

That the French version of clause 5, bill C-38 by striking out line 12 on page 3 thereof and substituting therefor the following:

«équilibre d'une manière préjudiciable»

The motion cannot be moved at this stage without notice unless it has the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Mr. Douglas (Nanaimo-Cowichan-The Islands): Mr. Speaker—

Mr. Speaker: Order, please. There is not unanimous consent.

Mr. Douglas (Nanaimo-Cowichan-The Islands): Mr. Speaker—

Mr. Speaker: Order, please. I want to be clear. I am not withholding unanimous consent on the indication of the hon. member for Nanaimo-Cowichan-The Islands (Mr. Douglas). It is on the indication of another hon. member that unanimous consent is not forthcoming and therefore the motion cannot be put at this time.

The hon. member for Moncton (Mr. Jones) on a point of order.

Mr. Jones: A point of order, Mr. Speaker. The parliamentary secretary made his point clear this morning. He went to other members of the House concerned with this particular bill but was not courteous enough to come to me. I do not see how I can be courteous enough to give unanimous consent under the circumstances.

Mr. Fleming: Mr. Speaker, I want to apologize. Unfortunately, I did not know until just before a series of events last night that this bill would come up this morning. At that time I tried to contact several members and it is my fault that I did not contact the hon. member for Moncton (Mr. Jones). I sincerely apologize for it.

Mr. Jones: Mr. Speaker, with that explanation I am prepared to give consent.

Mr. Speaker: Order, please. The hon. member for Nanaimo-Cowichan-The Islands on a point of order.

Mr. Douglas (Nanaimo-Cowichan-The Islands): Mr. Speaker, we are quite prepared to give unanimous consent to have the motion introduced but I do not think we should proceed to debate it. I think it should be placed in numerical order and be the fourth item dealt with. In the meantime, perhaps the parliamentary secretary could provide a copy for each party if not each member so that we can look at it before we discuss it. Otherwise, we have no objection.

Mr. Speaker: Order, please. My idea in disposing of the introduction of the motion upon unanimous consent first was that while the other motions are being considered, that very thing could take place and I am sure it will. Therefore, the

Fisheries Act

motion is now moved by the hon. Parliamentary Secretary to Minister of Fisheries and the Environment (Mr. Fleming) and seconded by Mr. MacDonald (Cardigan) and will form part of our deliberations at report stage. Perhaps communications can take place concerning the debate that will follow after the first three motions have been discussed.

Motion No. 1 standing in the name of the hon. member for Grand Falls-White Bay-Labrador reads:

That Bill C-38, An Act to amend the Fisheries Act and to amend the Criminal Code in consequence thereof, be amended by deleting Clause 3 and substituting the following therefor:

"3. Sections 10 to 12 of the said Act are repealed and the following substituted therefor:

"10. No one shall with boat or vessel or in any other way during the time of fishing for seals knowingly or wilfully disturb, impede or interfere with any seal fishery or prevent or impede the shoals of seals from coming into such fishery or knowingly or wilfully frighten such shoals.

11. Disputes between occupiers of seal fisheries concerning limits and the method of fishing or setting nets shall be decided summarily by any fishery officer or justice of the peace, by whom arbitrators may be appointed to assess damages and any damages so assessed or arising out of a repetition or continuance of the difficulty ordered to be remedied may be levied under the warrant of any justice of the peace."

There has been some preliminary indication of procedural concern with motion No. 1 in that it goes beyond the scope of the bill. The motion seeks to amend two sections of the existing Act not mentioned in the bill, namely sections 10 and 11 of the Fisheries Act. In addition, motion No. 1 appears to be irrelevant to Clause 3 of the bill which prohibits the catching of certain categories of fish. The motion deals with the interference in the seal fishery and provides a method of settlement of disputes arising therefrom. However, there is an indication of some desire on the part of the government to seek support for that amendment and to seek the consent of the House for its inclusion at this time.

Is there any indication whether that consent is forthcoming?

Mr. Fleming: Mr. Speaker, as I said earlier—and I am sure the other parties will speak for themselves—I think there will be unanimous consent to put this motion because of the importance of it to a particular group of workers in Canada.

Mr. Baker (Grenville-Carleton): Mr. Speaker, there is one difficulty not alluded to and it may give us some concern. I am advised that there is a consent on the merits of the amendment but we have to be careful about the question of the royal recommendation. I am not privy to the problems of obtaining a royal recommendation but if one is required I think it should be obtained and that might give us some problems in terms of time.

● (1150)

Mr. Speaker: There will be discussion on any of the other motions.

Mr. Goodale: Mr. Speaker, I appreciate the concern which the House leader of the Conservative party has just raised. If the House would proceed with the other amendments in Bill C-38 at this time, I would undertake to consult with him and