

Governments as a whole toward the native community. I would be a little suspicious that maybe there are parts of this Bill which might give the Government authority to further disintegrate native rights, particularly in communities along the West Coast. That is one area that might be handled by a board which has representation from the native community. It would have the power to worry about conservation, future supply, something that has not been worried about in the past.

Many people blame the native community for overfishing. The Department of Fisheries has not in the past given natives the kind of security whereby if they do a good job of conservation in their area, someone else will not fish them out. That is not taken care of in this Bill.

Mr. Keeper: Mr. Speaker, I have another question for the Hon. Member with regard to this legislation. The legislation purports to seek authority to regulate the fishery in order to conserve a natural resource and, therefore, is obviously worthwhile and seeks a public benefit. Can the Hon. Member tell me whether it is possible under this legislation for the Minister to exclude from the fishery, for example, sports fishermen, commercial fishermen or native fishermen? This Bill seeks authority to allocate the fishery among various user groups, which includes at least sports, commercial and native groups.

It may not be likely, but is it possible under this legislation that the Government could say that in order to conserve the resource and meet the main objective, it will not allow any more sports fishery? As the legislation is written, is it possible for the Government to say to native people, "We would like to allow you to continue to fish, but we have to conserve the stock, so we are not going to allow you to fish any more"? Is it possible under this legislation, which allows the Government absolute authority to allocate the fishery, for the Government to say to commercial fishermen, "You will have to find another way to make your living. I am sorry, we have to conserve the fishery"? I would like to know just how much authority the Government is seeking under this legislation and whether or not the Hon. Member feels that this is a good idea.

● (1610)

Mr. Hovdebo: Mr. Speaker, I think I can best answer that by quoting directly from the Bill itself. Clause 2.1 reads in part as follows:

The purposes of this Act are—

(b) to provide for the proper management, allocation and control of the seacoast fisheries of Canada;—

(d) to provide, in cooperation with the provinces, for the proper management, allocation and control of the inland fisheries of Canada.

We do not have the entire Bill before us and there are some restricting factors. Clause 3 describes another amendment to be made to the Act and makes the following substitution:

(m) authorizing a person engaged or employed in the administration or enforcement of this Act to vary, in respect of any area or portion thereof, any close time, fishing quota or limit on the size or weight of fish that has been fixed by the regulations.

Therefore, if that is interpreted in the light of the over-all control that is being asked for by the Minister, it means that

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the Minister can say at any time that a fisherman's quota for this year is one fish. He could therefore close down a particular part of the industry through that kind of allocation. That is why we need to have some kind of a board which has some input into how the Minister makes his decisions and what kind of decisions he makes.

Mr. Baker: Mr. Speaker, I would like to ask the hon. gentleman whether or not he and members of his Party have any thoughts on how to overcome the existing regulations and powers of the Minister. Obviously the Minister has powers for conservation and protection. I would make specific reference to regulations that were brought in over the years indicating that incidental by-catches are not permitted by law. In other words, if a fisherman put out a net and the intent of that net was to catch cod fish and he accidentally caught a salmon, according to recent regulations made by the Department of Fisheries and Oceans, that fisherman must throw back that salmon if he does not have a salmon licence. The intent of the regulation is that if the salmon is alive, the fisherman will throw it back. However, by Canadian law, an incidental catch of salmon by a person who does not have a salmon licence must be thrown overboard, whether it is dead or not. One cannot keep it even for one's own consumption; it must be thrown overboard.

There is an incredible incidental catch in various sections of the country, particularly with regard to salmon, because the salmon normally follow the coastline fairly high up in the water and usually get caught in leaders of gillnets. I wonder if the hon. gentleman would have any suggestions regarding how to overcome that particular problem or how to stop a Minister from making an absolutely ridiculous regulation, something which has happened.

Mr. Hovdebo: Mr. Speaker, incidental catches in the process of fishing create a difficult situation. However, what we are worried about in this Bill is not those incidental catches but the absolute power given to the Minister to allocate fish stocks and to say who catches the fish, how much can be caught and when it can be caught. The absolute power that is given to the Minister is the problem we are having with this Bill, not those incidental catches, with which it is difficult to deal.

The Acting Speaker (Mr. Charest): Resuming debate.

[*Translation*]

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I would like to add my comments to the debate, especially as it concerns the people involved in this sector.

Mr. Speaker, we are talking about an industry, and although I come from an urban riding, and even if I am not directly involved, I am very much aware of the fact that there are 200,000 people in Canada who are involved at the commercial level, and all regulations and amendments to existing legislation will have some impact on the daily lives of these