

Mr. BATES: Yes. Up to this time in Canada we have not used the Canadian Navy generally for purposes of this kind. In other countries the navy is frequently used in patrol work and it may well happen in the future that we shall require to use the navy to assist us. In that case, sir, some officer aboard that boat would have to be qualified with authority in order to carry this through. But this section is wide enough to include any potential type of protection officer.

Mr. STUART: I have one suggestion to make; I might be a little narrow-minded in my view, but we have new appointments to the fisheries Department every year. Do you think it might be better, that before a junior officer made a seizure, that he first got in touch with a senior officer in that area? I am worrying about international goodwill in this matter because it means a great deal to that particular section down there; and it seems to me that you are placing an enormous amount of authority in the hands of junior officers, when they have the authority as I have indicated. There is some clause, but I cannot find it, whereby, without a warrant, he can make a seizure.

Hon. Mr. SINCLAIR: You may not realize how difficult it would be if, every time one of our own Canadian boats, for example, was patrolling, and a seizure was necessary.

Mr. STUART: I did not mean the patrol boats. I think you have men on your patrol boats who are qualified. I do not criticize that. I meant the little harbours such as we have on the Atlantic coast, where American boats are coming in by the dozen every day. There could be some slight violation and there could be a seizure by a junior officer of the department without consultation, or without being advised by someone with much more experience. That is all I am worrying about. I am not worrying about patrol boats or about the Royal Canadian Mounted Police; but in the little harbours some junior officer—you know, some of them take their jobs pretty seriously—might create a situation which would be very embarrassing for us.

Mr. BATES: Actually the fishery officers have had it within their authority now under the old Act, since 1868, and we have had no trouble. And as the Hon. Minister has pointed out, it is to some extent a matter of administrative procedure. We do issue instructions to our officers even in the matter of seizing trucks. But they are not given *carte blanche* on that. They require certain other authority before they can proceed; and the same would apply here as it has in the past.

Mr. KIRK: Clause 6, I think you mean.

Mr. GIBSON: In clause 2 you give a description of "fishing vessel" under paragraph (e). You say:

(e) "fishing vessel" includes any ship or boat or any other description of vessel used in or equipped for fishing or processing fish or transporting fish from fishing grounds and includes any vessel used or equipped for taking, processing or transporting marine plants.

Does that include the canning of fish on board a fishing vessel? I understand we have clashed with provincial legislation in a case of that kind already in British Columbia.

Mr. BATES: Processing here covers any type of processing including canning.

Mr. GIBSON: In British Columbia you are not allowed to have a floating cannery, as you know. Would it clash at all with this section by virtue of that? I am just asking for information. How does the provincial legislature step into our sphere of legislation regarding fishing vessels? Do they do it by means of eminent domain, or what would you call it?

Mr. BATES: Our legal man might answer your question.