

Oral Questions

have proposed, in the House, a series of programs designed to support official language minorities and contribute to various activities which can guarantee Canadians access to the Canadian government in either or both official languages. Is it in this context that I told my listeners that, because of these objectives, Canada should be as French as it is already English and that its policies must reflect both the French and English realities in Canada.

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[English]

CRIMINAL CODE**ACTIONS OF ANTI-SEALING SHIP—INQUIRY RESPECTING POSSIBLE PROSECUTION**

Hon. James A. McGrath (St. John's East): Madam Speaker, I have a question for the Minister of Justice in his capacity as Attorney General of Canada. I have given him notice because the question relates to a rarely used section of the Criminal Code in the Chapter dealing with piracy, Section 76.

In his capacity as Attorney General of Canada can the Minister tell the House why a charge has not been laid against the converted trawler *Sea Shepherd*, of foreign registry and dubious ownership? The ship is currently in Canadian waters with the express intent of breaking Canadian law, specifically Sections 76(b) and 76(d) of the Criminal Code of Canada.

Hon. Mark MacGuigan (Minister of Justice and Attorney General of Canada): Madam Speaker, the federal Government, mostly through the Department of Transport and the RCMP, is closely monitoring the situation that my hon. friend described. The role of the Department of Justice has been primarily advisory. I can tell the Hon. Member, however, that if charges were to be laid in this case they would be laid by the Attorney General of Newfoundland as is prescribed by the Criminal Code. In some circumstances the consent of the Attorney General of Canada would also be required, but the action would be taken by the Attorney General of Newfoundland.

It certainly would be possible that an offence might be committed under the law against piracy that the Hon. Member refers to, although it is not obvious that would be the most relevant Section of the Criminal Code. There are many other possibilities involving either deliberate or accidental harm.

Mr. McGrath: Madam Speaker, I am not a lawyer, although I am something of a sea lawyer.

REQUEST THAT LAW BE ENFORCED

Hon. James A. McGrath (St. John's East): Madam Speaker, the Minister knows that the ship is beyond the jurisdiction of Newfoundland because it is outside the three-mile limit, but it is within the jurisdiction of the Attorney General of Canada. Why would he not lay a charge? The ship has been there for

some considerable time with the express intention of breaking the law. Section 76(b) provides:

76. Every one who, while in or out of Canada,

(b) steals or without lawful authority throws overboard, damages or destroys anything that is part of the cargo, supplies or fittings in a Canadian ship—

It also provides that anyone who counsels or procures a person to do so is guilty of an indictable offence. The owners of the vessel and all those on board the vessel are clearly in violation of Canadian law. They have announced their intention to break the law.

I want to know and the Government of Newfoundland wants to know why the Minister has not enforced the law and arrested the ship.

Hon. Mark MacGuigan (Minister of Justice and Attorney General of Canada): Madam Speaker, if my hon. friend is so concerned, and I understand his concerns, he can address his concerns to the Attorney General of Newfoundland. According to Section 433 of the Criminal Code, he is the Attorney General who has jurisdiction in such cases. If some of those involved are not Canadian citizens, he will also require the consent of the Attorney General of Canada. He has not so far sought that consent.

I repeat to my hon. friend, it is not obvious that the most applicable section for a charge of this kind is either Section 75 or 76, which deal with piracy. There may well be other Sections under which the Attorney General of Newfoundland would decide that it is more appropriate to take action.

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HAZARDOUS PRODUCTS**REGISTRATION OF PESTICIDES—REQUEST FOR TRANSFER TO DEPARTMENT OF HEALTH**

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my question is directed to the Prime Minister, and I have given him brief notice of it. Last fall a 20-year old farm worker in the Fraser Valley died as a result of pesticide poisoning. Last week a coroner's jury concluded that Jamail Singh Deol died as a result of inadequate government regulations on the use of pesticides. A Matsqui-Abbotsford Community Services survey shows that the problem is so widespread that 55 per cent of farmer workers have been directly sprayed with pesticides while working.

I should like the Prime Minister to consider the recommendation of the coroner's jury to transfer the responsibility for the registration of pesticides from the Minister of Agriculture to the Minister of National Health and Welfare. It has once again been made apparent that the health of farm workers is not being protected by the current registration process.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Hon. Member was good enough to inform me at the beginning of Question Period that he would raise this