

powers of band councils and Indian Governments far beyond Section 81 of the Indian Act. I think it is important to take this one step, and I am pleased to support that motion.

With regard to Motion No. 33A concerning the alcohol problem I should like to make some comments. Of course, this is one of the key problems which has existed between Indian and non-Indian people since the time of first contact. There has always been a fine line between discrimination and the rights of Indian people to protect themselves from the ravages of alcohol. I first became aware of this problem as a United Church minister in British Columbia, where we were lobbied very extensively by groups such as the Native Brotherhood. They protested against discriminatory sections which prohibited them from having, purchasing, being in possession of or consuming alcohol. I came at the problem from a slightly different perspective some years ago than it is being approached right now. Some Indian bands in Canada see protection from alcohol as a basic treaty right. When the Manitoba courts struck down the sections dealing with alcohol in the Act as a contravention of the Charter of Rights and Freedoms, many people urged the Minister to act with some speed. Certainly I was one of those who wanted to see some action.

● (1250)

At the same time, some concern has been expressed about the way in which the resolution was brought forward. To be fair to the Minister, he checked with me beforehand, but since then people have raised concerns. I would like to share one concern with the House, the fear of some Indian bands that by repealing Sections Nos. 94 to 100 of the Indian Act, the federal Government is in effect vacating the field and leaving it open to provincial incursion. If there is one area of Indian affairs about which Indian bands are most sensitive, as the Minister knows, it is the opening up of the Indian reserves to greater provincial incursion. We have a problem in this regard. Some Indian bands want reserves to be completely dry, and this amendment gives them that power. I hope it will be effective. However, what alternatives are there to total prohibition? What rights do band councils have to regulate, for example, the sale of alcohol, except by coming under the jurisdiction of the provinces?

On that basis, I should like to move a subamendment—and I would ask the House to support it—which reads as follows:

That Motion No. 33A be amended in lines 9 and 10 to read:

(a) prohibiting the barter, supply or manufacture of intoxicants on the reserve of the band and prohibiting or regulating the sale of intoxicants on the reserve of the band;

By way of explanation, this means that in addition to band councils having the power to prohibit the manufacture, barter and so on of intoxicants, they also have the right to regulate their sale. This will formalize what is already taking place where some Indian bands want the power to regulate the sale of intoxicants. Certainly we are not talking about the manufacture of intoxicants as being something which should be regulated by Indian bands at the present time. Perhaps with Indian self-government, that is something at which we should

look. Even in 1985, even before we have moved to full-scale Indian self-government, we should recognize the right of Indian bands to regulate the sale of alcohol on their lands as well as to prohibit it completely.

Mr. Crombie: Mr. Speaker, I have not had an opportunity to look at the actual wording of the subamendment of the Hon. Member for Cowichan-Malahat-The Islands (Mr. Manly). I heard his words, and I think I understood his intent. I would like to stand the amendment over until after we resume debate following Question Period, which would provide me with an opportunity to assess its impact and whether it would assist us in trying to deal with the problem currently experienced by Indian communities.

Mr. Deputy Speaker: The House has heard the terms of the amendment moved by the Hon. Member for Cowichan-Malahat-The Islands (Mr. Manly). The Chair rules that the amendment is in order. Shall I call it one o'clock, or is the House ready for the question?

Mr. Crombie: Mr. Speaker, I would ask that the motion be stood over, so that I could read the subamendment of the Hon. Member.

Mr. Manly: Mr. Speaker, I rise on a point of order. Perhaps we could call it one o'clock.

Some Hon. Members: Agreed.

Mr. Penner: Mr. Speaker, just for the purpose of clarification, did Your Honour make a ruling on the amendment to the amendment of the Hon. Member for Timiskaming (Mr. MacDougall)? Is it found to be in order?

Mr. Deputy Speaker: The amendment of the Hon. Member for Cowichan-Malahat-The Islands is to Motion No. 33A, and the amendment of the Hon. Member for Timiskaming (Mr. MacDougall) is to Motion No. 33.

Mr. Penner: I understood that the additional amendment was to Motion No. 33. You said that you would look at it, Mr. Speaker, and I was just wondering whether you reached a decision on it.

Mr. Deputy Speaker: Yes, the ruling was given. The amendment of the Hon. Member for Timiskaming to Motion No. 33 is in order, as is the amendment of the Hon. Member for Cowichan-Malahat-The Islands to Motion No. 33A. May I call it one o'clock?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It being one o'clock p.m., I do now leave the chair until two o'clock p.m.

At 1 p.m. the House took recess.