

Health and the Environment

mouths shut. Yesterday, I saw in the gallery a \$1 bill, a \$2 bill, and a \$5 bill. Mr. Speaker, perhaps it was \$5, \$1 or \$2 bills those fellows had collected over the last six months. That is all I had to say.

[English]

The Acting Speaker (Mr. Penner): The hon. member has interrupted the business of the evening on a question of privilege. Of course, he is aware that questions of privilege need to be raised at the earliest opportunity, and the Chair has some doubt this has been done. It is also usual to present to the Speaker written notice of intention to raise a question of privilege. The hon. member is aware that none of these requisites has been observed.

The Chair also notes that at the conclusion of the hon. member's remarks, in which he made an interesting complaint which he brought to the attention of all hon. members, he did not follow up his discourse with a motion for a question of privilege; so there is no further action required by the Chair, and the House should continue the debate which is in progress.

Mr. Stuart Leggatt (New Westminster): Madam Speaker, I rise to some extent in a redundant capacity because most of the remarks of the hon. member for Vancouver South (Mr. Fraser) are remarks with which I associate myself in terms of the criticisms that have been levelled against this piece of legislation.

An hon. Member: He is a good fellow.

Mr. Leggatt: Yes, he is a pretty good fellow, like some of those left-wing Conservatives whom I could never quite fathom. Madam Speaker, before dealing with the content of the bill I wish to refer to the very uplifting statement that was made in the Speech from the Throne on September 30 last, in terms of the intentions of this government to deal with environmental matters. I must congratulate the government on a fine piece of rhetoric, because this is what I find in the Speech from the Throne:

Stemming the despoliation of our planet and returning our water, air, and land to a more natural state are urgent and challenging goals. Legislative measures toward these goals will include:

... greater protection from contaminating substances in the interests of human health and ecological stability; and

... curtailment of ocean dumping through international agreement.

Then the statement went on to refer to protection from contaminating substances and curtailment of ocean dumping. These are fine words, but in terms of performance, when one examines this bill one must question whether this government is really serious in terms of the environment. This bill sets forth a very interesting procedure in terms of dealing with the question of prevention rather than cure. It is almost as if an ounce of prevention is worth a pound of cure in determining where the bill is heading and what it is trying to solve.

First of all, the bill requires that the minister must investigate. Second, it requires that the minister must consult with the provinces. Third, the minister must consult with other federal agencies: then they have to change the regulations in respect of the emission of dangerous substances. Fifth, the Minister must refer the suggestions to a board of review. The only way to enforce the procedure set forth in the bill is to determine that an emergency

[Mr. Caouette (Témiscamingue).]

situation exists. How do we determine that an emergency situation exists? In fact, we very rarely know that one exists. When a person who has been working in a pastics factory dies of cancer, perhaps that is an emergency to him, but there may have been many years during which people had been working on that substance or that particular experiment.

In respect of the Indians of the White Dog reserve at Grassy Narrows who were consuming food containing mercury levels far above those which a person should consume, it is almost impossible to know for how long that situation existed. So it seems to me that the bill does not do what must be done, which is to really zero in on the problem of prevention rather than cure and place the onus where it belongs, on those who are contaminating the atmosphere. The onus is on the government and on the prevention agencies in respect of this bill to determine whether an emergency condition exists or whether the atmosphere is being polluted.

Assuming that we are lucky enough to find somebody who is producing new substances which contaminate the atmosphere and may maim, kill or injure those of us in society, the bill goes on to establish a penalty. Clause 8(5) of this bill must have caused people who are contaminating the atmosphere to laugh all the way to the bank, because this clause provides:

Every person who contravenes this section is guilty of an offence and is liable

(a) on summary conviction, to a fine not exceeding ten thousand dollars or to imprisonment for six months or to both . . .

That is hardly a deterrent when a new product is brought into society which is worth billions of dollars in some cases, and certainly millions of dollars. If one were sitting on the board of directors of a major corporation, one would have to weigh whether the corporation should continue what it is doing, because of the revenue and profit attached to the operation, with the size of the fine and the size of the penalty.

● (2130)

An hon. Member: Hang them.

Mr. Leggatt: I must say I would not go quite that far. I am still consistent on the matter of capital punishment. I believe that a very serious review should be made of the bill's penalty sections. There is a two-year sentence provision upon indictment—I was not glossing over that—but in practice, where there are two provisions, one for a summary conviction and one relating to indictment, the normal situation is for a prosecutor to lay the charge under the lesser penalty. That has been the practice in our courts for many years.

In many cases, where the charge is laid under the minor section calling for summary conviction, nothing more is given than a slap on the wrist, while in fact they might have made immense profits, quite often fantastic profits, as a result of the new substances that are coming in. I think in particular of the phenoxy herbicides or agricultural pesticides that are being developed every day, which bring immense profits to the agricultural industry. On balance, the pressure to use these herbicides and pesticides because of the world food shortage and because of