

The power to arrest without a warrant is considered to be necessary. Suppose the protection officer detects a violation by a fishing vessel within our territorial waters. He has got to bring in the members of the crew, and it would not be possible for him to go out and get a warrant, because if he did so, by the time he got back, both the vessel and the crew might be gone. Also, if some of this foreign crew came into our port and committed other offences such as purchasing any supplies without authority, then before he could arrest them on a warrant, both the men and their vessels might be gone. Therefore I think this power is quite necessary.

Mr. PEARKES: Might I ask whether these regulations apply to the west coast? I presume they would be modified by the Japanese Fishing Treaty, and therefore would not apply in full.

Mr. OZERE: No sir; they would not be modified by the Japanese Treaty because the Japanese Treaty only refers to extra-territorial waters, while this refers entirely to our own territorial waters. Therefore any vessel which comes into our territorial waters is subject to the jurisdiction of our courts, and is covered by this Act.

The CHAIRMAN: Shall clause 6 carry?

Carried.

Mr. CATHERWOOD: Mr. Chairman, we enjoy pretty harmonious relations with the United States on our Great Lakes. I wonder if this clause is similar to the one which was drawn up, so far as the American regulations are concerned?

The CHAIRMAN: What clause?

Mr. CATHERWOOD: I mean clause 6. Are these particular regulations similar to the United States regulations?

Mr. OZERE: Yes. Our fishing vessels are not permitted to enter the territorial waters of the United States. And as far as the Great Lakes are concerned, there is a boundary. Part of the waters are Canadian, while on the other side of the boundary they are American. And the fishing vessels of one country are not permitted to fish in the waters of the other country.

Mr. GIBSON: I was wondering if the answer is not due to this: that it would be necessary with a perishable article such as fish to take it out as soon as possible, because if we are going to return that money, it might be very important to the fisherman.

Mr. OZERE: Well, I think we have to take into consideration the fact that these are foreign fishing vessels, and if you seize a vessel you may have representations made before you have taken any prosecution, and sometimes these matters drag out for a pretty long time. Actually this 3-month period is a limitation. Under the former Act—the Act being revised now—there was no time limit. In this bill we limit it to three months.

Mr. STUART: This may be a customs regulation. You speak of Canadian vessels going into American waters. In the past 20 years there would be two out of three boats, big and small, which go back and forth without any interference at all. Is that a special permit they are given—they take Canadian fish into American ports without any interference.

Mr. BATES: Are you not talking about fishing in Canadian waters? You are referring to Canadian vessels carrying Canadian fish into American ports. That is not affected by this bill.

Mr. STUART: Would that same law apply to American vessels coming into Canadian ports with American fish?

Mr. BATES: They are not permitted.

Mr. STUART: That is why I say it is a delicate question. We have had these privileges and they have had them from time immemorial. There are