

This, I hope, will put an end to the arguments and concerns that Canada's water resources are threatened by the FTA. As well, legislation incorporating the prohibition against exports of water by interbasin transfers will be tabled in Parliament in the near future.

### Override

Clause 8 of Bill C-130 is intended to ensure that the legislation will have precedence over any other federal Act. It has been criticized on the grounds that the U.S. does not have a similar provision in its implementing legislation and for being "quasi-constitutional" in effect because it supposedly overrides all other federal legislation.

On the relationship of clause 8 to the U.S. legislation, I have explained that the fact that they do not have a similar clause is more a matter of different legal traditions to accomplish the same objective rather than a difference in substance. We have adopted this technique to catch inconsistent provisions in other legislation that might be overlooked while the Americans have extended their fast track provisions for a further thirty months to achieve the same objective. Each expects the other to meet its international obligations under the FTA. How that is accomplished is a matter for internal decision.

As for the suggestion that clause 8 is quasi-constitutional, this is just not so. Such a provision is not unusual in federal legislation. For existing and future legislation, it is operative only where there is a conflict and only to the extent of the inconsistency. Furthermore, a future Parliament is free to legislate to limit the effect of clause 8 when enacting new legislation if there is any concern about its operation on the particular Bill. Finally, clause 8 itself can be amended by a future Parliament because one Parliament cannot bind its successor.