

*Government Orders*

the people are now entrenched. Where the Plant Quarantine Act left responsibilities unclear, new sections will clarify the obligations of people.

Procedures and responsibilities of the department have also been clarified. The process of declaring places to be infested and the powers of the minister and inspectors in this action have been spelled out. The process and authority to prohibit or regulate the introduction or movement of plants, plant products or other things are also clearly laid out.

• (1250)

For example, this bill allows for the designation of an infested place by an inspector. The designation by an inspector of an infested place ends after 90 days. Under this designation people must adhere to rigorous movement or propagation controls. A period longer than 90 days might severely hamper a person's efforts to meet financial obligations. Therefore, if 90 days is insufficient time to control the infestation, only the minister may extend it.

Clarification of the compensation system is another improvement which will help Canadians. When it came to setting out the procedures for compensating people when the department ordered their plants or other things disposed of, the previous act was vague or referred to other legislation. The new act specifies under what conditions the department will pay compensation and sets out how people can appeal compensation claims.

In some situations our safeguards were inadequate because legal controls were lacking. Under the current legislation, inspectors cannot stop vehicles on the highway, even when they have reason to inspect the vehicles may carry plants, plant products and other things that are likely to be infested with a plant pest.

When departmental officials have the legal mandate to inspect things, it often happens that inspectors are forced to conduct their investigations under poor physical conditions. A dimly lit warehouse, for example, can seriously undermine the official's best effort to detect plant pest infestations. The lack of authority in these matters is rectified in the Plant Protection Act.

The act also extends the period that material coming into Canada may be detained. The current 90-day limit rules out using sophisticated testing techniques that can take as long as a year or more to complete. The new legislation increases the period to 180 days or longer.

With this extension the department will be confident that it has the time to discover the presence of certain viruses or other plant pests that are not easily detected.

There are two new safeguards in the revised act to prevent infested material destined for Canada from leaving the shores of the foreign supplier. Many plants, plant products or other things come from countries where plant pest infestations are widespread. If the department has reasonable grounds to believe that the goods are infested, it can inspect them at the origin before they are shipped to Canada.

Another new section authorizes the department to provide financial and technical expertise to foreign countries. The current act forces Agriculture Canada to bide its time, waiting for infested materials to reach Canadian shores before it acts. The Plant Protection Act, however, will help eradicate foreign plant pests before they arrive and jeopardize the health of agriculture and forestry industries.

Other amendments update and simplify legal requirements. The penalties for contravening the act have been restructured to make them more effective. The new penalties include ticketing for minor offences. This provision will eliminate the need to go through lengthy and costly courtroom proceedings to prosecute those who plead guilty to minor infractions.

The revised act also protects the rights of individual citizens as guaranteed in the Canadian Charter of Rights and Freedoms. The inspectors may not enter a private dwelling without the occupant's consent or without a warrant issued by a magistrate. The powers of the Governor in Council, the minister, and inspectors have also been updated to ensure they comply with the charter.

The Plant Protection Act is the culmination of much labour and learning from the lessons of past experience. We have consulted all public and private groups directly affected by this bill. Provincial governments, appropriate federal departments, industry and other interested groups have studied and responded to the proposed changes. All agree that the amendments are necessary and all support the principles of this bill.

The Plant Protection Act will add needed substance to our plant based industries. All sections of the previous acts have been amended to clarify responsibilities, reinforce controls, and take into account the urgent needs of modern technology.