

What usually accompanies a recommendation of this kind is the implication that it is up to the Federal Government to produce and administer such a policy. Any such assumption, however, ignores the essentially federal character of this country. It ignores the distribution of governmental powers as between the Federal Government on the one hand and the provinces on the other. Partly, I think, we have trouble on the point because of terminology. Use of the term "resource management" in itself helps to point the lines of solution. To put it in its briefest form: if resources are to be "managed" who should do it? Surely the answer is that their management, as indeed that of any estate or property, rests basically and essentially with the person or party who owns it. In the field of resources in Canada that person or party is normally the province. Under the British North America Act each province has the ownership and full control of its lands, forests, mineral resources and water resources. There are, it is true, a few respects in which the Federal Government has some direct jurisdiction over resources. In the first place, both the provinces and the Federal Government can legislate in regard to agriculture. In practice, this has meant that the province usually legislates on local matters and the Federal Government on matters affecting the nation or more than one province. Secondly, the B.N.A. Act assigns to the Federal Government the responsibility for legislating on all fisheries, but the practice has grown up whereby the Government legislates on inland fisheries according to the wishes of the province concerned. Finally, the Federal Government has responsibilities with regard to international streams and international waters, and for the natural resources of the Northwest Territories and the Yukon Territory.

All of these cases are specific and limited exceptions to what is the general rule under our constitution. That rule is that the ownership and control of natural resources resides in the provinces. Because the provinces have the ownership of their natural resources - that is, until they choose to sell any of them to a private party - and because under the B.N.A. Act it is the province which has the right to legislate in respect to its resources, whether sold or unsold, it is obvious that the right and responsibility for determining the conditions and policies under which those resources will be developed lies with the Provincial Government. In Ontario it is the Province of Ontario that owns the mineral resources and that lays down policy for their exploitation. In Quebec it is the Province of Quebec that owns the forests and that determines policy for their cutting and use. In Alberta it is the Province of Alberta that owns oil and gas and that lays down policy for their extraction and sale. Such a list could be extended through the entire catalogue of our natural resources. What I wish to stress is that the same situation prevails for each resource, subject to some specific qualifications which do not alter that basic fact. In each province it is the province that owns the resources and has jurisdiction over them.