

his department to assist the provincial government and the municipal authorities. One thing which became apparent from the reply was the absence of a consensus as to the level of air pollution which exists from day to day in Montreal. In addition, there seems to be considerable variation between the standards which apply in one city as compared to the standards set by another. Those who have had an opportunity to compare the official reading with the unofficial reading given in Montreal know there is a wide difference as to the actual degree of pollution.

• (2:40 p.m.)

I am told, in effect, that even the official measuring devices that are used vary widely. This can create real problems if provincial statutes or municipal bylaws are passed establishing safe levels for the emission of foreign substances into the atmosphere. As a matter of fact, at the present time there is a substantial amount of law on the books respecting air pollution, so much so that if in the city of Toronto the official measuring devices indicate that air pollution has reached a dangerous level, certain industrial plants can be shut down. If these measuring devices that are being used are not consistent in the measurements they take, if they are not set according to some national standard, then intrusions of a federal authority by the establishment of some blanket legislation or administrative regulation may create some real problems for the effective administration, either on a provincial or municipal basis, of pollution control standards.

It seems to me that what the hon. member is attempting to do in his amendment is to make it crystal clear that when this department is established it will set national standards and objectives to which the provinces and major municipalities will always be able to refer. These will be universally accepted standards. If this is not to be the case, then when we come to deal with the problem of controlling environmental pollution in this country we will be creating what will almost amount to a system of anarchy by depending on the particular devices employed or standards established from place to place. I am sure that no hon. member would find this a very satisfactory situation in terms of trying to improve and clean up much of the pollution that already exists in this country; and certainly air and water pollution are two major areas of pollution that we must confront now.

As I said earlier, I think the minister is going to have difficulty in logically opposing this amendment—unless, of course, he does not have a full understanding of what is being attempted in this legislation. Perhaps the suggestion made by one hon. member some time ago that we stand this clause until the Minister of Fisheries and Forestry returns is appropriate. I am a little shocked, not only that the minister has not planned to be here—if indeed he considers this matter to be important—but also at the glib way in which the President of the Treasury Board indicated that he had been here throughout the debate. Hon. members will recall that we, in fact, stood

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clause 5 the other day because the minister was not here at that time.

While there may be some kind of slap-dash handling of the matter by the government at the present time, we of the opposition want to deal with this legislation responsibly. We cannot deal with it responsibly when ministers are not here to defend and to explain various aspects for which they have accepted responsibility. Thus we should at least have the good sense to stand those aspects of the legislation until the ministers concerned do deign to come to the House to discuss these matters with us.

Mr. Baldwin: Mr. Chairman, I think it might be a good idea to stand the clause. The atmosphere of this chamber is not always that of a cloister and it may be difficult for the minister to appreciate the nature and the quality of the arguments that have been so effectively advanced by members from all parties of the opposition.

I think the minister should be given the chance to read what has been said. The President of the Treasury Board smiles. It may well be that the very reasonable arguments advanced from this side of the House from time to time merit only smiles from the treasury board, though I hope that is not the case; but since the minister is going to undertake a fearful responsibility, I think he might well examine the arguments that have been made. Most of what can be said has been said, though I might be able to advance in a few sentences one or two additional arguments.

With regard to the national aspects of this matter, I am sure that if the Fathers of Confederation and those voters and citizens of the country in 1867 who were responsible for the constitution of Canada had realized what their descendants were likely to do to the environment, to the waters and to the soil, they would have so framed the British North America Act as to place this particular aspect of our life within the sole jurisdiction of the federal government. After all, the winds that blow in this country blow traditionally in a certain direction. The waters flow in a certain direction. The winds that blow the pollutants that have been emitted into the atmosphere and environment flow across provincial lines and international boundaries. Waters flow across provincial borders and international boundaries. These conditions cannot be seasonally adjusted; they blow and flow without regard to that matter.

The enforcement of the present pollution laws in the Fisheries Act, the Shipping Act, the Navigable Waters Protection Act and so on is based on the criminal law. Offences created in respect of matters that pertain to restrictive trade practices and to national health and welfare rest on the delicate edge of the criminal law. But I should like to think of this in the broader sense so that we can regulate, as well as prohibit or sanction, following failure to abide by pollution regulations. I know that this is a sensitive area and that some provinces are very concerned about it. However, I think that if this matter were left to the people of Canada as a whole, they would say that jurisdiction in this regard must be vested in the federal authority. I think there is no alternative.