

Mr. Speaker: All those in favour of the motion will please say yea?

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay?

An Hon. Member: Nay.

Mr. Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next question is on Motion No. 2 standing in the name of the Hon. Member for Vancouver—Kingway (Mr. Waddell). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the motion will please say yea?

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay?

An Hon. Member: Nay.

Mr. Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

For the information of Hon. Members, Motions Nos. 3, 4, 14 and 15 will be grouped for debate and voted on separately.

Mr. Ian Waddell (Vancouver—Kingsway) moved:

Motion No. 3

That Bill C-5, be amended in Clause 10 by adding immediately after line 45 at page 5 the following:

“(3) In every resource use permit or licence issued by the Minister

in areas subject to an unsettled aboriginal claim or right, there shall be inserted a condition or caveat that the area in question is subject to an aboriginal claim and may ultimately be owned by the aboriginal people in fee simple, including the sub-surface.”

Motion No. 4

That Bill C-5, be amended in clause 14 by adding immediately after line 35 at page 7 the following:

“(3) In the formulation of bid criteria, the Minister shall be obliged to consult with representatives of affected aboriginal groups and local communities.”

Motion No. 14

That Bill C-5, be amended in clause 117

(a) by striking out line 22 at page 65 and substituting the following therefor:

“117(1) Subject to subsections (2) and (3), for”.

Canada Petroleum Resources Act

(b) by adding immediately after line 33 at page 65 the following:

“(3) Prior to the settlement of aboriginal claims in affected areas, the Crown share shall be retained North of 60% in any interest granted or entered into.”

Motion No. 15

That Bill C-5, be amended in Clause 121 by striking out lines 27 to 31 at page 69 and substituting the following therefor:

“(3) The Minister shall require that any benefits plan submitted pursuant to subsection (2) include provisions to ensure that aboriginal people and disadvantaged individuals or groups have priority access to training and employment.”

He said: Mr. Speaker, briefly what I am trying to do in these amendments is to give the native people some say in what is going to happen once these licences are issued. The Government apparently does not agree with me. I say to the Hon. Member for Western Arctic (Mr. Nickerson) that I accept that he listens to his constituents, but we have had evidence from groups purporting to represent native people in the North who are taking different positions. I would invite him to support the positions taken by those groups before our committee.

• (1210)

Motion No. 3 says that once the Minister has issued a permit to drill, explore and so on, “there shall be inserted a condition or caveat”—a caveat is a lawyer’s term, it is a big warning. A red light goes on when you see a caveat—“that the area in question is subject to an aboriginal claim and may ultimately be owned by the aboriginal people in fee simple, including the sub-surface.”

That is the nub of the matter, Mr. Speaker. We have been saying that you cannot negotiate with the native people on the one hand and then give their rights away on the other by giving the oil companies these permits. We are suggesting that the Government at least be up front about this. When the Government is giving permits or leases to oil companies it should be explicit about what could happen. A court could very well rule later that the lands which were given to the oil companies under this section of the Act were not the property of the Government of Canada to give. The Government of Canada could be liable for a lot of money if it gave away something it did not have the right to give away.

I would like to draw the attention of the House to the position of the Canadian Petroleum Association. That is the voice of big oil. It told the committee that it has no position on native land claims other than the belief that they should be resolved to promote certainty as to who owns the land. It said that operators need to know under what jurisdiction and rules the lands are held and with whom to deal. This is perfectly reasonable. This is one of the few occasions on which I agree with the Canadian Petroleum Association.

Mr. McDermid: The voice of big oil. You had better be careful.

Mr. Waddell: My friend says that I had better be careful. I will lose my reputation. Through this amendment we are