

Yukon and Territorial Lands Act

Territories. He asked me to convey to the House the fact that he agreed to the amendment.

Mr. Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Speaker: All those in favour will please say yea.

Some hon. Members: Yea.

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

Some hon. Members: Nay.

Mr. Speaker: In my opinion the yeas have it.

And more than five members having risen:

Mr. Speaker: The division will be postponed. The House will now deal with Motion No. 13.

Hon. Jean Chrétien (Minister of Indian Affairs and Northern Development) moved:

That Bill C-212, to amend the Yukon Act, the Northwest Territories Act and the Territorial Lands Act, be amended by striking out lines 5 to 19 on page 9 and substituting the following:

"3A. Where he deems it necessary for the protection of the ecological balance or physical characteristics of any area in the Yukon Territory or the Northwest Territories, the Governor in Council may, after consultation with the council of the Yukon Territory or the council of the Northwest Territories, as the case may be, where he deems such consultation to be practicable or, otherwise, after consultation with each of the members of the council with whom consultation can then be effected, set apart and appropriate any territorial lands in that area as a land management zone.

3B. The Governor in council may, after consultation with the council of the Yukon Territory or the council of the Northwest Territories, as the case may be, where he deems such consultation to be practicable or, otherwise, after consultation with each of the members of the council with whom consultation can then be effected, make regulations respecting"

He said: This is the same situation, Mr. Speaker. We have already had an interesting debate on the principle of consultation. That was discussed under the Yukon Act. We decided that the debate would be the same with regard to the Northwest Territories Act. I do not think it would be advisable to take the time of the House to repeat the debate under the Territorial Lands Act. Perhaps the hon. member for Yukon would agree on that point, as he did a few minutes ago with regard to the Northwest Territories Act.

[Mr. Chrétien.]

Mr. Erik Nielsen (Yukon): Yes, Mr. Speaker. I will not take issue with the minister with respect to his version of consultation and my version of consultation. They are about as far apart as the distance between Ottawa and Whitehorse. Something appears to be missing from the reprint which I know was passed in committee. I refer to the amendment which requires publication in the *Canada Gazette* and which provides an opportunity for making representations to the minister with respect to setting up land management zones. I do not see it here, although it should be.

Mr. Knowles (Winnipeg North Centre): It is on page 10.

Mr. Nielsen: I thank the hon. member very much. I wish to make a comment with regard to page 9, clause 24 of the bill, sections 3A and 3B. The committee, again unanimously, inserted the consultation clause because of the extremely wide powers that the bill as originally printed would have given the Governor in Council.

In effect, any trapper who wanted to build a log cabin would have to obtain a permit from the civil service before he could do so. Indeed, if he were out trapping and were caught in circumstances where he had to get firewood, he would have to get a permit from the civil service to do so. I am not saying these things will happen, but the power is there. Before a prospector prospecting for mineral claims cut any line, he would have to get a permit to do so. On some occasions this would involve travelling many hundreds of miles.

Before embarking on any exploration, an exploration company would have to obtain a permit from the bureaucracy spelling out the kind of vehicle that would be used, the weight of the vehicle, the number of wheels the vehicle would have, how far and how fast it could go, how long it would remain in any part of the country, when it would go in and when it would come out. All these matters would be within the regulatory power the government is asking for in this section. That is the reason the committee in its wisdom and fairness inserted the consultation clause which would require the Governor in Council to consult the elected representatives of the people of the two territories.

The only difference between the consultation which was recommended by the committee in the reprinted bill and the consultation that is no longer there in the minister's amendment is that we have reverted back to