

Mr. BLACK: Did you say that Dean Curtis is the representative for Canada?

Hon. Mr. SINCLAIR: No. No. Dean Curtis is a member of this inter-departmental committee of the federal government which is concerned with territorial waters. He is the legal advisor to it. The legal expert is Dean Curtis of the University of British Columbia who is an extraordinarily able man. He was a Maritimer originally.

Mr. STUART: Then he is all right!

Hon. Mr. SINCLAIR: But he went out to the west coast and he is now a Canadian authority on international law.

Mr. BLACK: Who is associated with Dean Curtis?

Hon. Mr. SINCLAIR: This departmental committee includes Mr. Ozere from the Department of Fisheries, a representative from the Department of Transport which is equally concerned, and a representative from the Department of External Affairs, and others; that is from the federal departments which are concerned in the problem of territorial waters. Our sole outside legal expert and advisor there is Dean Curtis of the University of British Columbia.

Mr. PEARKES: Has that committee held any meetings this year?

Hon. Mr. SINCLAIR: You will have to direct your question to the Department of External Affairs.

Mr. ERICHSEN-BROWN: Yes sir, that is so.

The CHAIRMAN: Shall clause 3 carry?

Mr. PEARKES: Are there any existing regulations which modify sub-clause 3 in so far as they apply to west coast fisheries?

Mr. OZERE: No, there are no regulations which would modify that clause except the ports privileges treaty for halibut fishing vessels.

The CHAIRMAN: Shall clause 3 carry?

Mr. MACLEAN: This Act, of course, is not designed primarily to apply to sports fishing. How is sports fishing exempted from it, if that is the intention? Or what is the position of sports fishing?

The CHAIRMAN: As I understand it, this is a consolidation of an Act which was introduced in 1867 and was first amended in 1913, and which is now being brought up to date. No doubt it will be up for further amendment in the light of any necessary changes which may be brought about. But I am unable to answer your question.

Hon. Mr. SINCLAIR: Perhaps Mr. Bates or Mr. Ozere would outline for us the jurisdiction over sports and commercial fishing.

Mr. OZERE: The Act applies to sports fishing in this way: You could not come into Canadian territorial waters using a foreign boat, even for sports fishings, but that is as far as this Act would be applicable, I think. Otherwise the regulations with respect to sports fishing as well as commercial fishing are enacted under other federal statutes. The Government of Canada legislates on sports fishing as well as on commercial fishing; and in the case of some provinces, the administration or the enforcement of federal regulations, especially as far as sports fishing is concerned, has been combined with the provincial protection of game, and therefore they are enforced by provincial officers. Nevertheless, the legislation is enacted by the federal government.

Mr. MACLEAN: What I have in mind there is the International Tuna Fishing contest which is usually held off Nova Scotia. Perhaps some of those teams might want to bring their own vessels. Would they be prohibited?

Mr. OZERE: They would, under this Act, but the Governor in Council, under clause 3, could exempt them.

Mr. STUART: In every case with respect to licence for sports fishing, they would be under the jurisdiction of the provincial legislature.