

PROCEEDINGS ON ADJOURNMENT MOTION

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

NORTHERN AFFAIRS—REFERENCE OF LAND USE REGULATIONS TO STANDING COMMITTEE

Mr. Thomas S. Barnett (Comox-Alberni): Mr. Speaker, on December 2 I addressed a question to the Minister of Indian Affairs and Northern Development (Mr. Chrétien). I asked if he would confirm in the House a commitment he gave to the Standing Committee on Indian Affairs and Northern Development during the previous session to refer to that committee the draft regulations on land use for the territories. The minister replied:

Mr. Speaker, I cannot grant the request of the hon. member because the regulations involved have not yet been approved by the governor in council, but as soon as they will have been approved, I will try to determine whether that question can be referred to the Committee on Indian Affairs and Northern Development.

I was unhappy with that answer because it leaves two questions up in the air. First, the question of whether the minister will in fact refer these regulations to the committee at all and, second whether he will refer them to the committee for consideration in a manner which will make it possible for those wishing to discuss the content of the regulations to appear before the committee.

For that reason, Mr. Speaker, I should like to draw to the attention of the House statements made by the minister to the Standing Committee on June 2, 1970. At that time we were considering the amendments to the Territorial Lands Act which made possible the drafting of land use regulations. If the minister were here he would probably recall that one of the Liberal members of the committee at the outset of the hearings, to use the vernacular, almost blew his stack. He said that we were being asked by the government for a blank cheque. However, by June 2 he had simmered down and did not oppose passage of the amending bill. As reported at page 58 of *Minutes of Proceedings and Evidence No. 23* of the Standing Committee on Indian Affairs and Northern Development, the minister said several things. I wish to quote some of them. Near the bottom, left-hand part of the page we find these words:

● (10:00 p.m.)

Mr. Nielsen said earlier that the word of the minister is the strongest power in the north, so—

An hon. member interjected, "You better believe it." The Minister of Indian Affairs and Northern Development went on to say:

I appreciate that, but I even offer to share this with you—

Meaning the power.

—because when these regulations are drafted I will refer them to the committee for study.

A little later he said:

As I said before, it is quite urgent to have some regulations because right now there are no regulations. In many aspects in the North we could face a dramatic situation if we do not

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move fast enough and that is why I am making this presentation to the committee.

I should remind the House that the hon. member for Kootenay West (Mr. Harding) has been asking the minister questions relating to the exploration for oil and the regulations or controls with regard to the use of the land by those who were exploring. Following some other remarks by the minister, I said:

Could I ask a question for clarification, Mr. Chairman? The minister indicated he is prepared, when the regulations are complete, to refer them to the committee. By that does he mean he will refer them to the committee before or after their proclamation?

The minister replied:

It will depend on the timing. I think the committee could look into that, and I do not mind the delay, but it will be a matter of timing. I do not think I can avoid facing my responsibilities as a minister of the Crown and proclaim the regulations if it is urgent to proclaim them, because that is the responsibility that is vested in me... But if I can send them to the committee and permit the committee to have a look at them before we proclaim these regulations, I will be happy to do so. As I say, if we decided tomorrow to ban certain kinds of trucks in the north I have absolutely no authority to say to a company, 'I do not want the kind of truck in the north that destroys the ecology', and so on. If they have their truck there they can go along with my wish, but they are not obliged to. The casing of an oil well, for example, is a very important item and I do not want to take any chances on it.

I then asked whether I understood correctly.

—that the minister is undertaking to refer this to the committee if not before the recess at least in the fall, when the committee could have those regulations before them in a form which the committee, if it so desired, could call expert witnesses to give evidence with respect to their views on whether or not the regulations were adequate or inadequate in any way.

The minister replied:

I would be delighted to have your advice on these regulations and to have you make recommendations on whether they are not strong enough or too strong, and if the recommendations that you make are good, I will be happy to take your advice and change the regulations before or after proclamation.

Mr. Deputy Speaker: Order, please. I regret that the hon. member's time has expired.

Mr. Judd Buchanan (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, under the terms of the Territorial Lands Act, the land use regulations must be discussed with the territorial councils prior to implementation. The department is prepared to have these discussions and will do so as soon as the councils meet. There has been a delay, of course, because the Northwest Territories Council was dissolved several months ago in anticipation of the election which is to be held later this month, on December 21. As soon as the council meets, the department will discuss the regulations with them.

After the regulations have been discussed with the councils, and prior to approval by the Governor in Council, they must be advertised in the Canada Gazette. This will give all interested individuals and groups an opportunity to examine the regulations and comment on member on December 2, it will then be determined whether this matter should be referred to the Standing