

Fisheries Act

Mr. Keeper: Mr. Speaker, I rise on a point of order. Do I have a couple of minutes left in my speaking time?

Mr. Speaker: I am advised by the Table that the Member's time for debate has expired but the period for questions and comments has not expired. The Hon. Member for Gander-Twillingate (Mr. Baker) has a question arising from the speech of the Hon. Member for Winnipeg North Centre (Mr. Keeper).

Mr. Baker: Mr. Speaker, I listened very attentively to the speech made by the Hon. Member. He took exception to the intent in the part of the Bill that dealt with the authority of the Minister and fishery officers to make on-the-spot decisions relating to the opening and closing of seasons, if I interpreted his remarks correctly.

Why does he take such exception to those powers that will be given under this Bill, when those powers will be needed in certain circumstances locally and regionally by fisheries officers? They will be able to make value judgments on the spot as they relate to allocations to various sectors of the fishing industry. Would he expand on his objection to new powers being granted to the Minister and to departmental officials according to the Bill?

Mr. Keeper: Mr. Speaker, I welcome the question because if I left that impression, of course it is wrong. The Hon. Member has given me the opportunity to clarify what I said.

In no way was I objecting to the granting of authority to local officials to make on-the-spot decisions. I can imagine circumstances when that authority may be necessary. I was attempting to point out that we do not know how the Government intends to use the legislative authority it is seeking from us today. If the Hon. Member knows what the Government intends to do and would share that with us, I would be pleased to comment on the Government's policy.

Our Party is concerned about the unfettered and absolute authority to regulate the fishery which the Government is requesting in this legislation. We understand that there is a need for regulation of the fishery and that there must be local authority for fisheries officers, but we have not been told how much authority will be delegated to local fishery officers and how it will be used.

Furthermore, the Government is seeking this legislative authority, yet it has not given any details with respect to guidelines by which the Department will have to operate, or laid out any plans for management of the fishery resource. Is the Government considering some kind of co-management structure and, if so, what is it? Will there be a mechanism to allow adequate representations from those involved in the fishery? We recognize the need for authority at both the departmental and local levels, but will that authority be limited, will the officials be accountable and to whom? We want to have this information before the legislation is passed. We believe that the departmental officials should know what the rules and guidelines will be before the legislation is passed.

We do not want to give the Government unspecified authority when its record has been one of flip-flopping on its election promises and government action.

Mr. Baker: Mr. Speaker, the immediate problem facing the Department of Fisheries is that, according to a judicial interpretation, it is not legal for the Department to allocate the resource according to the users. Does the hon. gentleman believe that that part of the legislation must be passed by this Chamber before the season starts in the spring, particularly in B.C. but certainly on the East Coast as well, so that the federal Government can have this power which deals with socio-economic problems and not so much as it pertains to conservation and protection? Does the Minister need the power? If he does not need the power requested under the Bill, then certainly I would agree with the hon. gentleman's sweeping statement. But let me ask him specifically, does the Minister deserve to have the power to regulate the fishery and regulate the fish to user groups, power which he presently does not have and which has been, according to the justice of the court, illegal all along for the Minister to do?

● (1540)

Mr. Keeper: Mr. Speaker, the Hon. Member appeared to be shifting his question as he went along. I will start out with what I thought was the question in the first place. It seemed to be: what is the immediate need for legislation granting authority to the Government to regulate the fishing industry?

We are not saying there is not any need for legislation. We would be glad to sit down right now with the Government to have the Government spell out exactly what kind of authority it needs to do what precisely. There are a lot of fishermen who want to know what the Government has in mind for them.

The Hon. Member who asked the question is obviously very conversant with the fishery and speaks out well on its behalf. I can understand why he is asking these questions. Even if the case could be made for immediate action, that does not mean it has to be thoughtless action, unexamined action, or unconsidered action. If we were to act without thought and without all of the facts before us, the other place might call us up short.

Some Hon. Members: Oh, oh!

Mr. Keeper: Its Members might say that this is the time for sober second thought.

Some Hon. Members: Oh, oh!

Mr. Keeper: Who knows, Mr. Speaker? I do not want to give any provocation to the other place; with as much respect as I have for it, I do not want to give any excuse for its Members to be pouring over legislation of this democratic Chamber, to be looking at it, examining it, and asking, "How can we improve it? The House of Commons has acted without full consideration of the facts and we will put a stop to this". We cannot have an undemocratic body continuing to play that role.