

Oil and Gas Act

Mr. G. H. Aiken (Parry Sound-Muskoka): Mr. Speaker, I had intended to speak at a later stage on this bill, but in view of the fact that the issue which I want to raise has already been referred to in the discussion of the amendment, I would like to take my turn now. I wish to make a few comments about one aspect of the bill that very deeply concerns me.

I think there are two matters that have to be considered seriously, not as to the detail or content of the bill itself, but as to its general effect. The first is what I consider a derogation of the sovereignty of Canada in our northern waters by virtue of a definition in this bill. The second is the question of a Supreme Court decision relating to offshore rights, which concerned only the west coast of Canada, and following which it was intended that there be further consultations before the federal Parliament acted on the matter for the whole of Canada.

I think it is well known that there was a gentlemen's agreement, if one could describe it so, that after the Supreme Court decision ruling the offshore limits of the continental shelf off the west coast to be federal Canadian territory and not provincial, there would be a series of conferences between the federal and provincial governments to straighten out this problem in the rest of Canada. This morning questions were asked by the hon. member for Brandon-Souris (Mr. Dinsdale) about what replies the Prime Minister (Mr. Trudeau) had received from the provinces. He answered that some replies had been received, but he refused to indicate which way the provincial people went and whether or not there was any agreement at all on the question of offshore rights. These are two things that are affected by this bill.

As to the second question, I do not wish to expand on it at the moment except to say that as far as I can see the federal government is proceeding without consultation or provincial consent to define the limits of the federal interest in the continental shelf. This, I repeat, is being done without going through the formality of consulting the provinces to find out whether agreement can be reached. In that way, by bringing forth this bill at this time, the government is creating more difficulties than it is solving.

The first matter I raised, concerns our sovereignty. I want to put it this way. The original act, which this bill proposes to amend, applied to oil and gas in the Yukon Territory and the Northwest Territories. I think that

[Mr. Mahoney.]

was a pretty clear definition. I believe that at that time the Canadian people, the Canadian government, and people beyond our shores had no doubt whatever where our territories were. They comprised the whole areas contiguous to Canada, extending from our east and west coast north to the North Pole. As I say, I do not think anybody had any doubt about that. That is the way the act read.

Now clause 3 of this bill proposes to define a further area, and provides that the act will henceforth apply to:

(a) the Yukon Territory or the Northwest Territories; (b) those submarine areas adjacent to the coast of Canada to a water depth of two hundred metres or beyond that limit to where the depth of the superjacent waters admits of the exploitation of the natural resources of the seabed and subsoil thereof;

My argument is just this: now that we have a definition of our territories, which includes the seabed to a depth of 200 metres at any point beyond our coast, this opens up the whole question of where our coast is. The question is raised whether this clause defines Canada's coast as the northern part of the mainland of Canada and not the islands. It leaves the question open as to where the territory will end as between the mainland and the islands, and just to make the whole matter worse there is this definition of a depth of 200 metres.

● (2:40 p.m.)

According to the way I figure it, 200 metres is 111.1 fathoms, which is the equivalent of about 666.6 feet. I have a map here, which is an official map of the northern part of Canada, on which all the depths of waters are given. It is a map of the Arctic Islands, Davis Strait and the Beaufort Sea, including connecting passages. I know the depths that are given on this map for many of the locations lying between the islands and between the mainland and the islands. Now, I remind you again, Mr. Speaker, that the depth set forth in this particular bill is 200 metres which is 111 fathoms, and there are many locations—

An hon. Member: Are you going to table it?

Mr. Aiken: There is an interjection from the hon. member. This happens to be a public document which the hon. member can get for himself if he can talk the Minister of Energy, Mines and Resources (Mr. Greene) into giving it to him. Not only that, but it is published by the Government of Canada.

Many of these depths run to 450 fathoms, which is four times the depth defined in the