

Navigable Waters Protection Act

The Acting Speaker (Mr. Béchard): Order; it being five o'clock the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely public bills, private bills, notices of motions.

PROCEEDINGS ON ADJOURNMENT MOTION

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Béchard): Order. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Kootenay West (Mr. Harding)—Shipping—Safety standards of foreign-registered ships operating in Canadian waters; the hon. member for Greenwood (Mr. Brewin)—National parks—Request for development of facility in light of pollution of Lake Erie; the hon. member for Halifax-East Hants (Mr. McCleave)—Violent disturbances—Montreal—Bomb explosions—Co-operation by Royal Canadian Mounted Police with other forces.

PRIVATE MEMBERS' PUBLIC BILLS

NAVIGABLE WATERS PROTECTION ACT

MEASURE TO PROVIDE FOR REMOVAL OF VESSEL CAUSING POLLUTION

Mr. David Anderson (Esquimalt-Saanich) moved that Bill C-39, to amend the Navigable Waters Protection Act (prevention of water pollution), be read the second time and referred to the Standing Committee on Health, Welfare and Social Affairs.

He said: Mr. Speaker, I believe a minor error has arisen, although perhaps we should deal with it later, when we find out whether there are more speakers on the bill than there is time available. I do not think that the committee on Health and Welfare is the right committee to which to send the bill. It should more properly be sent to the transport committee, but perhaps we could rectify this error later. In any event, my Bill C-39 would amend the Navigable Waters Protection Act and insert after clause 15, a provision which would make it possible for the minister to order the owner of a vessel

[Mr. Rowland.]

which has gone aground and is causing pollution to remove the wreck or to have it destroyed, and to order that the owner of the vessel or cargo pay the full costs of such actions. Section 16 of the act as it now reads permits this to be done only in the case where the wreck in question is obstructing navigation. The purpose of this amendment is to enlarge the minister's scope so that the same powers will be granted to him to permit the removal of wrecks or other vessels when they become a danger from the point of view of pollution.

● (5:00 p.m.)

This matter has a fairly lengthy history. It first came to my attention when a vessel of the Holland American line, sailing out of Rotterdam, grounded and eventually sank off the west coast of Vancouver Island on January 3 1968. This vessel was the *MS Schiedyk*. It had on board 150 tons of heavy diesel fuel, 120 tons of light diesel oil, and a certain amount of lubricating oil. The payment of the cost of cleaning up the pollution damage that resulted from this wreck was by the government of Canada; in other words, the taxpayers of Canada. The purpose of the amendment to the act I am proposing would be to shift that burden of cost from the government and taxpayer to the people who should be responsible, namely the vessel owners as well as the people who own the cargo of that vessel.

Hon. members will recall that in the Canada Shipping Act amendments, which were considered a little over a year ago, the government attempted to introduce a provision similar to this. Those amendments were in Bill S-23, which came before the Senate in 1969. The particular clause in that government measure which would have had the effect of my amendment to the Navigable Waters Protection Act was clause 24, which was unfortunately struck out by the Senate committee on transport and subsequently by the Senate itself. The Senate did this after hearing representations from shipping interests, the International Chamber of Shipping and other such bodies and their Canadian equivalents. The debates, which are most interesting and which I recommend to hon. members, are in the Senate proceedings of the committee on transport and communications Nos. 6, 7 and 8 of February 27, March 6 and March 13 of 1969.

It was decided by the Senators that as the provisions of clause 24 of Bill S-23 would cause Canadian law to be somewhat out of line with the legislation of other states, it