

*Explosives Act*

premises. We need to know exactly what status each component will have.

Proposed new section 18 provides that:

Every person who enters without permission or lawful authority or is otherwise found in or about any factory or magazine or any vehicle in which an authorized explosive is being conveyed is guilty of an offence—

This means that if a person has premises in which he stores explosives, and within the meaning of the legislation this would include hunting ammunition, restrictions would have to be placed on the movements of his guests so that they would not go near those premises. Further, Mr. Speaker, I believe the provision with regard to the onus of proof is entirely wrong. The onus should be on the authorities to prove that an individual is irresponsible in his actions. It seems that in an effort to control crime and other difficulties that have occurred, in respect to blasting components, we are taking a holus bolus approach and imposing a mass of bureaucratic controls on a great number of law-abiding individuals.

I had occasion to look at the regulations that apply under the present act, and it is apparent that there are literally thousands and thousands of Canadians committing crimes under the provisions of the act without being aware of that fact. In the present case we must produce something that is realistic in terms of its enforceability, or else people will lose their respect for the law.

We already have a mass of regulations that are impossible to enforce. People in their everyday lives are actually breaking the law. When this happens disrespect is engendered for the law. I would like to refer to some of the regulations currently in force. There is one here with respect to the blending and safe handling of explosive mixtures. It refers to ammonium nitrate and fuel oil. They are supposed to be stored in different sites, but how often are diesel fuel and ammonium nitrate unknowingly blended, with the result that the person concerned is breaking the law? That regulation goes back to 1957.

In 1963 there was another regulation stipulating that no person should loiter in the vicinity of any area or structure where defence stocks of explosives are stored. Mr. Speaker, I am sure that anybody who has visited a defence base has seen somebody loitering in such an area. People are breaking the law all the time in respect to that regulation. Half the people on a defence base are civilian personnel. If a man has his hands in his pockets, is he loitering?

Then there is another regulation which says that when an explosive is contained in a package, the outer package must be destroyed or disposed of in such a manner that it cannot be re-used for any purpose. Mr. Speaker, how many children have filled a .22 box or shotgun shell box with some other substance, making a toy out of it? What about powder cans? They are great for holding screws in home workshops. But anybody who uses them that way is breaking the law. I say it is completely unrealistic to make a criminal out of a child who puts sand in a box which held .22 shells.

There are other regulations that are equally ridiculous. There is one which says that a quantity of explosives of a certain class, including fireworks, exceeding five pounds may not be carried in a vehicle that is carrying public

passengers. In other words, not more than 5 pounds of hunting ammunition can be carried in a vehicle that carries public passengers. I would estimate that a box of shotgun shells weighs 2 pounds, so that in effect a person taking three boxes of shotgun shells home with him on the bus is a criminal, according to this regulation.

There are other restrictions with respect to the hauling of explosives. One regulation states that after the operation of unloading from any vehicle is commenced it should not cease and should be completed as expeditiously as possible. I think that the present limit of a load on such a vehicle is about 10,000 pounds. If workers stopped unloading half way through in order to get a cup of coffee they would be breaking the law.

The same regulation provides that vehicles used for the transportation of explosives:

—shall be inspected daily to ascertain that

(i) the fire extinguishers are filled and in working order,

(ii) the electric wiring is completely insulated and firmly secured,

(iii) the fuel tank and feed lines have no leaks,

(iv) the chassis, engine, pan and bottom of the body are clean and free from surplus oil and grease,

(v) the brakes and steering apparatus are in good condition, and

(vi) the spare tire and wheel are in a fixed position—

It also provides that:

—explosives shall not be loaded onto or into a motor vehicle unless the vehicle has been fully serviced with respect to supplies of fuel, oil and air;

From that I would gather that anybody hauling explosives has committed an offence if he has not checked the tires, has not seen to it that they are up to a certain pressure, has not filled the gas tank with fuel, and has not checked the oil. This is utterly ridiculous. To try to enforce regulations like this would mean utter disrespect for the law. To pass the bill in its present form, providing that it is an offence to possess explosives unless there is a remission by regulation, would be a backward step, one that will only get us into trouble.

I can understand what the minister is trying to achieve. He referred to the recent blast in Toronto, and I know that at the time the War Measures Act was invoked there were some explosions in various cities in Quebec. Let us look at the world scene. The troublespot where this act might have some bearing at the present time, I think we would have to agree, would be Ireland where blasts occur every day. The regulations pertaining to explosives and guns in Ireland have been in effect for about 60 years. Under these regulations only a few people can possess guns, and explosives are out of the question. It is illegal to possess guns, illegal to possess explosives—it is illegal to belong to the IRA. What has this accomplished in the way of peace? Absolutely nothing. These regulations have imposed a host of restrictions on ordinary law-abiding citizens because of the criminal element and the people who are making the trouble in that country. The law in this regard has no effect at all on crime and insurrection.

• (1540)

Passage of this bill before us would mean that the ordinary law-abiding man who likes to go hunting on Sunday would have so many restrictions that he would