

May it please Your Honour:

The Commons of Canada have voted certain supplies required to enable the Government to defray the expenses of the public service.

In the name of the Commons, I present to Your Honour the following bill:

An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending the 31st March 1994 (*Bill C-134, Chapter 30*)

To which bill I humbly request Your Honour's assent.

The Honourable the Deputy of His Excellency the Governor General was pleased to give the Royal Assent to the said bill.

The House of Commons withdrew.

The Honourable the Deputy of His Excellency the Governor General was pleased to retire.

• (1600)

The sitting of the Senate was resumed.

CANADA SHIPPING ACT

BILL TO AMEND—SECOND READING

Hon. A. Raynell Andreychuk moved the second reading of Bill C-121, to amend the Canada Shipping Act and to amend another act in consequence thereof.

She said: Honourable senators, as I rise for the first time in this chamber, I wish to express my appreciation to all those senators who have helped and assisted me so greatly in integrating into this chamber. My appreciation extends to the Clerk and all the staff of the Senate.

Honourable senators, I am pleased to present for second reading the government's latest initiative under the Green Plan, Bill C-121, to amend the Canada Shipping Act and to amend another act in consequence thereof. This legislation will oblige the private sector to fund further improvements to marine spills response capability, increase the maximum fine for polluters to \$1 million from \$250,000, and authorize the adoption by Canada of two international covenants on marine pollution and clean-up.

This legislation will place the onus of responsibility for spill clean-up on the polluter. It will introduce a new regime under which ships and designated oil handling facilities will be required to pre-plan for spill response and enter into

arrangements with private-sector funded response organizations for response to any spills which occur.

This legislation will also allow for greater public input to the spill clean-up process. Advisory councils will be established in each geographic region of Canada to provide guidance and advice to the Coast Guard and to the minister on ways in which spill response operations can be improved. This bill will also provide for Parliamentary oversight of the new regime to ensure that the private-sector funded system continues to operate at peak capacity.

However, in addition to putting the responsibility for spill preparedness on potential polluters and providing for greater public input and accountability, this bill strengthens the government's ability to ensure swift and effective response to spills. If a shipowner or a response organization proves incapable of mounting a response, the minister, through the Coast Guard, can and will assume control of the response and take any action necessary to prevent, repair, remedy or minimize oil pollution damage.

In the future, private citizens will have access to the Ship-Source Oil Pollution Fund for reasonable costs incurred in cleaning up an oil spill. Those affected by pollution will be able to undertake clean-up knowing their legitimate damage claim will be dealt with quickly. We will also quadruple the maximum fine for pollutant discharge offences to \$1 million and provide for the gaoling of marine polluters. This change will bring the CSA into line with other legislation dealing with pollution, including the Canadian Environmental Protection Act, the Fisheries Act, the Oil and Gas Production and Conservation Act, and the Transportation of Dangerous Goods Act.

We will also increase flexibility in sentencing polluters by introducing a set of guidelines which may be used in imposing a sentence and providing for a variety of sentencing options beyond fines or prison. For example, convicted polluters could be required to publish information relating to the conviction or contributing to research. In fact, this legislation will empower the courts to direct convicted polluters to take any action the court considers likely to prevent the offender from committing the offence again.

This legislation will also permit Canadian accession to the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990. This convention, which Canada helped develop and is committed to implementing, will help ensure greater international cooperation for response to major marine spills.

Finally, we will implement the Salvage Convention, 1989. This convention effectively changes the centuries-old principle of "no cure, no pay" under which salvors are only entitled to a reward if their efforts to salvage a vessel are successful by providing for special compensation for salvors whose efforts succeed in preventing or minimizing pollution damage.