

*Canadian Environmental Protection Act*

Minister and worked out a compromise which is not in agreement with the position of all the major witnesses who came before the legislative committee studying Bill C-74.

When the Minister tabled the Bill and made amendments on behalf of the Government, he recognized that in the discharge of its environmental responsibilities the federal Government must not be clouded by any mandatory consulting with the provinces. He recognized the need for unfettered federal leadership in cleaning up the environment and being the leading edge of that reform. It is very disturbing that the federal Government, and eventually the Minister, backed away from that commitment.

The provincial Governments maintained that the federal Government could initiate changes only after they had received provincial approval. That is a very serious step backward. We are not suggesting that the federal Government run roughshod over provincial concerns. That was not the complaint of the witnesses. The witnesses legitimately complained that the federal Government is in essence undermining its moral and legal authority, given to it by the Constitution, to act quickly and decisively when there are environmental issues at stake. It is alarming that the federal Government is prepared to inflict such wounds upon itself. Moreover, the Government did not permit the witnesses an opportunity to discuss that.

In essence, the federal Government was closeted with a number of provincial interests in whose interest it was to push forward this mandatory provincial decision-making in order that they can buy time if a matter arises involving provincial or regional interests. The provinces were, in essence, allowed to write this important clause of the legislation. Those working toward furthering principles of environmental protection, whether in a paid or a voluntary capacity, were left out in the cold.

● (1630)

The Government has essentially retreated from its responsibility toward the environment and the need to act nationally.

This brings me to the third area of concern. The federal Government has given up the right to regulate toxic chemicals federally. There can be no national standard concerning the environment when provinces can either opt in or opt out. That is indeed serious because there will be a checkerboard of standards when it comes to the environment, in which some provinces will be seen to be more progressive than others. That weakens the national fabric in terms of the resolve of Canadians to come to grips with the very serious hazards facing our environment today.

The fourth area of concern to which I want to bring the attention of the House is that the federal Conservative Government gave in to the pressure to change the regulations concerning federal Departments or agencies that pollute. Contrary to the amendments put forward by my colleague, the Member for Davenport, this Bill will require the Minister of

the Environment to obtain the concurrence of the Minister whose Department is responsible for the pollution before making regulations to protect health and the environment. That is a very serious concern because it essentially prevents the Minister of the Environment from taking action within his own jurisdiction until he consults with the Minister of Industry, Trade and Commerce, for example, who must regulate some of the firms that are polluting.

The first priority of the Minister of the Environment is to defend and protect his environmental portfolio in Cabinet. The Minister should not have to waste time consulting with another Minister when a firm in another part of the country is contributing to acid rain.

The responsibility of the Minister of the Environment is to stress continually the need to create and maintain a clean environment. A progressive Minister cannot falter in putting the environment first by not only requiring a firm to clean up its act, but by sending a strong signal to his ministerial and government colleagues that there can be no stronger argument than trying to clean up the environment to ensure an environment of which future generations of Canadians will be proud.

I am shocked that the Minister would include in his own legislation a requirement to consult other Ministers from other jurisdictions before attempting to charge a polluter with an environmental crime against our country.

When Bill C-74 was introduced in the House in June, it included a provision to give the Minister of the Environment the power to direct the polluter to pay for the cost of the investigation of the offence. This was a very good provision, in light of the great expense of investigating crimes against the environment. All of the witnesses pointed to this clause as one of the successes of the Bill.

However, the Government caved in to one of its own backbenchers, the Member for Niagara Falls (Mr. Nicholson), who moved to delete this clause. I am sorry that the Minister capitulated because it was a good clause that would have required the polluter to pay the price of the investigation into that environmental crime. It would send a strong signal to other firms and industries that while it is important to create and protect jobs, it is equally important to make the commitment now to protect our environment.

In summary, the Minister withdrew a number of positive clauses from Bill C-74. As well, a number of important elements to the legislation that were offered by our environmental critic were not incorporated into the Bill. I appeal to the Minister to accept some of the amendments put forward by my colleague, the Member for Davenport, in an attempt to strengthen what is an increasingly weaker Bill.

Second, I ask him to reinstate some of his own clauses, rather than distil this legislation by giving more power to the provinces to prevent environmental clean ups. He should ensure that there is a national standard and should reinstate