

Navigable Waters Protection Act

Montgomery	Robinson (Bruce)
Murphy (Lambton West)	Rowe
Nesbitt	Shaw
Nicholson	Starr
Nickle	Stewart (Winnipeg North)
Noseworthy	Thomas
Nowlan	Trainor
Pallett	Tustin
Patterson	White (Middlesex East)
Pearkes	Winch
Quelch	Yuill
Regier	Zaplitny—76.

Bill read the second time and the house went into committee thereon, Mr. Robinson (Simcoe East) in the chair.

The Chairman: Order. The house in committee of the whole on Bill No. 471, an act to amend the Navigable Waters Protection Act. Clause 1.

On clause 1—*Recovery by Her Majesty from owner, etc., of costs of placing signals, removing wreck, etc.*

The Chairman: Shall the clause carry?

Mr. Fulton: Mr. Chairman, I rise at this stage for the purpose of making a suggestion to Your Honour which, if accepted by you and by the committee, I think might facilitate the orderly discussion of the bill. The bill consists of only two clauses but it seems to amend four different sections of the act. I wonder whether it might meet with your approval if we were to discuss each section of the act by itself rather than merely the two clauses of the bill as two separate proposals.

The Chairman: Is that agreeable to the committee?

Some hon. Members: Agreed.

Clause agreed to.

Clause 2, section 33, agreed to.

On clause 2, section 34—*Regulations.*

Mr. Fulton: This is the clause to which of course great objection was taken. The matter was discussed fairly fully on second reading, and now we can ask questions in detail. I suggest that one of the absurdities of going about the matter in this way is illustrated by the fact that the government, which considers it necessary to take these security measures, has to introduce an amendment to the Navigable Waters Protection Act which of course has nothing to do with security. But this clause only has reference to the great lakes. As was pointed out by the hon. member for Prince Albert, the effect is to create a crime with reference to a particular territory alone. What about the seamen working on the Vancouver-Victoria boats? Is it to be suggested they could not do equal damage by blowing up a dock at

[Mr. Diefenbaker.]

Vancouver or Victoria? How on earth is it proposed to deal with a situation of that sort in the absence of legislation of general effect? Has any of the ministers an explanation of that anomalous position?

Mr. Gregg: Before an answer is made to my hon. friend's question, and since on second reading a number of speeches were directed at this section of the act and the regulations made thereunder, I should like to make some comments on the points that were raised. The hon. member for Greenwood quite naturally expressed a desire to know more about how these regulations had been dealt with. The same applies to the hon. member for Peace River who asked the question: What is involved here? The hon. member for Winnipeg North Centre in his turn stated that there was no connection whatever between section 34 and the Navigable Waters Protection Act. I think we can take some exception to that because if he will cast his mind back a few years to just prior to 1950, the sabotage and destruction of property along the waters of the St. Lawrence certainly had something to do with the protection of that waterway. Without developing that, he went on to state that authority was being granted here by which the government may fine people for seeking employment. I know he did not really mean that because, as he and the committee are well aware, the regulations which were set up under the order in council were tabled in the house and do not provide for such a fine.

The regulations were first tabled by my parliamentary assistant back in 1951, and the amalgamated regulations and amendments thereto were tabled by the Prime Minister in 1952. The fines set out under the regulations have nothing whatsoever to do with the seeking of employment. They read as follows:

Every one who,

(a) knowingly furnishes any false information or material in or in support of an application for a seaman's card or in a certificate required by subsection 2 of section 19, or

(b) contravenes or fails to comply with any provision of these regulations, is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment not exceeding three months or to both such fine and such imprisonment.

Under that regulation we do not fine people for seeking employment. I want to make that very clear.

Mr. Fulton: Would the minister read section 5 of the regulations?

Mr. Gregg: Section 5?

Mr. Fulton: Yes.