

Water Resources Programs

for the total cost of cleaning up the water or waters whose quality has been degraded or altered by his violation."

and by renumbering the remaining clauses.

Mr. Deputy Speaker: Possibly we might at this point entertain some discussion on the proposed amendment. I must say that I am having some difficulty with it. I am sure the hon. member for Winnipeg North Centre (Mr. Knowles) will have some enlightening comments to make. I will be pleased to hear him. I might indicate where my doubts lie. They lie essentially in the fact that it seems to me this is a new provision. In that sense, it is beyond the sphere of amendments on third reading.

Mr. Harding: On a point of privilege, Mr. Speaker. Before Your Honour considers the procedural aspect, I have a few remarks to make on this particular section.

Mr. Deputy Speaker: Possibly we can allow the hon. member to continue his remarks. I did not realize he had further arguments to make. We can get into the procedural argument when the hon. member concludes his remarks.

Mr. Harding: I wanted to talk about the amendment. That was my object in moving it. I thought Your Honour would rule on it first. I would like to explain why I moved the amendment, and that might even be part of the procedural debate. This is an amendment from our committee. It appears in *Votes and Proceedings* for May 25, 1970. I wish to read into the record the report brought in by the Chairman of the Standing Committee on National Resources and Public Works. It reads:

Your Committee recommends that any person who violates the provisions of Clause 8 or Clause 18 of the said Bill be held liable for the total expense of cleaning up the damage caused by this violation, and that the government give early consideration to introducing legislation incorporating such a proposal.

The reason we were not able to debate this particular recommendation during the report stage was that the bill was reported four or five days prior to the tabling of this report. It was accidentally overlooked by the committee. I am convinced that the minister and his department did not have an opportunity to look at it or make a decision on it. We think the idea is important enough to have the committee endorse it. If the motion which I have moved were referred to the committee tonight, I feel it would be approved unani-

[Mr. Harding.]

mously. It is just a matter of form. The committee would bring in this recommendation and we could continue the debate on this bill tomorrow. There would be no delay. It would immeasurably strengthen the act. My amendment provides that if someone has been convicted of an offence, which means he has been found guilty of breaking the law, then he must pay for the total clean-up. Why should the general public, the government of Canada, a municipality or a provincial government pay the shot? We say that once a person or a group of persons have broken the law, it is they whom we should ask to pay for the cost of cleaning up. The Minister of Fisheries has used the expression that he is going after the people responsible for mercury and other pollutants. We think this is a good precedent to follow. That is my submission.

• (4:50 p.m.)

Mr. Hymmen: Mr. Speaker, would the hon. member permit a question.

Mr. Harding: If the Chair will accept it.

Mr. Hymmen: Mr. Speaker, is the hon. member suggesting that this recommendation was approved unanimously by the committee? If so, this is not quite accurate.

Mr. Harding: I understand that during the committee hearings there was no opposition to the principle and the committee agreed that a recommendation along these lines should go forward. I do not happen to have the minutes of the committee before me, but I am quite certain I could produce them to substantiate my statement.

Mr. Deputy Speaker: Order, please. It seems to me we are now engaged in a discussion about a matter which might be more properly the subject of a private debate between the two members. I am prepared to hear argument at this stage. I must say, however, that the presentation of the hon. member for Kootenay West (Mr. Harding) confirmed my original doubt. I draw to the attention of hon. members that the citations referred to in the previous ruling by Mr. Speaker apply with equal force here. If one refers to May's or Beauchesne's, one will find that amendments must be amendments to the provisions of the bill. The remarks of the hon. member for Kootenay West indicate that the reason he wants to refer the matter back to the committee is for the very purpose of including a provision which is not in this bill. That is where my difficulty tends to lie and