

Fisheries Act

with respect to lobsters? Where else could the repeal of the section have any effect?

Mr. Davis: This course applies to any kind of fish, not just to lobsters. As I have said, an unfortunate example was given in the committee as result of which attention was focused on lobsters. Take the example of herring on the west coast where the inshore herring fishery is closed. If section 31 remained in force any herring operation based on Canada's west coast that went far afield, say to take herring off the coast of Alaska, could neither depart from nor return to British Columbia. It is unfortunate that we have a blanket provision to that effect in the Fisheries Act.

Section 31 was geared to meet a particular situation years ago when it was very difficult to police inshore closures. As a result, the authorities picked up everybody who came to land. If they said they had been fishing far off, that could be true or not. Hence the unfortunate consequences of section 31. We need much greater mobility and should be able to range far away from any closed area along our coast.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

Some hon. Members: On division.

Mr. Deputy Speaker: I declare the motion negated on division.

Motion No. 1 (Mr. Comeau) negated.

Hon. Jack Davis (Minister of Fisheries and Forestry) moved:

That Bill C-204, an act to amend the Fisheries Act, be amended by striking out lines 21 and 22 on page 1 and substituting the following:

"in waters frequented by fish or in any place under"

Motion No. 2 (Mr. Davis) agreed to.

Mr. Randolph Harding (Kootenay West) moved:

That Bill C-204, an act to amend the Fisheries Act, be amended by deleting in line 10 on page 2 the following words:

"or any other".

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• (3:20 p.m.)

He said: Mr. Speaker, this is an extremely important amendment. It will give the Fisheries Act control in those areas that are now exempted because of jurisdiction exercised under other legislation. To be specific, I am trying to prevent the fisheries regulations from not applying in the water quality management areas which will be set up under the new Canada Water Act. In my opinion the government is being extremely foolish in not allowing the fisheries regulations to apply to all Canadian waters.

It could be disastrous if some water quality management areas in Canada set standards that were so low that they affected adversely some portions of our water resources that are vital to the fisheries. There are several areas in Canada where such problems could arise, one being the Fraser River in my province of British Columbia. There are similar areas in eastern Canada. If a water quality management area were set up on the lower Fraser, it would make no sense if the fisheries regulations did not apply to that section of the river.

There is no guarantee that industry in any water quality management area will be able to meet the standards set out in this act or, indeed, that industry will be able to ensure a safe and healthy water environment for fish. The standards in these areas will vary from province to province because of the government's failure under the Canada Water Act to endorse national standards. This amendment, Mr. Speaker, would ensure that the Department of Fisheries has full jurisdiction in these vital areas. I urge the minister to accept it. I point out that we cannot take any chances in this respect. Industry-oriented boards in our water quality management areas may turn a deaf ear to the need to properly conserve our valuable fisheries resources. Too much has already been lost and another backward step in the field of conservation should not be condoned.

I urge the minister to accept what I consider to be a major amendment which will give to the Department of Fisheries regulatory control in those areas which should be under its control, including the water quality management areas which will be set up under the Canada Water Act.

Hon. Jack Davis (Minister of Fisheries and Forestry): Mr. Speaker, I should like to answer the hon. member in this way. We have in this session passed several pieces of