

Water Resources Programs

this late date, might fall by the wayside as a result of a slight error of judgment on the part of the government.

It has required the passage of at least 15 years to come this far in overcoming provincial suspicions in regard to jurisdictional matters relating to control and development of our renewable resources. It will require a lot longer than that if the government does not lean over backwards at this time to indicate that it recognizes the special responsibility of the provinces in this respect, and that it will go the extra mile to assure to the provinces the final decision as to how their water resources are going to be developed.

This is a reasonable amendment and the Parliamentary Secretary has indicated he supports the principle of it. Having stated his support in so many words, I trust the government will accept the amendment that has been placed before the House in good faith.

The Acting Speaker (Mr. Béchard): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Béchard): All those in favour will please say ye.

Some hon. Members: Yea.

The Acting Speaker (Mr. Béchard): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Béchard): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Béchard): Pursuant to section (11) of Standing Order 75 a recorded division on the proposed motion stands deferred.

Hon. J. J. Greene (Minister of Energy, Mines and Resources) moved:

That Bill C-144, An Act to provide for the management of the water resources of Canada including research and the planning and implementation of programs relating to the conservation, development and utilization of water resources be amended by adding, immediately following clause 19 on page 22, the following heading and sections:

*"Seizure**Seizure*

20. (1) An inspector may at any reasonable time seize any cleaning agent or water conditioner that he reasonably believes has been manufactured in Canada or imported into Canada in violation of section 18.

[Mr. Dinsdale.]

Storing of seized substances

(2) Any cleaning agent or water conditioner seized under this Act by an inspector may at the option of an inspector be kept or stored in the building or place where it was seized or may be removed to any other proper place by or at the direction of an inspector.

Interference with substances seized

(3) Except with the authority of an inspector, no person shall remove, alter or interfere in any way with any cleaning agent or water conditioner seized under this Act by an inspector; but an inspector shall, at the request of a person from whom any cleaning agent or water conditioner was so seized, furnish a sample thereof to that person for analysis.

Application for restoration

21. (1) Where any cleaning agent or water conditioner has been seized under this Act, any person may, within two months after the date of such seizure, upon prior notice having been given in accordance with subsection (2) to the Minister by registered mail addressed to him at Ottawa, apply to a magistrate within whose territorial jurisdiction the seizure was made for an order of restoration under subsection (3).

Notice to Minister

(2) The notice referred to in subsection (1) shall be mailed at least fifteen clear days prior to the day on which the application is to be made to the magistrate and shall specify

(a) the magistrate to whom the application is to be made;

(b) the place where and the time when the application is to be heard;

(c) the cleaning agent or water conditioner in respect of which the application is to be made; and

(d) the evidence upon which the applicant intends to rely to establish that he is entitled to possession of the cleaning agent or water conditioner in respect of which the application is to be made.

Order of restoration

(3) Subject to section 22, where, upon the hearing of an application made under subsection (1), the magistrate is satisfied

(a) that the applicant is otherwise entitled to possession of the cleaning agent or water conditioner seized, and

(b) that the cleaning agent or water conditioner seized is not and will not be required as evidence in any proceedings in respect of an offence under this Act,

he shall order that the cleaning agent or water conditioner seized be restored forthwith to the applicant, and where the magistrate is satisfied that the applicant is otherwise entitled to possession of the cleaning agent or water conditioner seized but is not satisfied as to the matters mentioned in paragraph (b), he shall order that the cleaning agent or water conditioner seized be restored to the applicant

(c) upon the expiration of four months from the date of such seizure if no proceedings in respect of a violation of section 18 have been commenced before that time, or

(d) upon the final conclusion of any such proceedings in any other case.