

Dumping at Sea

load wastes with the intention of disposing of them at sea. Please note, Mr. Speaker, that the bill will make all types of dumping subject to permit. Anyone applying for a permit to dump will pay a prescribed fee.

In general the wastes we are dealing with, both in the bill now being considered and in the London Convention, fall into two classes. One class comprises wastes which are highly dangerous to the marine environment, wastes which we know will cause serious damage. Dumping of this kind of waste is prohibited. No permits will be granted except in very special circumstances. In this class, to name a few examples, you will find organohalogen compounds such as DDT, polychlorinated biphenyls, and others. Mercury and cadmium and their compounds are in this class. So are persistent plastics and other synthetics; for example, netting and ropes which may float indefinitely in the sea, causing obstruction. Oil of all kinds, crude, fuel, heavy diesel and lubricating are in this class and covered by the bill when taken on board for the purpose of dumping. So are high-level radioactive wastes or materials produced for biological and chemical warfare.

● (2010)

The second class is made up of substances which could be damaging under certain conditions; in certain areas, in certain concentrations and at specific times of the year—substances, in short, which, with the right precautions, may safely and legitimately be deposited in the sea. In these cases the permit issued will specify certain requirements such as the rate of dumping, the time it takes place, the location, and so on.

The bill lists both of these classes. The prohibited substances are in Schedule I. The restricted substances are in Schedule II. I should emphasize, Mr. Speaker, that even substances which are not included in these schedules will be covered. They may not be dumped without permit.

It is reasonable to expect that there will be extraordinary situations in which it may be necessary for substances to be dumped without prior permit, in crisis situations, for instance, to avert danger to human life at sea. The bill will require that when such emergency action is taken, a full report of all the circumstances must be made. Similarly the minister may grant an emergency permit to authorize dumping action necessary to avert danger to human health on land. In this case the dumping action will be reported to other states affected.

Schedule III of the bill spells out criteria, the factors which the people who grant permits must calculate in making their decisions. In this respect, as in others, the bill follows the pattern of the London Convention. The factors to be considered include: (1) The characteristics and composition of the substance to be dumped; (2) characteristics of the dumping site and the method of deposit; and (3) possible effects on the environment in all its aspects—effects on amenities, on marine life, on other uses of the sea. "Do we have to dump?" is a question that must be asked. The availability of other options must be considered such as alternative onshore methods of treatment, disposal or elimination.

The bill provides for penalties for the dumping of materials into the ocean without a permit. Offences will be assessed in accordance with the severity of the violation.

[Mr. Marchand (Kamloops-Cariboo).]

Offenders who contravene clauses 4, 5 or 6 of the bill are liable on summary conviction to the following fines: for offences involving substances not listed in Schedules I or II, up to \$50,000; for offences involving substances in Schedule II, up to \$75,000; for offences involving substances in Schedule I, up to \$100,000.

Clause 7 of the bill deals with the disposal, or the junking of ships or aircraft in the sea. Anyone who contravenes this clause is liable on summary conviction to a fine not exceeding \$75,000. Failure to report dumping is punishable, on summary conviction, by a fine not to exceed \$25,000.

The bill also gives the government authority to detain, seize or force forfeiture of ships and aircraft, and to demand redress of environmental damage by polluters.

Environment Canada will administer this bill. This, Mr. Speaker, is a logical arrangement since this department's current activities already include such environmental protection functions as surveillance, monitoring, marine scientific research and vessel inspection. The Ministry of Transport will also be involved. So will the Royal Canadian Mounted Police, the Department of National Defence, the Department of Indian and Northern Affairs, and other federal and provincial organizations.

The governor in council is empowered to make regulations needed to carry out the provisions of the convention and of the bill. The bill is binding on Her Majesty in right of Canada or a province.

Before I close, Mr. Speaker, I should point out to hon. members that the London Convention will come into force automatically once it has been ratified by 15 nations. As of now, a number of countries have already done so. The 12 nations which signed the Oslo Convention mentioned earlier are in a position to ratify at short notice whenever they desire. What this means is that the 15 necessary ratifications may be imminent. At that point, with the convention in effect, the immediate next step will be to call an organizational meeting of all nations involved. This will be a conference which will significantly shape the future development of the convention and it is important that Canada be there. It is a matter of urgent business that we have the implementing legislation in place and that we be in a position to ratify the London Convention as soon as possible. When we have done this we can be sure of participation in these arrangements and, sure also that Canada's special coastal state interests are represented.

I urge the House, Mr. Speaker, to give swift consideration to this bill. Although ocean dumping is not a major Canadian problem, not a major feature of Canadian maritime activity, our waters are as vulnerable as anyone else's. We must act to shield the great Canadian fisheries and our coastal recreational areas. Beyond that we must move to protect the ocean at large, the sea which belongs to us all, the common heritage of mankind.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, I wonder if the parliamentary secretary who has just made a very interesting speech on a subject in which we are deeply interested would answer a question in order to help us in connection with the future conduct of this debate.

I am concerned about Clause 2(2), the definition of the sea. The parliamentary secretary will have noticed that