

Fisheries Act

legislation dealing with water quality. One is the Canada Water Act. The others are the Northern Inland Waters Act and the one we are considering, amendments to the Fisheries Act. The citizen is faced with regulations which will be written under all of these acts. These regulations must be brought together at some point and made compatible. The citizen must not be permitted to do under one piece of federal legislation something for which he may be brought to court under another. Therefore, we have introduced the clause in the bill which provides that these regulations must be compatible with those made under other acts.

I understand the hon. member's concern. His concern is that the Fisheries Act regulations would stand down, so to speak, relative to those made under the Canada Water Act. Presumably, he is viewing situations wherein the Fisheries Act regulations might be more exacting or more stringent than those proposed under the Canada Water Act. We shall write into the Fisheries Act regulations that will apply to all the waters of Canada, so that we shall not have the situation where some waters will be subject to the regulations and others will be above them.

I cannot conceive of water quality management areas introducing new regulations which would be less stringent than the Fisheries Act regulations which would be already in effect in those waters. If regulations were drafted and put forward by the officials of a water quality management area, they would still have to be considered by the federal cabinet, and I would do my utmost, as Minister of Fisheries, to make sure that there would be no downgrading of our water quality standards.

Speaking about the Fraser River in British Columbia, we shall have within weeks, if we pass this legislation by four o'clock, regulations which will apply throughout the Fraser River system. I cannot conceive of any water quality management authority which was set up to deal with the lower Fraser, for example, venturing to put forward standards which are less stringent than those already in effect in with respect to fisheries. However, there is a final court of resolution in any conflict. At the moment it is the cabinet. It is up to the Minister of Fisheries to carry the battle there.

There has been talk about the protection of our fishermen. Protection of the fisherman is found in the act. It also protects any individual in Canada by making sure that he will not

[Mr. Davis.]

be brought to court under one piece of legislation when under another piece of legislation he is not guilty if he does the same thing.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the said motion? All those in favour will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

Mr. Harding: On division.

Motion No. 3 (Mr. Harding) negatived.

Mr. Deputy Speaker: The House will now consider Motion No. 4 in the name of the Minister of Fisheries (Mr. Davis).

Hon. Jack Davis (Minister of Fisheries and Forestry) moved:

That Bill C-204, an act to amend the Fisheries Act, be amended by striking out lines 4 to 10 on page 2 and substituting the following:

Application of subsection (2)
 "(4) Subsection (2) does not apply
 (a) to the deposit of waste of a type, in a quantity and under conditions authorized by regulations made by the Governor in Council under any other act in any waters with respect to which those regulations are applicable, or in any place under any conditions where such waste or any other waste that results from the deposit of such waste may enter any such waters; or
 (b) to the deposit of a deleterious substance of a type, in a quantity and under conditions authorized by any regulations made by the Governor in Council under this act for the purposes of this subsection in any water with respect to which those regulations are applicable, or in any place under any conditions where such deleterious substances or any other deleterious substance that results from the deposit of such deleterious substance may enter any such water."

Motion No. 4 (Mr. Davis) agreed to.

Mr. Deputy Speaker: The House will now consider Motion No. 5, in the name of the Minister of Fisheries and Forestry.

Hon. Jack Davis (Minister of Fisheries and Forestry) moved:

That Bill C-204, an act to amend the Fisheries Act, be amended by striking out lines 35 to 43 on page 3 and lines 1 to 35 on page 4 and substituting the following:

"Deleterious substance" "(a) "deleterious substance" means
 (1) any substance that, if added to any water, would degrade or alter