

Coastal Fisheries Protection Act

much greater than any fine which could be imposed against them. It is a situation where crime does pay. A fisherman, particularly one from an area near Canadian coastal waters like the State of Maine, can simply fish illegally in Canadian waters, sell the catch and, if apprehended, pay the fine out of the proceeds. To the extent this amendment corrects that situation it is most certainly desirable.

Of course, I hasten to point out that the fines here are maximum fines. That is to say, the court has the discretion to determine the amount of the fine and in the exercise of that discretion it may impose a much lower fine. That point should probably have a little more consideration by this House; that is, whether there should be minimum fines imposed under the Act. As it stands now, while the fine which can be imposed for fishing illegally in Canadian waters can reach \$100,000, there is nothing to prevent a court of law from imposing a fine of \$500 or \$1,000. If the fisherman has caught a ton of halibut, he would not have any trouble paying a fine like that, to say the least.

Once again, as in all legislative matters, you have to create a balance of what is fair and reasonable in the circumstances, bearing in mind that we want to have good relations with other nations. I am not in a position to make a judgment as to whether this particular amendment concerning the maximum amount of a fine, bearing in mind it does not provide for a minimum, is the best solution. I can only say, as we must say with other legislation at times, let us pass it and see whether it resolves the problem. If it does not, then it may be necessary to seek other solutions. The invasion of Canadian coastal waters by foreign fishermen is a real problem and has been for a long time. If we serve notice to those who invade Canadian waters to fish that there are serious penalties, then that will be an effective deterrent and will stop the problem.

I would like to make a few remarks of a general nature with respect to the coastal fishery, bearing in mind that we have no quarrel with the Bill itself. There have been a fairly substantial number of cases arise under this Act. Over a period of three years, as I understand it, there has been something in the area of \$250,000 in fines imposed and almost the same amount in forfeitures under the provisions of the Act. While it is not an immense item, it is certainly substantial. As a matter of interest, many of these cases have occurred on both coasts involving fishing off Newfoundland and Nova Scotia as well as off British Columbia.

With respect to the general problem of management and control of the Atlantic fishery, it might be worth while to review very briefly the developments which have occurred. Foreign fishing off the East Coast of Canada presented no real problem in the mid-1950s. At that time only Canadians, residents of the United States and a few western European countries utilized the Atlantic fish stock. However, there was a literal invasion on both coasts of foreign fishermen, particularly the Japanese and Russians, subsequent to this point. With their modern fishing equipment and processing facilities, they utilized an immense amount of the fish stock on both coasts. It almost destroyed the Atlantic fishery. I am led to believe it

was very difficult for the Pacific coast fishery as well. That led to pressure which resulted in the imposition of the 200-mile commercial zone which then marked a new era for the Canadian fishery because that gave very substantial protection to the Canadian fish stock on both the Atlantic and Pacific coasts. It gave us the ability to create a proper system for management of that stock. However, Mr. Speaker, in the years that have gone by since the establishment of the 200-mile limit in the late 1970s, we continue to have grave difficulties in the Atlantic fishery.

According to statistics I have, the Atlantic fishery accounts for 14 per cent of the labour force in Newfoundland and a little over 7 per cent in Nova Scotia. It is a very substantial industry which none of the Maritime Provinces, particularly Nova Scotia, can afford to lose. Therefore, when we talk about fisheries protection on the Atlantic coast, we should have the same concerns as we do when we talk about protection of our central Canadian manufacturing industries. They are well protected by tariff and trade barriers and are allowed to be economically successful in Canada because of that protection. We do not have that kind of protection in the fishing industry so we really have to have this physical protection; that is to say, we have to be assured that there will be no unauthorized fishing in our coastal waters.

Let me review very briefly, Mr. Speaker, some of the problems which exist with respect to the management and utilization of the Atlantic fishery. Of course, the Minister of Fisheries and Oceans (Mr. De Bané) knows very well that we have in the last year witnessed an attempt to restructure the Atlantic fishery and all the problems that went with that. There are two main problems in the Atlantic fishery: the determination and management of the fish stock; and the capacity we have to catch the fish at the appropriate time and process them.

One of the great difficulties I have, as do many, many people in Nova Scotia, some of whom are experts in the matter, is that there just does not seem to be enough valid information with respect to the kind and quality of the fish stock. This leads to great quarrelling. The Minister and his Department will impose restrictions upon fishermen with respect to the areas in which they can fish and the amount of fish they can catch. This is presumably in order to protect the stock, but it leaves those fishermen in a situation in which they cannot succeed economically. That is to say, they cannot catch enough fish at the right time of the year to get the benefit of a quick sale in the market. At the same time, the fishermen will tell you that there are abundant stocks and there is no need to restrict the areas in which they can fish or the species or quantities that they can catch. This bothers me, Mr. Speaker, because a non-expert is certainly in no position to make a judgment.

• (1230)

After the almost 10 years during which we have had the control and management of the 200-mile coastal zone, we still do not really know whether there is a sufficient supply of fish