

Natural Resources

the appropriate standing committees. I understand there are other bills Nos. C-64, C-40, C-22 and C-71, which should be dealt with at this time.

Mr. Macdonald (Rosedale): Perhaps on that basis I should attempt to do what I did previously, to move them, with the consent of the house, on behalf of the movers of the particular bills. Then we could proceed as the Solicitor General has suggested.

Mr. Speaker: Is it agreed that a motion be made for the reference of the subject matter of Bills Nos. C-64, C-40, C-22 and C-71 to the Committee on Health and Welfare?

Mr. Pennell: To clarify this matter, is it my understanding you are now putting the motion for second reading or for reference to the committee?

Mr. Speaker: There is no motion before the Chair. If the hon. member would make a motion I would put it to the house.

REFERENCE OF SUBJECT MATTER OF BILLS
NOS. C-64, C-40, C-22 AND C-71 TO STANDING
COMMITTEE ON HEALTH AND WELFARE

Hon. L. T. Pennell (Solicitor General): Mr. Speaker, I move:

That the subject matters of bills Nos. C-64, C-40, C-22 and C-71 be sent to the standing committee on health and welfare.

He said: I do this, Mr. Speaker, with some hesitation because I still have some doubt, and I say this with deference, whether the procedure is entirely correct.

Mr. Speaker: The subject matter of the bills can be referred to a committee before second reading. I assume this is why we followed the procedure we did in connection with the bills referred to the Committee on Justice and Legal Affairs. So I suppose, we can put the motion to the house.

Mr. Pennell: I bow to your better judgment, Mr. Speaker.

Motion (Mr. Pennell) agreed to.

NATURAL RESOURCES

OFFSHORE MINERAL RIGHTS—SUGGESTED
REFERENCE OF QUESTION TO DOMINION-PROVINCIAL CONFERENCE

Mr. J. O. Bower (Shelburne-Yarmouth-Clare): moved:

That, in the opinion of this house, the government should consider the advisability of withdrawing the reference to the Supreme Court of Canada on the question of off-shore mineral rights, and in the spirit of Confederation, place the question

[Mr. Pennell.]

before a dominion-provincial conference to the end that the decision as to ownership of such mineral rights be determined in a manner fair, just and equitable to the provinces concerned.

He said: Mr. Speaker, as a signatory to the convention on the continental shelf at the Geneva conference on the law of the sea in 1958, Canada's sovereign rights to the natural resources of the continental shelf adjacent to our shores were clearly established. The convention came into force on June 30, 1964, and it only remains for parliament to ratify it, a move which the government has not pushed through to conclusion.

The government's first move has been to submit to the Supreme Court of Canada the question whether jurisdiction over offshore minerals resides with Ottawa or the provinces individually involved. This was done over protestations by the various provinces that the question be decided through a dominion-provincial conference.

I am not a lawyer Mr. Speaker, and therefore I am unable to assess the strictly legal aspects of the claims of the various provinces to offshore mineral rights vis-à-vis the federal position. However, as a member of parliament from the Maritimes I have introduced my motion convinced that the settlement of the issue can best be achieved through a dominion-provincial conference. To that end I propose the withdrawal of the reference to the Supreme Court of Canada on the question.

● (6:10 p.m.)

The nub of my motion is found in the operative words "and in the spirit of Confederation". It seems to me that Canadian history, tradition and precedent dictate as basically equitable that the provinces should first be assured of a favourable position in respect of the direct benefits accruing from natural resources found below the surface of the continental shelf. It is true, to repeat an old and well known story, to say that the Maritime provinces entered Confederation only after much soul searching and trepidation. But enter it we did. Now, just under 100 years later, we are still the low men on the national totem pole and constitute the single big area of unfavourable disparate economic development. This is starkly brought out in the second annual review of the Economic Council of Canada when it discusses its fifth point that is, regionally balanced growth and the reduction of disparities among the regions of Canada.

Over this night on to 100 years we have seen carved out of what once were territories