

Canada Oil and Gas Act

important amendment and one which bears serious consideration.

The motion proposes to limit the application of this bill to the lands known as the Yukon Territory and the Northwest Territories, eliminating the other sections which are the offshore areas, for a couple of fundamental reasons. My colleague takes exception to the general principle and thrust of the bill. More important, there is a very fundamental jurisdictional question which is of the utmost importance and which should be considered in its most important paramountcy.

I do not want to respond or react to the flim-flam and rhetoric we heard from the previous speaker. I think you and I both know, Mr. Speaker, that he spent very little time talking about the bill or the amendment we are dealing with. One thing I would like to point out, and which hopefully will set the record straight, is that in terms of the Conservative government's position with respect to offshore resources there were four fundamental principles outlined in a letter from the then prime minister to the Premier of Newfoundland. The previous speaker would have been aware of this had he listened to the speech of the hon. member for St. John's East.

● (1720)

As I said, that letter outlined four fundamental principles. So far as Canada's ownership of the mineral resources of the continental margins is concerned, they should be within the care, control and ownership of the provinces. There were three other principles which were contingent upon that very fundamental one. There was absolutely no question that the province of Newfoundland should own the mineral resources of the continental margin, in so far as Canada should own them. That is very clear. Certainly there should not be any equivocation on that whatsoever. I am sure that the hon. member for Provencher (Mr. Epp) and our energy spokesman will have something to say about that as well. The parliamentary secretary did not bother to listen to the facts.

Mr. McGrath: He is gone. He has left the House.

Mr. Mazankowski: The fact of the matter is that the parliamentary secretary spoke and ran. Obviously he did not listen to the presentation by the sponsor of this very important and fundamental motion. I think it should be seriously considered and earnestly debated by all members of the House of Commons, and particularly by those who are directly affected by it.

One has to find it very strange that, at a time when there is a clear jurisdictional dispute, we have a piece of legislation before us which really sets out effectively to close the door through unilateral action. This point is mentioned in the National Energy Program booklet which was presented at the time of the budget, and reference is made to it. However, the reference is very light and fluffy. It is flippant and really tends to wash over the importance and the fundamental nature of the issue. At page 42, it is stated:

There is some debate—

There is some debate!

—as to whether offshore resources in these Canada lands fall under federal jurisdiction—

It is referring to the area off Canada's coasts.

There is some debate as to whether offshore resources in these Canada lands fall under federal jurisdiction. Notwithstanding a ruling by the Supreme Court of Canada in 1967 that lands off the west coast are within federal jurisdiction, both Newfoundland and Nova Scotia have laid claim to jurisdiction of areas off the east coast.

The Government of Canada believes that the offshore resources belong to all Canadians.

It goes on to say that it will provide a formula, as alluded to by my colleagues from Newfoundland, to:

Provide 100 per cent of provincial-type resource revenues to the adjacent province, subject to arrangements whereby, when the province reached an agreed level of wealth, these revenues would be shared with other Canadians.

One cannot have half-ownership or quasi-ownership. One either has ownership or one does not. As my colleagues, the hon. members from both St. John's East and St. John's West have stated very categorically, Newfoundland believes very profoundly that the ownership of its resources is equivalent to the same ownership which applies to the provinces of Manitoba, Saskatchewan, Alberta, or any other province for that matter; but particularly to those provinces where, in 1930, the right to the ownership, control and management of those resources clearly became a matter for federal jurisdiction. There can be no equivocation about that.

The sponsor of this motion takes exception to the fact that this legislation will provide for the management, the rate of development and the control of a non-renewable resource which the province of Newfoundland believes is rightfully a resource which belongs to the province of Newfoundland. Of course, there is very definitely a concern as to the pace of the development of that resource, when and where and how it should be explored and developed. There is certainly an impact which will accrue with respect to the social, economic and environmental realities. The provinces believe that they have a rightful say in the way in which their resources will be developed.

Instead, as the federal government points out in the National Energy Program, it is determined to take into account the needs of the region and is determined to exercise its responsibility. I quote again at page 43, where the National Energy Program states:

Unfortunately, the offshore resource issue was not resolved.

It admits right in the National Energy Program that the offshore resource issue has never been resolved; yet it proceeds with legislation to include that area which is under dispute. It is a very fundamental issue. Further, it says:

However, in its management of these resources, the Government of Canada is determined to take into account the needs of the region.

Notwithstanding the fact that the offshore issue has not been resolved, and notwithstanding the fact that the province of Newfoundland does not concur, it intends to forge ahead in a unilateral way. It goes on to say: