

Fisheries Act

Messrs.

Olivier
Ouellet
Parent
Pearsall
Pinard
Portelance
Poulin
Prud'homme
Railton
Raines
Reid

Roberts
Robinson
Rompkey
Rooney
Roy
(Laval)
Sauvé (Mrs.)
Sharp
Smith
(Saint-Jean)
Stanbury

Stewart
(Cochrane)
Stollery
Tessier
Turner
Watson
Wood
Yanakis
Young—(115).

● (2100)

Mr. Speaker: I therefore declare motion No. 2 lost.

Hon. Barney Danson (for the Minister of Fisheries and the Environment) moved that Bill C-38, to amend the Fisheries Act and to amend the Criminal Code in consequence thereof, as reported (with amendments) from the Standing Committee on Fisheries and Forestry be concurred in.

Motion agreed to.

Mr. Speaker: When shall the bill be read the third time? By leave now?

Mr. Fleming: Mr. Speaker, I rise on a point of order. There has been consultation with the opposition parties and the independent member, and I believe there is agreement to proceeding to third reading now.

Mr. Speaker: Is it, by leave, now?

Some hon. Members: Agreed.

Mr. Danson (for the Minister of Fisheries and the Environment) moved that the bill be read the third time and do pass.

Mr. Lloyd R. Crouse (South Shore): Mr. Speaker, when this bill was brought forward for second reading on May 16, 1977, I indicated that our party would support the over-all intent of the bill. Nevertheless, I stated that we were concerned with particular aspects of it. We supported the bill because the present Fisheries Act needs immediate revision, especially in the areas of providing more realistic penalties for those contravening the act, of providing a ticketing system for minor infractions so that fisheries officers no longer will be tied up for ages in court proceedings, and of extending anti-pollution standards and controls to existing industries and other possible pollutants of fishery waters. However, we were concerned about the extensive search and seizure powers of the fisheries officers; the extensive search powers of the federal pollution inspectors; the possible federal-provincial constitutional clash over anti-pollution jurisdiction; the small number of fisheries officers and inspectors with whom the department expects to do the job; and the content of the regulations which the governor in council may prescribe in the future.

Due to the prodding of my fellow Progressive Conservative colleagues on the Standing Committee on Fisheries and Forestry, as well as other members of the standing committee, most of our concerns have been satisfied. I introduced three amendments directed toward limiting the extensive search and seizure powers of the fishery and pollution control officers, and

all three were accepted. These amendments will ensure that any future changes in the powers of fisheries officers will have to be approved by parliament, not by the arbitrary whim of the minister and his bureaucrats. They will ensure, also, that a pollution control inspector has to have just cause in making any inspections without a warrant.

● (2110)

Finally, they ensure that a fishery officer has to have a warrant before he can search a private home. Presently, a fishery officer can search any place without a warrant, although a ministerial directive was issued which restricted some searches. We on this side did not feel that a ministerial directive was sufficient. We felt that these restrictions had to be placed within the statute.

We were pleased that the minister was kind enough to table the regulations of Bill C-38 in the standing committee. Quite frankly, I wish more ministers would be so co-operative. We were not pleased, however, to find that the Department of Fisheries does not intend to hire extra fisheries officers. Our fisheries officers are already overworked and are spread too thin in many areas of maritime Canada. With the added duties being given to them under Bill C-38, we expected some indication that more would be hired. If I may make a suggestion, perhaps the Minister of Fisheries and the Environment (Mr. LeBlanc) should redefine his priorities. In our opinion, we need more men in the field, not more men in bureaucratic Ottawa.

One of our chief concerns has been the possible constitutional problem over pollution and pollution control. Unfortunately, this problem has not been resolved. Man has set foot on the moon, and he has sent scientific probes to Venus, Mars and Jupiter. All proved that there is only one planet in this solar system which is ideal for man, and that is the planet earth. We are stuck with this planet and we are responsible for the conditions existing on it. There is simply no other place, according to all the scientific data we have at the present time, for us to go. Consequently, I am appalled when I look around and see the impact we and past generations have had on the earth's environment.

Frankly, it is not only our transport system that is in a mess, as was stated by the previous minister of transport. Our environment is in a mess as well. Each day more beaches are declared unsafe for swimming. Each day more lakes and rivers are declared too hazardous for fishing. Even in the oceans such fish as swordfish are declared too contaminated to be eaten. That is a burden the fishermen of Nova Scotia have carried. In 1972 they were actually ordered out of the fishing industry in so far as it applied to swordfish fishing. We lost something like a \$5 million industry for the fishermen alone as a result of mercury contamination. We must do better. We must start to clean up the mess.

I looked upon Bill C-38 as being an instrument which would aid in clean-up. With full federal-provincial co-operation, I was certain that Bill C-38 would be an effective anti-pollution instrument. Unfortunately, because of this Liberal govern-