

*S.O. 21*

allow a small number, less than 170 qualifying members from this group of 4,527 Polish war veterans, to be eligible for compensation as former prisoners of war and escapees.

**Some Hon. Members:** Hear, hear!

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**AIR TRANSPORT**

## EFFECT OF PROPOSED TAX MEASURE

**Mr. J. R. Ellis (Prince Edward-Hastings):** Madam Speaker, I wish to take the few moments allowed to me under Standing Order 21 to bring again to the attention of the Cabinet a very complex and damaging proposal which is contained in the tax measure which is before the House. The details of the amendments in Bill C-139, specifically Clauses 38, 123 and 125, which work in conjunction with the National Energy Board Act and the Petroleum Administration Act will cause serious harm to the Canadian air transport industry. The Government tried before to assess basically the same inequitable levies on this industry in 1981 and found that they were in breach of Canada's bilateral air agreements. At that time it had to retreat and refund the levies already collected.

This new version of that tax will also, in my opinion, breach those same agreements, and putting it in place will subject the Government to the same charges. It seems to me that the various Ministers and their Departments, for indeed there are more than one involved, would be well advised to withdraw these clauses and not hold up the balance of the legislation. This is a move which I have advocated previously, and will again, until I obtain some assurance that action will be taken.

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**ABORIGINAL RIGHTS**

## CALL FOR RECOGNITION BY FEDERAL GOVERNMENT

**Mr. Jim Manly (Cowichan-Malahat-The Islands):** Madam Speaker, the aboriginal peoples of Canada are very concerned about the outcome of the March First Ministers' conference and the further definition of their rights.

Indian leaders worry that the future of their people lies in the hands of provincial Governments, most of which are either indifferent or hostile to those rights. At the same time the federal Government has maintained a distressing silence on the subject. It has not yet indicated its constitutional position, and Indian leaders are left with the question, "Is the Government for us or against us?" How can Indian people believe that the conference is an open process when the federal Government refuses to state its intentions? The people of Canada will not be served by a constitutional process run like a crooked poker game with a marked deck, hidden aces, pre-arranged signals among some of the players, and the aboriginal peoples as the intended marks.

Let the process be open. The Indians people have laid their cards on the table. Let the federal Government declare its position. To begin with, the federal Government should recognize the fundamental nature of aboriginal rights and should support a clause which would require the aboriginal peoples' consent before any change is made to those rights. It should support the removal of the word "existing", which at present limits and qualifies those rights, and it should commit itself to an ongoing—

**Madam Speaker:** Order.

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**ADMINISTRATION OF JUSTICE**

## DISMISSAL OF DRUG POSSESSION CHARGE

**Mr. Garnet M. Bloomfield (London-Middlesex):** Madam Speaker, I have a situation I would like to bring to your attention where I believe a serious misjudgment has been made. Judge Glen Marshman recently dismissed a drug possession charge in the City of London, Ontario, ruling that the police violated the suspect's constitutional rights when they searched him and found 100 grams of marijuana. The narcotics were discovered when the accused was stopped for a traffic violation. The officer concerned should be congratulated for his alertness, his efficiency, and his on-the-job attentiveness. I believe a decision such as this demoralizes our police force and demeans our courts.

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**MARINE TRANSPORT**

## FUEL COMPENSATION RECOVERY CHARGE—DEMAND FOR ELIMINATION

**Mr. J. M. Forrestall (Dartmouth-Halifax East):** Madam Speaker, I would like to join with my colleague, the Hon. Member for Prince Edward-Hastings (Mr. Ellis), in protesting a matter which is currently before us. Both the Minister of Transport (Mr. Pepin) and the Minister of Industry, Trade and Commerce (Mr. Lumley) have recently given some constructive attention to the problems and potential of Canada's marine industry. Perhaps now the Minister of Finance (Mr. Lalonde) might be persuaded to do likewise by finally eliminating the palpably counterproductive Transportation Fuel Compensation Recovery Charge.

As its rather cumbersome name implies, this 1980 budgetary measure permitted the Government to collect from Canadian shipowners the difference between the domestic price of oil and the world price. In particular, bunkers purchased west of the Ottawa Valley line are treated not as a factor of production but rather as a petroleum export, while east of the Ottawa valley, domestic carriers must remit the equivalent of the subsidy under the Oil Import Compensation Program.