

Fisheries Act

amendments to the Fisheries Act which are consequential upon changes being made in the Canada Water Act.

From the standpoint of the presentation of the various bills dealing with the question of pollution, if of course any amendments are made by the committee, and subsequently concurred in by the House, with respect to the Canada Water Act or indeed with respect to the other bills which have precedence in order of time over this particular bill, then of course the House will be in a position to make any consequential amendments that might be necessary in this particular case.

I would not think an assumption can be made about what the committee might or might not do with regard to any other legislation. Really each bill should stand on its own feet, only subject to the provision in clause 9 in this case, which relates to the day when it comes into force. On that basis, I would suggest that there is no substance to the point of order.

● (3:00 p.m.)

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, I find an initial difficulty in following the argument of the President of the Privy Council (Mr. Macdonald).

Mr. Baldwin: What else is new?

Mr. Lambert (Edmonton West): As my colleague says, that is not anything new. I submit that this House must not be asked to legislate a nullity, in other words, perform a hypothetical exercise. The two bills referred to on page 2 of this bill are somewhere else. There is no guarantee that these bills will ever be passed. Therefore, this whole bill would be inoperative in the event that the other two bills should not be proceeded with or, for some reason or other, should not receive Royal Assent. For that reason, I would find that there is some very grave difficulty in asking the House to pass clause 3, which is the one dealing with the Canada Water Act and the Northern Inland Waters Act. If we pass that, we are passing a meaningless clause. Therefore, if the bill is meaningless, in part, why ask this House to perform this exercise? For that reason, I would say that the bill in its present form is imperfect.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, the arguments have been well and eloquently put forward by my colleagues. I only seek to cap them by saying it is but a

very brief step from this to accepting the principle that the government can move second reading of a bill containing provisions which are based on another bill which has not even been introduced into the House. I call to Your Honour's attention our faithful friend and companion for many cold winters over the last seven years, the Canada Development Corporation. It may well be that, in a bill to be presented to this House, the government may provide that the financing of the particular measure will be founded on the successful passage of the Canada Development Corporation bill, which may never see the light of day.

In the present bill there are certain clauses which are related to another bill in such a way that the legality, the effectiveness and the implementation of this bill must rest upon the foundation of the passage of the other bill. If that is the case, we have to take just one more step until we say, "Right, we will pass a bill now, the effectiveness of which is founded upon and related to another bill which is not yet introduced into the House."

Mr. Thomas S. Barnett (Comox-Alberni): Mr. Speaker, I find the point of order that has been raised a very interesting one. If Your Honour is considering this question of order, I wonder if I might draw Your Honour's attention to page 3 of the bill which has to do with prevention of the pollution of the Arctic waters, Bill C-202, where there is a similar situation, which was not raised at the time of its introduction for second reading. This clause reads in part:

—without limiting the generality of the foregoing—

That is the defining of waste.

—includes anything that, for the purposes of the Canada Water Act, is deemed to be waste.

I would suggest to Your Honour that any consideration of this question brings under review not only the bill before us, but also Bill C-202.

Mr. Speaker: The hon. member for South Shore (Mr. Crouse), with the support of some of his colleagues, has suggested that the bill now before the House is imperfect in its form because its enactment in perfect form is dependent on the adoption of two other bills which are, at one stage or another, currently before the House, to wit, the Canada Water Act and the Northern Inland Waters Act.

The point made by the hon. member for South Shore and other hon. members to the left of the Chair who have taken part in this