

Oral Questions

● (1415)

ORAL QUESTION PERIOD

[English]

DISASTERS

SINKING OF "OCEAN RANGER"—QUERY RESPECTING
MANAGEMENT AND CONTROL OF OFFSHORE DEVELOPMENT

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, my question is directed to the Minister of Transport. As the tragedy of the *Ocean Ranger* and the tragic loss of lives unfolds, there is obvious confusion over jurisdiction between the federal, provincial and United States governments. Would the minister agree that this accentuates the need for responsible ministers in these three jurisdictions to sit down now and work out a *de facto* management system for control and safety of offshore drilling activity, to prevent any further loss of lives?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, this is exactly what the government has been trying to achieve with the government of Newfoundland for several months. I would argue, however, that the third jurisdiction, the United States government, should not be a party to the discussions relating to the management of the Canadian offshore. I agree with the hon. member it is important that we arrive at a negotiated agreement on the management of resources and revenue sharing.

UNITED STATES ROLE IN SAFETY CERTIFICATION

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, if the United States government will not be involved in a meaningful *de facto* way in the operations of offshore drilling rigs in waters which may not be territorial but have been claimed for us under our economic management zones, why was an American coastguard inspection team going to the rig to try to update a certificate of safety which had a two-year validity period and evidently was two months overdue? If there is not some part for them also, what are we supposed to be doing in relation to the safety of oil rigs?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I remind the hon. member that beyond our 12-mile limit, our territorial waters, we are in international waters, and that Canada has a responsibility for fisheries and the management of resources, and the countries in which the ships or drilling rigs are registered also have responsibility under the Canada Shipping Act and under international conventions with regard to the flag of registry of those installations, whether they are ships or drilling rigs. Thus, there is a United States involvement because this particular drilling rig was under the American flag.

DEPARTMENTAL RESPONSIBILITY

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, my question is really directed to the Minister of Transport.

Without arguing the point of the Minister of Energy, Mines and Resources and the fact there is a third jurisdiction involved outside territorial waters, the government of the United States, I direct my question to the minister concerning apparent confusion of jurisdiction within departments. I should like the minister to explain just what is his responsibility as Minister of Transport for the safe operation of drilling rigs in Canadian waters, especially in view of the fact that a recent report on the evaluation of search and rescue, dated February 1, 1982, made no mention of offshore drilling activity and highlighted jurisdictional problems within departments. At page 21, referring to departmental responsibility, it reads:

The resultant split in the functional responsibilities for safety within the CCG does not appear to the team—

That is the study team.

—to be an effective way to use resources.

At page 30 it indicates even more directly:

Finally, in the absence of a convincing demonstration that current marine response capability is inadequate and that better marine postures are not feasible—

And I interject here that the whole tenor of this is marine response for pleasure craft and fishermen, and not a word about offshore activity.

—the team would give lowest priority to the provision of new resources for marine response.

In view of this current report which is being studied and is supposed to go to cabinet on March 17, 1982, will the minister start to exercise some responsibility, so that deaths in the future are prevented and that someone takes control to save Canadian lives and starts to direct attention to the reality out there, rather than worrying about offshore pleasure craft and/or just fishermen?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, under the Canada Shipping Act my department has no jurisdiction over foreign-registered ships past the 12-mile zone; that is pretty fundamental. Thus, as Minister of Transport, I cannot go and inspect rigs or ships in that area.

● (1420)

With respect to seaworthiness of ships or rigs, a general principle in marine transportation, as well as in air transportation, is to accept the system of the foreign country involved. If my hon. friend wants to read the Dubin report, for example, Mr. Justice Dubin repeatedly recommended that we should not try to second-guess the system of another country, particularly if it is one that is as evolved as the United States of America is in this matter. The principle of reciprocity applies here in matters of marine transportation as well as in matters of air transportation.

CANADIAN JURISDICTION AND RESPONSIBILITY

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, what we are speaking about here is the loss of Canadian lives. The principle here is that there must be some