

*Fisheries Act*

Where it can be proven that a worker is without work as a result of a strike in which he is not participating and from which he will derive no direct benefit, that person is entitled to unemployment insurance. It is only in the case where a person is out of work who may not be a member of the union but will benefit from the collective agreement that is eventually signed that we ask him to share the responsibility of the union members on strike and not draw unemployment insurance. But if he does not benefit from the strike then he does have unemployment insurance benefits.

**Mr. Douglas (Nanaimo-Cowichan-The Islands):** Then may I ask if the minister would look into the very large number of cases now before the Unemployment Insurance Commission, particularly with respect to those longshoremen on the spare board who are not members of the union and whose benefits are not retroactive to September 1, and who have been denied unemployment insurance benefits and have no assistance whatever?

**Mr. Mackasey:** Mr. Speaker, I am sure the hon. member knows as well as I do that although they may not be entitled to retroactive pay, their pay per hour is increased as a result of the settlement of the unions.

**Mr. Speaker:** Orders of the day.

**GOVERNMENT ORDERS****FISHERIES ACT**

AMENDMENTS RESPECTING "CLOSE TIME",  
DEPOSITING OF WASTE, MARINE PLANTS,  
ETC.

On the order:

Second reading and reference to the Standing Committee on Fisheries and Forestry of Bill C-204, an act to amend the Fisheries Act—Mr. Davis.

**Mr. Lloyd R. Crouse (South Shore):** Mr. Speaker, before the Minister of Fisheries (Mr. Davis) moves second reading of this bill, I wish to raise a point of order. I contend that Bill C-204, an act to amend the Fisheries Act, offends against Standing Order 69 which provides:

No bill may be introduced either in blank or in an imperfect shape.

This bill incorporates, by reference, certain provisions of two statutes which do not exist, namely, the Canada Water Act and the Northern Inland Waters Act. The references

[Mr. Mackasey.]

to the Canada Water Act are to be found on page 2, lines 4 to 14; page 4, lines 39 to 42, and page 11, lines 4 to 14. The reference to the Northern Inland Waters Act is on page 2, lines 15 to 23.

These references apply to the most substantive provisions of this bill, that is, the provision creating the offence of depositing waste in the sea near our coast and inland waters, set out in clause 3, page 1, and the definition of waste itself which is also set out in clause 3, but on page 4. Neither of these provisions can be understood, nor can the principle embodied in them be considered and debated by this House without knowing the restrictions and qualifications contained in these non-existent statutes.

Presumably these references relate to Bill C-144 and Bill C-187, both of which are now before standing committees of this House for clause by clause consideration. We cannot be asked to assume that these bills will come out of committee unamended or pass through the necessary further proceedings in this House and in the other place unamended. We cannot even assume that the similar provisions in this bill and the other two bills will come out in the same legislative form. They will be dealt with by three different committees; the Standing Committee on National Resources and Public Works, the Standing Committee on Indian Affairs and Northern Development, and the Standing Committee on Fisheries and Forestry. Until these other two bills are in perfect shape as statutes, this bill must be considered to be in imperfect shape.

Properly, this bill should be ruled out of order. However, with the consent of the House the better course would be to permit it to remain on the Order Paper until the other bills, incorporated by reference in this bill, are enacted. It should be noted that clause 9 of this bill, page 11, admits the validity of this point of order. That clause acknowledges that this bill, in its present imperfect shape, would not be enforceable, as to the clauses in question, in the courts until the Canada Water Act comes into force.

**Hon. Donald S. Macdonald (President of the Privy Council):** On the question of order, Mr. Speaker, as the hon. member has pointed out it is not the intention of the government that this bill should become operative until the Canada Water Act has become law. The hon. member is incorrect in saying that this bill is imperfect in any form. It is perfect in itself, that is to say, from the standpoint that he used the phrase. It provides for certain