

minister and his special committee well in their considerations. In particular, I hope the committee will hear the members of the "Operation Oil" task force, and that it will also hear legal witnesses on the question of jurisdiction as well as representatives of shipping interests. It is quite obvious that the implementation of the bill will prove inconvenient and perhaps unpleasant to certain shipping interests, but I think they ought to be heard and given the opportunity to set their position forth so that we can deal with it.

I mention this point in particular because it was always a matter of regret when we were considering the Canada Water Act that representatives from the detergent industry were not called before the committee to speak to the special section of the bill relating to detergent phosphates. I hope this mistake will not be repeated, that those people against whom in large part this legislation is directed will come before the committee to give the committee their story, and that they receive a full hearing.

With those remarks I conclude. We will to the best of our ability make this bill an effective part of the pollution control efforts of Canada.

Mr. Mark Rose (Fraser Valley West): Mr. Speaker, I should like to share the sentiments expressed by the hon. member for Parry Sound-Muskoka (Mr. Aiken) and to say that our party too supports the objectives of the measure. I should like also to say how much I enjoyed listening to the minister. I find him articulate, persuasive, and extremely adept at pouring oil on troubled waters.

With those remarks, Mr. Speaker, since we are very close to our adjournment time for lunch, I wonder whether I may be permitted to call it one o'clock.

The Acting Speaker (Mr. Laniel): Does the House agree to call it one o'clock?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Laniel): It being one o'clock I do now leave the Chair. The House will meet again at two p.m.

At one o'clock the House took recess.

AFTER RECESS

The House resumed at 2.10 p.m.

Mr. Rose: I realize the difficulties we have had finding a quorum this afternoon but I would like to observe that members of my party are here in proportionately much larger strength than members of some other parties.

Some hon. Members: Oh, oh!

An hon. Member: Is this quantitative or qualitative?

Canada Shipping Act

Mr. Rose: Before the lunch break, I said that the NDP supported the aims and objectives of this bill. We do not regard this piece of legislation as a particularly contentious one. I think I also thanked the minister for his excellent introductory and explanatory remarks.

I should like to start by saying that my remarks will be quite general this afternoon and will emphasize two very important concerns related to this measure. First, I wish to say that an otherwise perfectly good piece of legislation is being made ineffective, or not as effective as it might be, by the government's timidity in its jurisdictional approach to this matter. The government has designed this bill to apply only 12 miles off our shores. We think it should apply at least 100 miles, as it does in the government's own Arctic Pollution Prevention Act of last year.

Second, although this bill seeks to prevent—and I emphasize the word "prevent" because I think the minister made a great deal of this—further oil spills, it is unlikely that any bill can ever prevent such disasters. Therefore, we in this party believe we should press for very specific provisions to enable immediate clean-up operations on both our coasts in the event of some future spill which is almost certain to come. Fines levied after the event are not sufficient, and that is what this bill envisages.

Before I develop these two main points, let me review some of the recent history of Canadian oil spills legislation. We heard some of the history from the minister this morning and we were fascinated by his remarks. But I should like to add my own rather brief notes. Prompted by the ecological tragedies, such as the one that happened in the case of the famed *Torrey Canyon* off the coast of England, on December 8 of 1968, Bill S-23 was introduced to the other place for consideration. The bill included a very tough provision which was contained in clause 495(d) defining very effective measures known as unlimited liability to be charged to any carrier, shipowner or master of the ship. This provision made such persons responsible for not only the cost equal to that of the cargo and the value of the ship but also provided that the responsibility for the total damage, even though it exceeded the cost of the ship and its cargo, would be borne by the carrier, in this case the ship.

This was a tough but nevertheless thoughtful provision. During the committee hearings in the other place on Bill S-23 much concern was expressed by various interested people about this very tough provision. Shipowners, insurance companies and various oil interest representatives who were called as witnesses objected to this tough provision on the grounds that it would make the ship and its cargo uninsurable, and that that would effectively prevent any tanker from ever again calling at Canadian ports. The western oilmen would have probably applauded such a measure. The concern expressed by the insurance companies and the shipowners, although it was not meant to, gives the people some idea of the size of the risks involved. If the cost of the total damage of any spill and the consequent cost of clean-up is so immense that huge insurance and shipping companies cannot bear it, consider the immensity of the cost of any major oil disaster to be borne by the general public.