

Canada Shipping Act

What we are debating here today is cost recovery on Coast Guard services for Canadians while not even attempting to manage wisely Government projects such as this one. How much will we have to recover on navigational aids to cover the costs of this business to Esquimalt and to the Government of Canada? If the Minister is successful in running this facility into the ground to support his argument to sell it off, who will buy it and at what price? The dock's estimated value is \$50 million. Why would any of the principal users of the facility want to buy what they can already have for next to nothing? If we sell it for less than \$50 million, what new cost recovery scheme will the Minister bring forward to compensate the people of Canada? Or if the dock is closed altogether in March of next year, as planned by Transport Canada, how much more will we have to recover? That is a good example of what we see throughout the Bill which is before us in terms of user-pay.

Let us take a look at the Bill. I can certainly speak for the Port of Prince Rupert, the Port of Stewart and the Port of Kitimat in terms of Clause 3.1. I will tell Hon. Members what those ports will tell the Minister when he goes out to visit them. I would like to read the Clause because it is an important one. We have to look at it carefully. It states:

For the purpose of defraying the cost of navigational services provided by the Canadian Coast Guard, the Governor in Council may make regulations respecting charges relating to those services, including, without limiting the generality of the foregoing—

The Acting Speaker (Mr. Paproski): Order, please. The Hon. Member has been here long enough to realize that under *Beauchesne's Fifth Edition Citation No. 732* we are debating second reading of this Bill. The Bill should be debated in principle and not clause by clause. I hope that the Hon. Member will take that into consideration in recommencing his speech.

Mr. Fulton: Thank you, Mr. Speaker.

The points which are in the clause are key to the general thrust of the Bill. It would add costs for aids to navigation, dredging, vessel traffic services, ice-breaking services and escorting services. It is estimated that in the neighbourhood of \$200 million will be tacked on to the backs of pleasure craft operators, fishing vessel operators and general shippers. With respect to ports such as Prince Rupert, it is already suffering a dramatic loss in throughput. This is because Transport Canada has not managed to bring Prince Rupert Grain No. 1 back on line. In adding the types of costs which are being discussed in that clause on the fishing fleet we are expecting a \$100 million buy-back. Where is that? If more and more costs are to be added on to industries which are already in difficulty, we will find out what the real implications of user-pay are.

Let us look at what the Minister had to say about the Bill on September 25. There was great expectation in the House and in the country at that time regarding sovereignty. Bill C-75 was seen as a Bill which would strengthen sovereignty. In fact, it has diluted the potential in terms of the sovereign Bill of the Arctic Waters Marine Prevention Control Act. Members opposite know that well. If they do not believe it then they

should speak to people in External Affairs who are aware of what the implications of diluting our legislation north of 60 will be.

I would like to point to the six international maritime conventions which are to be added. There is the 1973 International Convention for the Prevention of Pollution from Ships and its 1978 Protocol. There is the 1978 protocol to the 1974 convention with respect to the safety of life at sea; the 1978 standards of training certification and watchkeeping for seafarers; the 1969 International Convention on Civil Liability for Oil Pollution Damage; the 1971 Fund Convention; and also the International Maritime Organization Codes for specialized ships carrying oil, gas and chemical cargoes.

I would like to point out just how far afield the Government has gone with this Bill. It has taken six international maritime conventions and placed them in the Bill. I think Hon. Members opposite would be pleased to address why Crown vessels are specifically exempted should they get into some kind of difficulty and cause a spill north of 60. The onus for damage always returns to the individual, whether we are talking about the coast of B.C., the east coast maritime areas or north of 60. It is the individual who is hurt. Many of these are very poor people. They cannot afford to find their way into the courts and to have consultants prepare studies in relation to the damage and so on.

The Bill is very broad. It includes everything from new definitions for air cushioned vehicles to what to do with a stowaway. There are some good clauses with respect to safety. I was pleased to see the provision for new inspection procedures and so on. However, the adding of charges for navigational services is not going to go down well in the country. I would encourage the Minister to speak to some of those people who are knowledgeable with respect to how this can change shipping patterns and what the implications will be for our indigenous fleets of both fishing vessels and pleasure craft.

Ministerial exemptions are dealt with in Section 134 of the Act. I will not dig right into the section since I accept your advice with respect to going into the specific clauses of the Bill, Mr. Speaker. The Benthorn project is an example once again in which ministerial discretion, exemption and regulation was utilized for the Cameron Island project to bring oil down this summer. It was through Order in Council that that particular vessel was exempted from operating in those ice conditions. The same theme of exemptive powers finds its way throughout the Bill. The Bill which is before us is similar to saying to the Minister of Transport: "You can do whatever you want, wherever you want, however you want, under whatever circumstances you want. Whenever you feel like doing it, pass some regulations." This is Trojan Horse legislation. It is the type of legislation which government Members fought against when they sat in opposition. They could see that the interests of the individual, the little Canadian, were the ones which would be beaten around. It means that the big oil companies can knock on the door of the Minister of Transport and say: "We cannot comply with that particular zoning which Environment Canada, the Government of the Northwest Ter-