

namely those directly concerned with shipping in Arctic waters and now exercised by the Minister of Transport. The passing of the Arctic Waters Pollution Prevention Act was due in part to the recognition by Parliament of recent progress in the exploitation of Arctic resources and their transportation to world markets.

At the time the act was passed, Parliament took a commitment to ensure that shipping in Arctic waters adjacent to land and Canadian Arctic islands would be totally compatible with Canada's responsibility to maintain the special environmental balance of waters, ice covered surfaces and land surfaces of the Canadian Arctic. In addition to the above objectives, certain powers and responsibilities were delegated to the Minister of Transport under the Arctic Waters Pollution Prevention Act. These are:

First, the power under section 5(2) of the act, to require that the master of any ship report the deposit of waste or any condition of distress that could lead to the deposit of waste; second, the power under section 6(2) of the act to direct that action be taken by or on behalf of Her Majesty in right of Canada to repair or remedy any condition that results from a deposit of waste by any ship or to reduce or mitigate any damage to or destruction of life or property that may result from such deposit of waste.

Third, the power under subsection 8(1)(d) of the act to require the owner of any ship that navigates within any shipping safety control zone specified by the governor in council and, subject to certain limitations, the owner of the cargo of any such ship, to provide evidence of financial responsibility, in a form satisfactory to the minister and in an amount determined in the manner provided by regulations established under the act; fourth, the power, under subsection 13(1) of the act, to cause the ship or any cargo or other material on board the ship to be destroyed, if necessary, or to be removed if possible to such place and sold in such manner as the minister may direct; fifth, the power, under subsection 14(1), and subject to the provisions of subsection 26(2) of the act, to designate any person as a pollution prevention officer with such powers as are set out in subsections 15(1) and 15(2) of the act. In addition, the Minister of Transport is being required to ensure that all persons designated as pollution prevention officers are authorized to exercise the powers vested in them in the manner specified at the time of their appointment.

[English]

In addition to the foregoing powers and authority, and as a direct result of the exigencies thereof, the Minister of Transport has, through the Department of Transport, customarily been responsible for the formulation, administration and enforcement of regulations relating to navigation in shipping safety control zones under section 12 of the Arctic Waters Pollution Prevention Act. These regulations relate to a broad spectrum of activities concerning the design, construction, equipping, manning and operation of ships destined for naviga-

*Arctic Waters Pollution Prevention Act*

tion in the shipping safety control zones of the Arctic and are designed to assure fully the protection of the Arctic environment from the potential effects of both normal ship operations and shipping accidents or collisions.

Among the seven completed regulation projects pursuant to the Arctic Waters Pollution Prevention Act, the major one consists of the Arctic shipping pollution prevention regulations. This set of regulations lays down the specific technical requirements to fulfil the general objectives of the Arctic Waters Pollution Prevention Act and contains particular specifications with respect to the following: detailed construction techniques and materials relating to ice strengthening of ships; operational parameters for ships; construction of machinery and equipment and electronic and other navigational aids and equipment including radio and telecommunications equipment; the nature and construction of propelling power and appliances and fittings for steering and stabilizing; training, competence and certification of ship personnel for navigation in ice-infested waters; with respect to any type of cargo, the maximum quantity thereof allowed to be carried, the method of stowage; the nature, type and quantities of supplies and equipment to be carried for use in repairing or remedying any condition that may result from the deposit of any cargo in Arctic waters; the maps, charts, tide tables and any other documents or publications relating to navigation in the Arctic waters to be carried; details concerning both icebreaker support and ice routing in the Arctic waters as well as ice navigator specifications.

In short, the regulations all pertain to matters concerning the operation of ships as well as safety of life and environment in the Arctic waters.

Two major facets of the Arctic Waters Pollution Prevention Act must be understood if the act is to continue to be an effective instrument.

First, in order to ensure the effective carrying out of the mandate, which is the core of the act, and while there are unquestionably several other concerns involved in the act, such as natural resources and energy development, sociological impact on native peoples and the environment, there is a predominant, specific need—and this is what is important and, I am afraid, what is deficient in the proposal of the hon. member opposite—for highly specialized and particular technical expertise in the fields of naval architecture, marine engineering, navigational science and vessel operation techniques. These fields of expertise have been developed over time and presently reside uniquely within Transport Canada as the result of its broad range of responsibilities in the marine transportation field. In this aspect, I am confident that members of the House would agree that it would be counterproductive to divest Transport Canada of its present mandate or to transfer that mandate to any other single department which does not possess the same over-all capability and expertise.

● (1630)

I also want to submit that while the Department of the Environment has a general mandate with respect to the envi-