

Environmental Contaminants Act

and buy an information booklet that has not been published, and will not be published for another two months. I think examples like that, and the advertising program of the former minister of state responsible for multiculturalism, give us cause to be concerned that expenditures of this kind will be diverted foolishly to advertising programs instead of being used to achieve the important purposes with which this legislation deals.

I understand that in the following year the program forecast of the department is for an expenditure by this board of between \$600,000 and \$700,000 a year. Perhaps that will be adequate to allow some kind of testing, although it may very well not be sufficient. I, for one, would be interested in knowing from the minister whether it is intended that this board of review is to have the capacity to test, or whether it will simply have to rely on the evidence submitted before it by various groups, including the manufacturers whose products are under question.

One other matter of some concern relating to the board is that, as I read the legislation, and it is always possible that my reading is at fault, it is not at all clear what is going to happen to the product involved while the board is sitting in judgment. Is that product prevented from being distributed during the time in which the board sits? Is it prevented from being developed during this time? Or are we in a situation where we have a board, which under the power of the Inquiries Act is required to hear all manner of witnesses, which could be sitting literally interminably during which time, unless there is a prohibition of the distribution and development of such products, manufacturers could be getting themselves and the country locked into a situation where products with dangerous contaminant capacity are being created to a point beyond which we cannot withdraw?

● (1540)

I think the point is clear that if we have a board which can sit interminably hearing evidence, and which does not have the power to stop the development or distribution of the products under consideration, such products could proceed without halt and the board would be in the position of buying time for the manufacturers rather than doing what it is supposed to do, which is to protect the environment and the Canadian people. If this is the case, it is a serious deficiency in this piece of legislation, and one which we would want to have cleared up, Mr. Speaker.

In all these cases where I have suggested there might be abuse by a manufacturer I am speaking not of the normal case but of the worst case. None of us here suspect that there are manufacturers who are sitting around wanting to pollute the environment or the atmosphere. However, there might be some and, if there are some, surely as the Parliament and the Government of Canada we have a responsibility to ensure that such people are limited and stopped by this legislation rather than helped by it. The fear I have enunciated is that we might unconsciously create a provision which would help the people we are trying to limit.

There was one reference by the minister in her speech on November 29, 1974, which alarmed me a little. I shall not deal with this at length. As recorded at page 1815 of

[Mr. Clark (Rocky Mountain).]

Hansard for that date the minister said that this new instrument would facilitate the evaluation of those products "and lighten the responsibility of making appropriate recommendations to manufacturers, users, distributors and, if need be, on the methods that could be used to destroy certain chemical substances considered as harmful to the environment."

I hope the minister will elaborate on the specific ways in which this legislation will lighten the present responsibilities of the Department of the Environment, because certainly we on this side of the House do not believe this is a bill which will lighten those responsibilities but rather is one that would increase those responsibilities. If in fact this bill is some disguise for a way to take away from the Department of the Environment power which it is necessary should be exercised, and shunting that off to industry or some other agency of government, we want to know about that. Unless very strong evidence can be adduced before the House this is something we would very strongly oppose.

Finally I wish to deal with the provision for fines under the so-called environmental contaminants legislation. We are dealing here with an attempt to prevent pollution and disruption of the Canadian environment which could have consequences of incalculable cost, not simply in dollar terms but in terms of the health and the well being of our citizens, of future generations, and of other countries.

This is a very serious matter. Offences against the bill would be very serious offences. On summary conviction the fine as set out in the bill would not exceed \$10,000. Then there is a provision for imprisonment for six months, or for both the fine and imprisonment. A fine of \$10,000 certainly will not scare the trousers off any multinational corporation that is contemplating an act which would cause environmental damage. This is obviously a ludicrously insufficient fine. What is worse is that the \$10,000 is a maximum, and there is no minimum stated. The minimum could be a nickel, or simply feed for the little bird that flits around telling the minister when this legislation should be introduced. The system of fines is inadequate and must be reviewed.

I say, and other speakers on this side have made it clear, that we very much share the goal that is evident in this legislation. We believe it is highly important that we turn away from simply reacting to disasters which occur and get into the serious job of bringing in preventive measures to stop those disasters before they occur. Our worry about this bill is precisely that there is nothing here to ensure that we make that turn.

The bill purports to be preventive legislation, but in fact is the same negative type of legislation rather than preventive legislation because of the weaknesses that have been mentioned. So, Mr. Speaker, I support the recommendation of my colleague, the hon. member for Fundy-Royal (Mr. Fairweather), that the subject matter of the bill be referred directly to the standing committee rather than that the bill be given second reading now. I certainly hope this very sensible amendment will commend itself to the House.