessen or cushion the impact over a period of time. We failed. Anything which we came up with was not acceptable to the high impact bands. In giving consent to the withdrawal of the motion, I want to have the assurance of the Minister that his office and officials will make a concerted effort to follow what happens when Bill C-31 becomes law, as some bands felt that the legislation would impact upon them in a way which would be felt to a much lesser extent by other Indian bands across the country.

● (1550)

I think we need to pay special attention to see that there is fairness, that we are not imposing a terrible injustice on these people in a way in which the Minister never intended, based on the three principles or the three pillars he enunciated at the beginning of this debate. We just need an assurance that somehow it will just not be forgotten. I am sure the Hon. Member for Athabasca (Mr. Shields) and the Hon. Member for Wetaskiwin (Mr. Schellenberger) will not let the Minister forget it, in any case, but I feel the House does need the assurance that it is not just going to be ignored and that very special attention, a monitoring if you like, will continue until such time as the committee, in two years hence, reviews the operation of this legislation. I do not want the so-called "high impact" bands to have to wait two years before there is some analysis of what in fact is happening to them.

Mr. Manly: We are happy to give our consent to the withdrawal of Motion 35A, although it is very similar to my Motion No. 24 which was rejected yesterday. Motion No. 35A would have attempted to meet the concerns of the high impact bands without at the same time undercutting the basic principles of the Bill, providing for reinstatement of those people who had lost their status unjustly. It was an attempt to find a better way than the present clause 19 of the Bill which, I am pleased to say, the Minister also feels is inappropriate to the intent and principles of Bill C-31. We are very pleased, therefore, to support Motion No. 37A which withdraws and strikes out clause 19 of Bill C-31.

Mr. Crombie: Mr. Speaker, I would like to respond to the concern raised by the Hon. Member for Cochrane-Superior (Mr. Penner), and other Hon. Members, and give him and the House the assurance that we will take special care with respect to monitoring the impact of Bill C-31 certainly on all bands but particularly on those bands which are known as "high impact" bands.

As was so well put by both Hon. Members opposite, there was a strong attempt to try to deal with it, but all of the people who are going to be affected have asked for a withdrawal of the only solution we finally had. I am aware of the potential problem. I feel that there is protection enough in the Bill, but I