

Canada Oil and Gas Act

Mr. Evans: Mr. Speaker, I shall try to respond very quickly. First of all, the hon. member is correct: the law of the sea convention has not been concluded. That makes my point even more firmly. If there is no formal treaty, we have even less claim than we had before under a treaty. As a result, how can we possibly talk about ownership in that situation? When the Government of Canada negotiates a treaty with other nations, it does so on behalf of all Canadians.

● (2030)

Mr. Deputy Speaker: Order, please. With all due regard, the hon. member's time has expired.

Mr. David Kilgour (Edmonton-Strathcona): Mr. Speaker, it is a pleasure to speak to the motion of my colleague from St. John's East which reads:

That Bill C-48, an act to regulate oil and gas interests in Canada lands and to amend the Oil and Gas Production and Conservation Act, be amended in clause 2 by striking out lines 17 to 25 at page 1 and lines 1 and 2 at page 2 and substituting the following therefor:

"west Territories"

There are a number of points I would like to make. First, I would like to say a few words in reply to the Parliamentary Secretary to the Minister of Finance (Mr. Evans). His argument is as difficult to grapple with as it is to grasp an eel in a large barrel of water. If you poke at it, it goes to the top. If you try to grab it, it will disappear. In other words, you get nowhere. Actually I have never tried to do it, but I believe that to be the case.

The parliamentary secretary stated that he consulted legal authorities. I wish he had the courage to tell us the legal authority for the legal opinions he has given. Perhaps he might consult with his colleague the Secretary of State for External Affairs (Mr. MacGuigan) who might correct the jailhouse lawyer opinion he has just given us.

Mr. Evans: On a point of order, Mr. Speaker. The answer is the Department of Justice.

Mr. Kilgour: I think the parliamentary secretary is aware that I used to work for the Department of Justice. I challenge him to name one individual, man, woman or child from there, who would come forward and give his name as agreeing with the legal opinion the parliamentary secretary just gave in this House.

The hon. member for Esquimalt-Saanich (Mr. Munro) just made the point that the law of the Sea Conference has neither concluded nor been confirmed. The 12-mile limit does not yet exist. Does the hon. member for Ottawa Centre pretend that the province of Newfoundland no longer has rights over its continental shelf? Does he believe that those rights passed from Newfoundland to the federal government in 1949 and that Newfoundland now has no right to advance in World Court an argument with regard to ownership off its shore? I will run out of time if I spend much longer on the nonsense the parliamentary secretary has been giving us.

Bill C-48 defines Canada lands as those areas the federal government feels are in dispute and upon which it believes there should be an adjudication by the Supreme Court of Canada. I wish to quote from the white paper, as was done by the hon. member for St. John's East. It is the white paper on the National Energy Program. I have to call it what they call it. I quote:

Under the British North America Act, large areas of Canada fall within federal jurisdiction. These Canada lands, which comprise almost twice the area of the 10 provinces combined, include the area off Canada's coasts—

I will quote only that far. That is hardly the way to deal in good faith with the provinces affected. It is another way of the federal government saying, "what is mine is mine and what is yours I am going to seize through legislation, and you can try to get it back in the Supreme Court of Canada". That is what this bill amounts to in legal terms.

I now want to deal with the position of Newfoundland with respect to offshore rights. Perhaps this sounds better coming from a western Canadian than from someone who lives on the island. There is not a single Canadian I suggest, over the age of 14 from St. John's to Nanaimo who does not know that Newfoundland's resources offshore belonged to that province when it was a dominion at the time it came into Confederation. Prior to 1949, Newfoundland occupied a unique position: It obviously owned its offshore resources to the extent that any country could own them under international law.

Both the hon. member for St. John's West (Mr. Crosbie) and the hon. member for St. John's East (McGrath) put the problems of their provinces here very eloquently. "We will let you have the revenue up to the point that you become a have province" said the hon. member for St. John's East of Ottawa's position. As was pointed out, Newfoundlanders now have half the income of the average Canadian. Is there a single person in this country, other than the Minister of Energy, Mines and Resources (Mr. Lalonde) and his *moutons silencieux* on that side who feels this is a fair way to treat the people of Newfoundland with regard to their offshore mineral resources?

Is this good faith? Is this a good way to treat people who voluntarily came into our Confederation in 1949? In my part of the country, this is called tricky dealing.

Mr. Wilson: It's bushwhacking.

Mr. Kilgour: As the hon. member for St. John's West said yesterday, it denies the people of Newfoundland their "place in the sun." I suggest it is enough to make any member of this House vomit. Our own party policy was referred to by the hon. member for St. John's East who quoted from a letter by the leader of our party dated September 14, 1979 as follows:

(1) That the province of Newfoundland should own mineral resources of the continental margin in so far as Canada should own them . . .

(3) That the Government of Canada would continue to have legislative jurisdiction in certain areas such as the environment, shipping and so on.

(4) Those principles would be confirmed by the signing of an agreement between the two governments and by appropriate legislative action and constitutional change.