

Territorial Sea and Fishing Zones Act

it is presently worded. The clause which I seek to amend provides as follows:

The fishing zones of Canada comprise such areas of the sea adjacent to the coast of Canada as may be prescribed by the Governor in Council—

In other words, in the bill as it now stands, in theory the Governor in Council would have the power to consider that areas of the sea out to, shall we say to be absurd, a distance of 1,000 miles from our coastline were adjacent to the coasts of Canada. If that theoretical action were taken, the proposal in my amendment could in fact be regarded as in a sense restricting the bill rather than extending it. In other words, it simply makes explicit what is already in the bill by spelling out that part of the area adjacent to the coasts of Canada includes the area that is commonly referred to as the continental shelf. It simply gives the Governor in Council authority to go beyond that proposal as he sees fit. In other words, it suggests that specifically those areas are in fact adjacent to the coasts of Canada.

There are other reasons that I cannot very well go into fully on a procedural argument, except to say that the definition of the continental shelf is one which I have taken from another bill that has already been dealt with, namely, the Arctic Waters Pollution Prevention bill and is an area which in some respects is already recognized as being within the jurisdiction of Her Majesty in right of Canada, under international convention. It had not occurred to me that my amendment in any way went beyond the scope of the bill. It merely seeks to clarify and define what in my view is already implicit in it.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, in the hope that what you said a moment ago is true, that you might be persuaded, may I add a few words. It seems to me that there is a substantial difference procedurally between this amendment and the one that Your Honour ruled out of order a few minutes ago. Now that you have ruled the other one out of order I can admit that there was this against it, namely, that it provided for a category that was quite different from anything that was provided in the bill. The bill talks about 12-mile territorial sea limitations, and the amendment sought to talk about a 100 mile area with respect to pollution. In other words, there was a real difference. But in the case of the amendment now proposed by the hon. member for Comox-Alberni (Mr. Barnett) it accepts what the legislation is all about, namely, a new defini-

tion of the fishing zones of Canada. It merely seeks to alter that definition. It is not bringing in a new kettle of fish, a new subject matter. It is simply altering a definition that is already there.

As I say, the bill does provide for a new definition of the fishing zones of Canada. The hon. member for Comox-Alberni feels that that definition ought to be altered, and it seems to me that there is really quite a substantial difference, speaking in procedural terms, between this amendment and the previous one. I would certainly argue that the fact you ruled the previous one out of order does not mean this one goes for the same reasoning.

I realize, sir, that what we do in this House is not to be governed by what happens in our Standing Committees. I will be corrected if I am wrong, but I understand that this amendment was proposed to the bill in the Standing Committee, and whether or not there was a procedural argument about it, at least it was voted on and defeated. I submit that the fact it was voted on supports the contention that at that point it was regarded as procedurally admissible. Therefore, Mr. Speaker, for that reason, which I admit is not one that is compelling so far as Your Honour is concerned, but I think there is some weight to it, it might be accepted.

It seems to me that the thinking behind these procedural things we have around here would be the same, whether it is for the Chair or the committees, and I hope that will be considered. But mainly because this is totally different from what we had a few moments ago, I hope Your Honour will find this motion is in order.

[*Translation*]

Mr. Goyer: Mr. Speaker, in view of the doubts you have expressed on the merits of the amendment, we on this side of the House are rather willing to hear your ruling and to reserve our rights.

[*English*]

Mr. Deputy Speaker: As I indicated at the beginning, I had some doubts about the admissibility of the amendment. I have listened with a great deal of attention to the arguments put forward, and I must say that I still have lingering doubts about its admissibility on the ground that it seems to provide for certain powers with respect to the disposal and exploitation of certain natural resources which it could be argued go beyond