

Fisheries Act

out additional responsibility under this law. I know the hon. member raised this point in committee and that the minister responded to it there. I will draw the matter to his attention again. I also note the concern expressed by the hon. member for Kootenay West (Mr. Brisco), in particular about the question of fish guards and enforcement by the federal government of the powers set out under the act.

The hon. member for Victoria (Mr. McKinnon) expressed concern about what experts in the department call "mystery spills". While I am no expert in this area I will ensure that he gets an explanation of the situation shortly. He will thus have a response, as requested.

The official opposition spokesmen for matters concerning both fisheries and the environment raised the question of consultation. I would simply say that in my view there was a considerable amount of consultation in the course of seeking appropriate amendments over several years, leading to the point at which the bill was actually put together. The difficulty which then arose was that, once the bill had been assembled and placed before cabinet, there could not be consultation as to the form of the bill until it had been tabled in the House—there could not be consultation with other levels of government or with industry. It was tabled on February 21 and some months passed—not a great many—before we found ourselves in committee. I suggest there might well have been either a lack of alertness on the part of some industries with professional forces here in Ottawa to the tabling of the bill, or perhaps there might even be the possibility of certain groups not moving as quickly as they might have done in showing a response. In any event, I do believe that when they were heard in committee all sides did their very best to accommodate the various concerns expressed and, as a result of that co-operation, we now have a much better bill.

The hon. member for South Shore made a particular reference to Dr. Landis, the chief legal counsel, I believe, in the department of environment and resources in Ontario, and I know that Dr. Landis, while he did put forward several excellent amendments which were included in this bill, admitted himself in committee that he had spoken on a number of occasions—I think he suggested a dozen occasions—with officials of the department.

● (2230)

Our problem may be one of the general legislative process. Often it takes a year and a half or two years for a bill to go through the process of parliament. This one was tabled on February 21 and has been dealt with, once we got to that stage, rather promptly. Perhaps that is one of the difficulties—that industry and the provinces did not expect it to happen so quickly. At any rate, I believe we had positive activity in committee and most of the major concerns were responded to by us.

The hon. member for Kootenay West and the hon. member for Perth-Wilmot (Mr. Jarvis) expressed worry about the use of a heavy hand in applying this legislation. As they are aware, that was discussed in committee. I believe the hon. member for Halifax-East Hants (Mr. McCleave) also referred to that and expressed a fear that that kind of power in the bill can be used indiscriminately. Not one witness before the committee from industry, or from the provinces, suggested that the government had acted in a heavy handed way with the Fisheries Act as it exists. Although it is very similar in power at this point in time, this bill is simply an extension of some of those powers. I want to commend the even handedness of the department, the officials and the minister in carrying out the law. I certainly share the concern of all members in hoping that that practice continues.

Finally, if I may, I echo my minister in commending all hon. members, especially those active in committee who helped prove that thoughtful, positive exchanges can improve legislation and meet major concerns, as they did so well in the case of Bill C-38.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

Motion agreed to and bill read the third time and passed.

The Acting Speaker (Mr. Ethier): Order, please. It being 10.30 o'clock p.m., I do now leave the chair until Wednesday, June 29, 1977, at two o'clock p.m., pursuant to Standing Order 2(1).

At 10.35 p.m. the House adjourned, without question put, pursuant to Special Order.