

National Energy Board Act, No. 2

[Translation]

Madam Speaker: Therefore, there is unanimous consent for adopting this motion.

Some hon. Members: Agreed.

Motion agreed to.

Mr. Pinard: There has also been consultation on Bill C-87, and it has been agreed that we should proceed with all stages of the bill today, so that the motion should include referral of the bill to the Committee of the Whole. I wish to announce now that at the stage of consideration by a Committee of the Whole, I shall be presenting an amendment on behalf of the Minister of Energy, Mines and Resources (Mr. Lalonde), to have the number of additional commissioners restricted to six. In the circumstances, and subject to this amendment, I believe there is unanimous consent for the House to proceed as I have just indicated and that the bill can be taken through all stages and adopted during the next few minutes.

Madam Speaker: Is there unanimous consent for proceeding with all stages of the bill?

Some hon. Members: Agreed.

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NATIONAL ENERGY BOARD ACT, NO. 2

AMENDMENT RESPECTING APPOINTMENT OF TEMPORARY MEMBERS

Hon. Yvon Pinard (for the Minister of Energy, Mines and Resources) moved that Bill C-87, an Act to amend the National Energy Board Act (No. 2), be read the second time and, by unanimous consent, referred to the Committee of the Whole.

Madam Speaker: Is it the pleasure of the House to adopt this motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the second time and, by unanimous consent, referred to the committee of the whole—Mr. Blaker in the chair.

[English]

The Assistant Deputy Chairman: House in committee of the whole on Bill C-87, an act to amend the National Energy Board Act (No. 2). Shall clause 1 carry?

On Clause 1—*Temporary Members*

Mr. Nielsen: On a point of order, Mr. Chairman, we whipped through second reading so fast that the minister did not make an explanatory statement. I see that the parliamentary secretary is in his place, and I assumed that he would be recognized first to make the statement which would normally

be made on second reading debate, and that he would be followed by the hon. member for Calgary Centre.

Mr. MacLaren: Mr. Chairman, I could either do so now or on third reading, as the hon. member wishes.

Mr. Nielsen: I think it would be appropriate if the explanation were given now.

Mr. MacLaren: Mr. Chairman, hon. members may recall that last Friday, December 11, this House gave final reading to Bill C-60, to amend the National Energy Board Act relating to the detailed routing of pipelines, conditions relating to construction, entry on to the right of way, acquisition of the right of way and compensation for the use of the land. The bill is now awaiting royal assent. Hon. members may also recall that all parties agreed to the swift passage of the bill which had originated in the Senate as Bill S-12.

Bill C-60 will require that a company which files a plan, profile and book of reference with the Board must serve a notice on all landowners whose land is proposed to be acquired.

Mr. Andre: You've got the wrong notes.

Mr. MacLaren: The company must publish a similar notice in a newspaper in the area of the land involved. Landowners who have been served with a notice, and any other landowner who believes that his land will be affected by the pipeline, will have 30 days to file a notice of objection with the National Energy Board.

If any notice is received, the Board must conduct a hearing in the locale of the land affected, at which time the landowners who have filed notices have a right to be heard. The terms of reference of this hearing include not only the best possible route for the pipeline, but also the best method of acquiring the land and of constructing the pipeline. The Board has the power to address all of these concerns either by withholding its approval of the plans, profiles, and books of reference or by imposing terms and conditions on the approval.

● (1220)

There is substantial pipeline construction contemplated in the near future. The board estimates that nearly 4,000 land owners will be affected by the bill in the first quarter of 1982 alone. Even if only 3 per cent of them request public hearings, this could give rise to 120 cases in that quarter. Just how many land owners will apply is unknown at this time, but the board must have the flexibility to deal with the situation.

However, Bill C-60 did not provide for any additional board members to conduct these hearings. Staff will also be required by the board to administer Bill C-60, but arrangements have already been made with Treasury Board for the provision of such staff. However, under the National Energy Board Act, the board is restricted to nine permanent members with no provision for temporary members. These permanent members are needed to carry out the existing responsibilities of the board under the National Energy Board Act, the Petroleum Administration Act and the Northern Pipeline Act. With the