

Government Orders

However, I did have difficulty with his rebuttal on Motion No. 18 when he elaborated on the theme of self-assessment philosophy and approach that would apply in the implementation of the clause then under discussion, clause 37.

We are now approaching another aspect of clause 37. We have a real difficult issue at stake and I look forward to hearing the well thought out rebuttal by the parliamentary secretary.

I would argue that this is a bad clause. It is a bad clause because it opens a serious loophole in the system and in the whole approach and application of this proposed bill on environmental assessment.

In other words, the way one reads this clause and interprets it, one must conclude that here you would have a provision whereby projects would go ahead through the back door, although the same project is contrary to the purpose of the bill as outlined in clause 4 and in particular clause 4(a) (b) and (d).

The purpose of this bill as outlined in the clause reads that it is to ensure that the environmental effects of projects receive careful consideration before responsible authorities take actions in connection with them.

Then the other purpose outlined in the same clause is that the purpose of this bill is to encourage responsible authorities to take actions that promote sustainable development, and finally, that the purpose of this act is to ensure that there be an opportunity for public participation in the environmental assessment process.

Having said that in the opening paragraph of this bill, what we find here in clause 37 is permission that allows a project to be approved if it is likely to cause significant, adverse environmental effects so long as the project can be justified "in the circumstances".

That is a very disturbing passage in this proposed legislation because "in the circumstances" is wide open. It is an immense loophole through which you could drive a tractor trailer, to say the least.

When the Minister of the Environment appeared before the committee, we asked him to give us an example of the type of projects that would be referred to in this particular clause. He could not give us an example. We wanted to know what kind of project would qualify for this type of exemption from the principles of sustainable development.

The bill does not require the minister to make the decision. The bill does not request the minister to

provide the public with the rationale for his or her decision.

Therefore, for all these reasons contained in the description of the purposes in clause 4, and for the reasons the minister and officials were not able to provide us with specific examples as to what kind of projects would be dealt with in this particular instance and for the reason that the minister making the decision would not be required to provide a rationale for public consumption, one must conclude that this loophole—I am not saying it will—but it could become a political escape hatch to enable a minister to approve a project regardless of the outcome of an environmental assessment.

This is bad public policy. This is not a good approach, having gone to the trouble of putting together a bill providing future generations of Canadians with a substantial step forward in the field of environmental impact assessment.

• (1540)

Our amendment, to conclude, is one that would require that a project, approved despite significant adverse environmental effects, can really and only be approved if it contributes to the stated goal and purposes of the bill as outlined in clause 4, namely, the implementation of sustainable development. In doing so, we will close this substantial loophole.

It is my hope that our amendment will close this serious loophole and eliminate an escape hatch that could be politically misused by future generations of ministers and really run counter to the intent, the spirit and the purpose of this particular bill, Bill C-13. I hope the government will be giving this amendment favourable consideration. I thank you for your attention.

If you would like, I will also deal with Motion No. 29, if you have already called it.

Madam Deputy Speaker: The two motions are being dealt with concurrently and they will be voted upon separately. There are two minutes left, if the hon. member wants to talk about Motion No. 29 as well.

Mr. Caccia: Madam Speaker, very briefly, this motion is an amendment that is complementary to the one I just described a moment ago. It makes the language consistent to ensure that when the minister establishes guidelines, codes and practices or criteria to define what is "justified in the circumstances", it will relate specifically,