

*Government Orders*

spected. However, because the decision regime on Indian lands is somewhat complex, special provisions have been introduced in the bill to deal with that complexity.

First, it is important to note that the act is intended to apply in various way to federal authorities. These are decision-making bodies established under federal legislation that are bound by the provisions of Bill C-78. In order to respect the autonomy and distinctiveness of band councils established under the Indian Act, they have been explicitly excluded from the definition of federal authority.

First nation self-governments will be recognized for the purposes of this legislation as distinct jurisdictions, with the same type of intergovernmental co-operative arrangements being possible as with other jurisdictions. For example, provision is made for joint public review panels to be established with bodies created under land claims agreements and self-government legislation. It should be clearly understood that this marks a significant step forward in reshaping the relationship between the government and first nations people.

I referred a few moments ago to the complexity of decision making on reserves and the need for special measures to take account of that while preserving the important principles of this bill. While reserves are designated as federal land for purposes of this bill, considerable autonomy of decision making rests with band councils. While the federal government does not want to interfere with that autonomy, it must ensure that project related decisions taken on reserves are taken with the full appreciation of the environmental consequences. The more that can be done by the band councils themselves, the better.

To enable the federal government to discharge its obligations under the proposed act for projects on Indian reserves, it is intended that provisions be made in this legislation for the establishment of a special regulatory regime to apply to projects on reserves. This will recognize the mix of federal government and local decision making taking place on reserves and place accountability where it belongs. This means that the federal government will be accountable for the requirements of this act when it makes or explicitly shares decisions for projects.

I want to make it clear that with respect to this special regulation, as well as for others that have been mentioned during the course of debate, the government does not expect to be taken on faith. It has made firm commitments to the principles it will follow in developing the regulations. It has made those principles public and is looking forward to being publicly and openly accountable for the effectiveness of the regulations that will ensue.

If one takes the time to look beneath the skin, one finds very quickly that the Swiss cheese referred to in flights and rhetoric by certain members opposite is in reality very solid indeed and much more reminiscent of a wholesome Canadian cheddar; but, to be more explicit, in the context of the regulation for projects at Indian reserves I wish to set out for members the principles that have been adopted by the government to apply to that regulation.

First, all projects proposed to be carried out on lands reserved for Indians will be subjected to environmental assessment.

Second, a regulation will be developed to provide for assessment of proposed projects where first nations are the primary decision makers.

Third, the regulation will be consistent with the principle of devolution of authority to first nations and therefore accountability under these regulations will reflect the accountability outlined in the devolution instrument.

Fourth, the regulation will be developed in consultation with first nations and in accordance with the regulatory policy and citizens code of regulatory fairness.

Fifth, the regulation will be drafted in such a way as to avoid the placing of first nations at a competitive disadvantage. Sixth, the regulation will minimize duplication of process with other jurisdiction.

One of the most noteworthy parts of this list is the provision for direct consultation with Indian people in the development of the special regulation. This is the only way to produce a practicable, effective result that will have the commitment of all parties.