

Fisheries Act

the Fisheries Act, has had as careful a scrutiny in the Standing Committee as any other bill. But I think it is also fair to say that the attention of the members of the committee was largely concentrated on some rather important new elements that by this bill are being introduced into the Fisheries Act. Certainly, at the initial stage of our proceedings on this bill the impression I received was that the other amendments in the bill were largely of a housekeeping nature. By and large I think that is true. The explanatory note with reference to section 31 states:

• (3:10 p.m.)

The purposes originally served by section 31 are now served by section 76 of the Fisheries Act and the Coastal Fisheries Protection Act.

That does not in any way indicate the area of concern that has been mentioned by the hon. member for South Western Nova (Mr. Comeau) and the hon. member for South Shore (Mr. Crouse), and certainly this aspect of the matter did not receive much consideration in the Standing Committee. The implications of the bill, which these hon. members have outlined, were not carefully scrutinized by the Standing Committee before the bill was reported back to the House. There has been some discussion of the lobster fishery on the Atlantic coast. I understand that in many respects we are still in the exploratory research stage with respect to understanding the nature and extent of the lobster fishery, the reproduction habits of the lobster and the maintenance and management of lobster stocks.

Having regard to the obvious concern indicated by the fishermen involved, as reported by two hon. members from the province of Nova Scotia, I agree with the suggestion that action to repeal section 31 should be deferred until members of the House, particularly those who have shown an interest in the welfare and development of our fisheries, are more fully satisfied that the proposed repeal will not in any way adversely affect that particular fishery. For the time being, section 31 should remain in force. I cannot see how it will interfere with the exercise of the minister's functions as Minister of Fisheries. We know there are many areas with respect to the management of the fisheries which can only be properly dealt with through regulation, but in this instance we were left with the impression that the repeal of section 31 merely dealt with the question of Canadian jurisdiction over Canadian vessels moving out

[Mr. Barnett.]

of and into Canadian ports, to and from the high seas. Now it is obvious that there is much more involved, and I believe the amendment should receive the support of the House.

Hon. Jack Davis (Minister of Fisheries and Forestry): Mr. Speaker, I believe that section 31 of the act must be repealed, and therefore that this amendment must be defeated. In essence, section 31 provides that if there is closure of an inshore fishery anywhere in Canada, there cannot be an offshore fishery with respect to the same species of fish. No long-distance fishing nation could possibly tolerate a provision of that character in its legislation. The amendment which we propose in the bill would allow a Canadian offshore operation to take place when there was an inshore closure somewhere in Canada.

Unfortunately, an example was given in the Standing Committee with respect to lobsters on the east coast. It was unfortunate in the sense. We have no intention of issuing regulations permitting an offshore lobster fishery. I have said this in a number of letters, not only to hon. members opposite but also to fishermen and their representatives in Nova Scotia. In other words, Mr. Speaker, we have no intention of upsetting the inshore lobster fishery in the Maritimes. I guarantee it.

I have also said that we would welcome submissions by the industry and a full-scale debate by the House of Commons all-party committee on Fisheries and Forestry when the House reconvenes in the fall.

I contend that to prohibit any long-distance offshore fishery because of a closed inshore fishery is short-sighted. From time to time hon. members ask, "Why doesn't Canada have an effective long distance fishing fleet?" Section 31 provides:

No one shall leave any port or place in Canada to fish outside Canadian fisheries waters...and no one shall bring into Canada any fish caught outside Canadian fisheries waters when fishing for such fish is prohibited inside the Canadian fisheries waters—

Clearly, if section 31 were to continue in effect we could not have a long-distance fleet carrying on an offshore operation when an inshore operation was closed. It is an anomaly in the Fisheries Act. If we have any idea of creating a long-distance fishery we get rid of section 31.

Mr. Comeau: Mr. Speaker, could the minister give an example of where the repeal of the section might have application other than