

*Canada Shipping Act*

That is something, Sir—and I say this with all sincerity—that concerns me very much. We should not have needed to put up with such limitations in a bill of this kind if we had been able to reach some sort of meaningful international agreement. Indeed, the task force refers to this matter. I quote from page 3 of the report:

We see no reason why the countries which have signed and lived up to the civil aviation convention for the past many years should find it impossible to adopt a similar convention to bring order out of chaos in marine navigation and particularly in tanker operation.

As Dr. McTaggart-Cowan points out, the precedent is there. It is a very good example. I refer to the International Civil Aviation Organization which, as hon. members know, is headquartered in Montreal.

● (2:50 p.m.)

Another well known expert in the field of pollution is from the minister's own honorary alma mater, the Memorial University of Newfoundland. Dr. Richard E. Warner, in a very useful and learned paper entitled "Environmental Effects of Oil Pollution in Canada", dated August 14, 1969, refers to the complication which we have in terms of the lack of a meaningful international agreement. I quote:

Communication between interested scientists and organisations has also been hampered by the lack of a suitable international forum for reporting research results, proposed projects, and circulating other information which could materially improve research coordination and reduce duplication of effort.

I think that the bill, commendable as its objectives are, will not protect us from the very serious consequences of pollution from oil. The only meaningful protection we can hope for, and for which there is any hope of enforcement, would be to have some international convention similar to the civil aviation agreement which operates under the aegis of the United Nations.

The increase in the tanker fleets of the world is a cause for very serious concern. Another very interesting shortcoming in the bill, which is of particular interest to the part of the country I represent, is that it will only tax carriers of oil. As hon. members know, other pollutants probably have even more serious consequences. I need only refer to the phosphorous pollution which occurred recently in Placentia Bay, where the consequences were so serious the whole fishing industry of Eastern Canada was affected.

Freighters from the southern United States daily carry phosphorous to the Erco plant at Long Harbour in Placentia Bay where it is refined into various by-products. This pollutant is not included in the tax which will be levied by this legislation only on the carriers of oil and oil products. These are some of the major shortcomings of this bill.

This bill points out the importance of continuing our international pursuits in the area of those treaties we have inherited from Great Britain which in my opinion should be revoked. One treaty which is causing great difficulties in enforcing our territorial fishing zones in

[Mr. McGrath.]

Newfoundland is the Treaty of Utrecht. This not only gives France permission to operate within the 12-mile limit, but to operate within the three-mile limit, right up to our beaches. I repeat that we have not been able to enforce our territorial fishing zones area where enforcement is needed most, the fishing grounds off the south coast of Newfoundland. This legislation creates no jurisdiction in that area.

I also have reservations about having this bill referred to the special committee on environmental pollution. The same case that the minister made for this bill being under the administration of his department could be made for referring the bill to the Standing Committee on Transport and Communications. I was happy to hear the minister indicate that he has no strong views on this aspect of our proceedings. I am speaking personally, and not on behalf of my party, when I say that I hope the minister will agree to referring the bill to the Standing Committee on Transport and Communications. In my view, this committee is much better equipped to handle this bill.

Regardless of which committee examines the bill, I am sure hon. members will press for the hearing of witnesses. I am sure hon. members of the committee will want to hear from members of the McTaggart-Cowan task force. The committee should also hear Dr. Richard E. Warner who is internationally renowned in the field of oil pollution and environmental consequences stemming from oil pollution. I am certain there are other interested and interesting witnesses who may be able to throw some light on this very serious and complex matter.

I feel a mistake has been made by proceeding unilaterally in this field without having first obtained some form of international agreement. At the same time I believe it is a mistake to incorporate the principle of limited liability. If there is to be liability, it should be unlimited because we are now only beginning to realize how drastic the consequences are from oil pollution.

Not enough attention has been given to jurisdiction over the possibility of accidental spills as a result of tapping the potential oil resources on the continental shelf on our east or west coasts. We know of the unfortunate experience in Santa Barbara off the coast of California. We also know of the more recent experience off the coast of Florida in the Gulf of Mexico. I repeat my concern over the fact that this bill will have no application in enforcing the regulations in an area where enforcement is badly needed. I refer to the south and southeast coast of Newfoundland where there is a prospect of a 100,000 barrels per day refinery being put into production at Come-By-Chance.

I will be directing further questions to the minister. I look forward to hearing witnesses who can shed some light on this very complex matter. Working together with the minister, hopefully we will come up with some meaningful amendments to the bill so that when it is presented to this House for third reading it will be a better bill.

**The Acting Speaker (Mr. Laniel):** Order please. Pursuant to special order made Thursday, October 22nd, 1970,