

together and voted on separately, in my view. I gather there may be an Hon. Member rising on that point and I will come back to it in a moment to hear his argument.

Motions Nos. 10, 11 and 12 should be debated separately and voted on separately, in my view. The Hon. Member for Comox-Powell River (Mr. Skelly) wishes to make representations on this matter.

**Mr. Skelly:** Mr. Speaker, in the grouping of the amendments, I just wonder if it might be possible to take a couple of motions out of that group, Nos. 2 to 9, so that we might debate them separately. There are some important matters which relate to native people which are certainly separate issues. They would not necessarily fit in with the other amendments. It strikes me that those are important matters which would be worthwhile for the House to consider separately. The debate would be part of the record, and I presume that the positions taken by various groups in this House relating to those issues would be relevant. They certainly break into areas affecting the sports fishery versus the commercial fishery and it would be useful if we were able to have a short debate on the issues affecting the sports fishery. I am particularly concerned about the native area, which is relatively unique.

● (1140)

**Mr. Hnatyshyn:** Mr. Speaker, I appreciate the observation made by the Hon. Member, but I understand your ruling to be that while the various motions would be debated at one time, there is no question that each would have a separate vote. I think the most important thing is to find out where Members of Parliament stand on individual issues as demonstrated by their vote. I suggest that in order to have a debate which makes procedural and logical sense, your ruling allows us to deal with matters of great importance in the motions put forward, and ultimately there will be a separate vote. I think that solves the Hon. Member's problem.

**Mr. Fulton:** Mr. Speaker, I just want to reflect for a moment on what the House Leader said in that items 2 to 9 are important amendments which flow from the Constitution. This is one of the first opportunities we have had to make the Fisheries Act comply with the wording in Section 35 of the Constitution. We heard the evidence of a large number of witnesses from Canada's native community, and a very important amendment was proposed by groups from the West Coast relating to that Section. I think it fair for purposes of debate to include the sports fishery and the others in relation to items 2 to 9, but I think it is very important, for purposes of clarity, that these amendments, particularly those put forward by the Nishga Tribal Council, be debated separately.

**Mr. Speaker:** I appreciate the arguments which have been made. That is why I indicated on a preliminary basis what my views were. I have to say that my view has not changed. Clause 2 is the purpose clause and all amendments proposed in items 2 through 9 relate to proposed amendments to that same clause. It is therefore logical that they be grouped for debate because that clause is then before the House for consideration.

### *Fisheries Act*

It is precisely for the reasons advanced by the Hon. Member for Comox-Powell River (Mr. Skelly) and the Government House Leader that it made sense to me that they be voted on separately in order to achieve what I think the Hon. Member for Skeena (Mr. Fulton) wished, which is that the House have the capacity to express itself separately on various matters regarding Clause 2. However, I continue to believe that it makes sense, given that it is one clause, the purpose clause, that they be debated as one group and I therefore so rule.

**Mr. Ray Skelly (Comox-Powell River)** moved:

Motion No. 1

That Bill C-32, be amended in Clause 1 by striking out line 12 at page 1 and substituting the following therefor:

"(c) the eggs, spawn, spat and"

He said: Mr. Speaker, the Bill before us today has had a great deal of discussion in the House and in committee. It is interesting that the Government has not been forthcoming on the concerns raised by thousands of people about this legislation. It is unfortunate that the Government really has not, in an appropriate way, consulted people about this legislation; nor has it taken seriously the amendments put before us. The rough road this Bill has had moving through the House certainly reflects this Government's good faith in dealing with this legislation.

When this legislation was presented to us early last winter, the Minister and others indicated that the fishing industry would collapse without this legislation. It was presented, in fact, the day before the herring fishery opened and the Government indicated that that \$75 million industry was in danger of collapse; there would be some very serious consequences if we did not pass this Bill through all stages immediately. The reality is that this is an old piece of legislation drafted by the Liberals when they were in power. But the Liberals found that Parliament was not willing to deal with this legislation expeditiously and immediately put it on the shelf. It is interesting to note that the 1984 fishing season passed by without a problem, despite the fact this legislation was not passed.

If the Minister were prepared to sit down with user groups and discuss this legislation in a forthright and upfront manner, certainly the 1985 fishing season would go down without a hitch. But I think the Minister has chosen to play politics with this legislation and with critical issues on the West Coast. He is claiming he does not have authority to sit down with people and negotiate and work out proper allocations and opening dates for the fishing season. But he does have this authority.

Unfortunately, we then find ourselves in a very serious impasse. Basically this is a three clause Bill which purports to change definitions in the Fisheries Act, and those definitions extend the ability of the Minister to regulate. The degree of regulation already imposed on the fishing industry is just enormous and astounding. We heard in committee that the Minister had the authority to regulate the fishing industry in an appropriate way with some checks and balances where legislators or others would have an opportunity to review the regulations and have some input. But what officials from the Minister's Department stated was that this simply makes it