

Recommendation 9:

The Committee recommends that proposals on administrative and legislative delegation related to the environment require provisions in the enabling agreements to ensure:

- regular and public reporting to the legislature of the delegating authority by the jurisdiction to which the powers are delegated;
- revocation of the delegated powers if, in the opinion of the legislature of the delegating jurisdiction, the powers are not being effectively exercised by the jurisdiction to which powers have been delegated;
- full public information, and opportunity for individuals and groups to comment and make representations on the implementation of the administrative or legislative provisions at any time.

Recommendation 10:

The Committee recommends that the significance of the “declaratory power” be clarified with respect to the ability of the federal government to maintain and enhance environmental quality and to promote sustainable development, prior to any changes to Section 92(10)(c) of the Constitution.

Recommendation 11:

The Committee recommends that the proposals for political renewal include explicit recognition of the need for a power to ensure that Canada’s international commitments to improve the national and global environment, and to promote sustainable development, can be implemented effectively and expeditiously. The Committee recommends the creation of a formal consultation mechanism in regard to the exercise of this power, particularly for Canadian jurisdictions with relevant powers. The Committee also recommends that this so-called ‘treaty power’ should include major international agreements that do not have the status of treaties.

Recommendation 12:

The Committee recommends that the proposals for political renewal recognize that the federal residual power (‘peace, order and good government’) is one of the basic foundations for federal action to protect the environment and promote sustainable development. This power should in no way be diminished in its ability to deal with environmental needs.

Conclusion 13:

Environmental protection and the adoption of sustainable development patterns involve the whole population. At present, public access to data and information on environmental issues, and to related governmental activities (including