There are presently 24 federal Departments which administer some 57 environmental laws. The Minister claimed that Bill C-74 streamlines this situation.

The reality is that Bill C-74 includes the Clean Air Act, the Ocean Dumping Control Act, the Environmental Contaminants Act, and parts, albeit not all, of the Clean Water Act and the Department of the Environment Act.

Through this consolidation, when this Bill is given final approval, instead of 57 environmental laws we will have 55. We will, however, have the same 24 federal Departments administering separate legislation. If this is the Minister of the Environment's (Mr. McMillan) concept for untangling a mess in the environment, I submit that we are in trouble.

Although the preamble to the Bill is not a Bill of rights, it is at least an expression of intention and sets a tone which is better than nothing at all. In all fairness I must also say that it has been commented upon by people who are knowledgeable in the matter of an environmental Bill of rights, which has been discussed in this House for many years.

• (1800)

In the case of the Canadian Environmental Law Association, the House ought to note that Toby Vigod of that organization pointed out that while preambles may provide a limited aid to the interpretation of the meaning of the provisions inside this Bill, that preamble does not confer any rights on citizens to protect their environment. There should not be any illusions about that.

At the national consultations in March of this year, all parties, including industry, agreed that if a bill of rights could not be included in the legislation, there should be at least formal guarantees for a greater degree of public input at key decision-making points. So far, these guarantees have not been given. We are waiting for them because that commitment is very important.

Proceeding to the Parliamentary Secretary's reference to information, the amount of information required in this Bill by government for the assessment of toxicity of a new chemical in order to decide whether a chemical should be regulated or even banned is determined by the quantity of chemical used or manufactured or imported into Canada.

The information to be given to the Government should not be guided by the quantity of chemicals. It should be the same regardless of quantity. The initiative of bringing on to the market-place a new product should be enough to require all the information possible and should not be geared to the quantity that that particular producer wants to market.

One can do a lot of harm with very small quantities, or very little harm with very large quantities. Therefore, the information should not be triggered by the quantity to be put on the market, but on the merits of the product and whether or not it should enter the market at all. That is a very serious shortcoming in the Bill.

Let us turn to export notification. I hope the Government will consider amendments in committee because what is being proposed here is bad legislation. If a chemical is banned in Canada, according to Bill C-74 it can be exported to another country, provided that the Government of Canada notifies the receiving nation. I am sure that this is not a position with which the Secretary of State for External Affairs (Mr. Clark), who I am pleased is in the House tonight, would be in agreement. If a chemical is too toxic to be used in Canada, it is surely too toxic to be used anywhere else.

I hope the Parliamentary Secretary will agree that we should not engage in the export of products which we ourselves do not want to be used in Canada. The Bill should be amended so that the Minister will have the power to ban the export of chemicals that have been banned in Canada. This would be consistent with the report by the World Commission on Environment and Development, which I am sure the Minister endorses. The Government will probably endorse that next month at the General Assembly of the United Nations and, therefore, the necessity of being consistent on that front is even more urgent.

There is another aspect of the Bill which we would like to raise tonight. It concerns the inclusion of other Acts. It seems to us that the Minister and the Government missed an opportunity to improve existing legislation which is now being rolled into Bill C-74. The Ocean Dumping Control Act, which is currently the subject of a Supreme Court challenge by Crown Zellerbach and the British Columbia Government, could have been strengthened instead of simply added.

It is also important to raise the question of ministerial discretion in this Bill. There are several clauses which ought to be the object of examination in the committee because there is a potential for bad decisions. The Minister will have the power to deal with toxic chemicals in a manner that may be contrary to the public interest. I am not referring to the Minister in particular, but to the fact that there are certain ministerial discretionary powers which should not be given to the Minister of the day, particularly when it comes to matters of this importance.

Clause 29(4) would allow the Minister to waive the requirement for any information he decides is unnecessary. Why? Clause 15(4) and Clause 16(3) would allow the Minister, on request of an applicant, to extend the time allowed to meet information requirements or other acts of compliance without public explanation or consultation. Why would that be necessary?

Clause 37(2)(a) and Clause 37(2)(b) would allow the Minister to exempt chemicals from regulation at his discretion. If this Bill is as important, significant and such a landmark as the Parliamentary Secretary would have us believe in her intervention earlier, there would not be these discretionary powers in the hands of the Minister of the day.

I also want to draw the attention of the House to clauses that concern federal-provincial relations, particularly Clause 2,