

*Arctic Waters Pollution Prevention Act*

but deals with pollution control. The substance of the argument is that the question of territorial sovereignty does not arise in any way in the bill. Therefore, the subject matter is beyond the bill and for that purpose the amendment is not relevant. I wish to emphasize that the bill, as the House knows, among other things gives the government control of shipping within a distance of 100 miles of the Canadian territorial waters. By that provision alone, it should be evident that the question of sovereignty is not raised in this bill.

● (3:30 p.m.)

It is purely a question of pollution control jurisdiction. The bill does not say that Canada claims sovereignty over an area of the high seas a hundred miles beyond Canadian territorial waters. The government would make it clear that, in taking a position against the acceptability of the amendment, on procedural grounds it is taking no position with respect to the various arguments the hon. member put forward on the question of sovereignty. This is an important question. The hon. member seems to think that the protection of the Arctic would be brought about by a simple resolution of both Houses of Parliament. The government takes a different view, believing that pollution can best be prevented and controlled in Arctic waters by a bill of the kind now before the House creating an administrative regime and providing for criminal penalties. The position we take on the amendment is that not only would it delay the passage of the bill but that it would go beyond the scope of the bill as adopted on second reading, and we therefore submit it should not be accepted. My colleague the hon. member for Missisquoi (Mr. Forest) will be elaborating on this point and referring to the authorities.

**Mr. Baldwin:** I do not propose at this stage to go into all the technical aspects of the amendment. I simply appeal to the minister, and to the minister piloting the bill through the House, to take into consideration the fact that this amendment does not purport to assert any claim to sovereignty over and above that which Canada already asserts. It is simply a saving clause. If I may use an expression common in the legal profession, it is one which makes it clear that the bill is without prejudice to the maintenance of those claims which Canada has, in the past, asserted. It is advanced in the honest belief that if you have a valid and reasonable claim and you fail to re-assert that claim in any docu-

[Mr. Macdonald (Rosedale).]

ment or deed relating to it, you might be held to have repudiated what you had claimed in the past. All the amendment purports to do is to say that no language or proposals in the bill shall be deemed to constitute by Canada an abandonment of claims which have been made in the past. If the government cannot accept this simple amendment, I have no great hope for what they intend to do in our north.

**Some hon. Members:** Hear, hear.

[*Translation*]

**Mr. Yves Forest (Parliamentary Secretary to President of the Privy Council):** Mr. Speaker, I should like to deal briefly with the acceptability of the amendment put forward by the hon. member for Peace River (Mr. Baldwin) and which is very much similar to the one which the hon. member for Oxford (Mr. Nesbitt) introduced Wednesday last, at the report stage. The Chair then expressed some reservations on the acceptability of the amendment.

Contrary to what the hon. member for Peace River said a while ago, I do not believe that the amendment is more in order on third reading than at the report stage. The hon. member for Oxford appreciated it, I believe, when he withdrew his amendment. However, another attempt is now being made on third reading.

Wednesday last, that is on June 3, some hon. members started building up procedural arguments and I simply wish to complete the list of the recognized authorities on amendments, particularly those introduced on third reading. I should like, for instance, to refer the Chair to pages 571 and 572 of May's *Parliamentary Practice*, and I quote:

[*English*]

The procedure on the third reading of a bill is similar to that described in relation to the second reading, but the debate is more restricted at the later stage, being limited to the matters contained in the bill.

[*Translation*]

I skip a few sentences to come to the end of the citation. I quote:

[*English*]

As the debate on third reading should be confined to the contents of the bill reasoned amendments which raise matters not included, in the provisions of the bill are not permissible.

[*Translation*]

I shall not read the summary of that question in full but only two paragraphs of Beau-