

*Fisheries Act*

debate is an interesting one and the argument is not without merit. If it has a fault, it is that it might be premature. In my view, I think I have to assume that if the bill receives second reading and is referred to committee, it would then be considered by a committee of the House along with the other two bills and it would be at the third reading stage that the argument could be presented with much more force and at that point should be considered very seriously.

I have every possible sympathy with the view expressed by the hon. member for South Shore and the hon. member for Edmonton West (Mr. Lambert). As the hon. member for Peace River (Mr. Baldwin) has pointed out, the adoption of this kind of procedure might lead us to rather extreme situations. Because of this I would suggest that the argument, if circumstances are such that the bill is still dependent at that stage on the adoption of other bills in statute form, might be brought up again and it would be considered by the Chair.

Generally speaking, my conclusion would be that the interesting point is perhaps premature. I would suggest that the House proceed with the consideration of the bill and if on third reading we are still in the position where we are being asked to adopt a bill which is dependent on the adoption of other bills, the terms of which are still uncertain, then the matter might be considered by the Chair.

**Hon. Jack Davis (Minister of Fisheries and Forestry)** moved that Bill C-204, to amend the Fisheries Act, be read the second time and referred to the Standing Committee on Fisheries and Forestry.

He said: Mr. Speaker, today hon. members are being asked to consider several important changes in the Fisheries Act. These changes will strengthen the act. They will clarify it and they will put more teeth in it.

With these amendments, the Fisheries Act will become a better act and a more effective act. It will provide a greater measure of protection for our aquatic environment and it will enable Canadians to generate higher incomes from our commercial fishery, and our sports fishery in this country.

As most hon. members know, the Fisheries Act is a federal act. It is an act which is as old as confederation itself. Our Fisheries Act was passed during Canada's first session of Parliament. It was passed more than 100 years ago. The Fisheries Act has, of course, been revised and updated with the passage of time.

[Mr. Speaker.]

It has changed in some ways but it is still national in character. It is still nationwide in its application. It applies, as our Canadian constitution says, to our "seacoast and inland fisheries". It applies from sea to sea—from the Atlantic to the Pacific. It also applies from our international boundary line in the south to the Arctic ocean in the north.

Perhaps I could put it another way. Fisheries are entirely a federal responsibility. Parliament, alone, makes the laws with regard to fish in salt water and fish in fresh water. The Fisheries Act, therefore, applies to Canadian waters everywhere. The only limitation is whether the water in question now supports fish life or has done so in the past. Parliament, under our constitution, passes all of the laws dealing with fisheries as a resource. Ottawa also writes all of the regulations drawn up under the Fisheries Act. It writes the regulations even when the administration of the act has been delegated to one of the provinces.

Let me give you an example. The administration of our federal Fisheries Act was delegated to Alberta in the 1930's. Alberta, in other words, administers the Fisheries Act in all of the waters of that province. But when Alberta wants to change any of the regulations under the act it must get our approval. It must ask Ottawa to approve every change in the rules in so far as they apply to the fresh water fishery there.

The situation in the four Atlantic provinces, British Columbia, the Yukon and the Northwest Territories is relatively straightforward. There, Ottawa not only makes the law and draws up its own regulations but also administers the fishery as well. We are legislators and administrators in salt water. But, inland, the situation varies from place to place.

Throughout the prairies and in Ontario and Quebec, the administration of the Fisheries Act is delegated to one or more provincial departments. They administer the act in so far as opening and closing dates, catch limits and other conservation measures are concerned. Still, they rely on our Fisheries Department. They rely on us for fisheries research, fisheries development programs, fish inspection and fish marketing services. Obviously our department is active everywhere in Canada. It is active throughout Canada, even though the administration of the Fisheries Act itself may be delegated to some province and not to others.