

Natural Resources

reference is before the Supreme Court there should be a freeze on the issuance of permits to private corporations wishing to undertake exploratory and developmental activities off our coasts. Surely this is not in the interest either of the provinces or of the nation. In order to deal with this possibility the Prime Minister last July suggested that a *modus operandi* be established with the provinces for the interim period when the reference was under consideration by the Supreme Court. More specifically he suggested, and I am using the words of the Prime Minister, "that governments should agree to concert their action in this field so that companies could obtain licences from both governments involved, without prejudice to each other's claims. In this way we could avoid the embarrassment of having permits issued to different companies for the same area".

As I understand it, Mr. Speaker, there has not been an accommodation of this kind; in other words, this invitation has not yet been taken up. It is not altogether surprising. I wish to refer very briefly to the public submission made on May 31, 1965, comprising part of the submission of the province of British Columbia to last summer's federal-provincial conference. This submission deals with, and I am first referring to the heading, "Provincial Foreshore Mineral Rights". I underline the word "foreshore". The submission says:

The government of British Columbia views with great alarm the recent decision of the government of Canada to refer certain questions respecting the ownership of provincial foreshore—

I again emphasize the word "foreshore":

—mineral rights to the Supreme Court of Canada. No step by a national administration in the 94 years since British Columbia entered confederation has caused more shock and concern.

Then later:

May I warn politely, but in the strongest terms, that this federal step will not contribute to national unity. It is the recommendation of British Columbia that federal questions submitted to the Supreme Court of Canada on foreshore mineral rights be withdrawn promptly.

I looked up the definition of "foreshore" in order to quantify and understand what perhaps the province of British Columbia means by foreshore mineral rights. One authority at least conceives the foreshore as being the shore between the high and low water marks. Clearly what we are discussing here today, and I trust this is thoroughly understood to be the matter before the Supreme Court of Canada, are the rights to the subsurface, the

soil and subsoil extending not just yards or even miles but literally hundreds of miles out to sea.

• (6:40 p.m.)

I have wondered, on rereading the submissions of the province of British Columbia, whether the province was perhaps backing down a little bit, whether it was going to take a position which was in effect a partial retraction of the position which it appeared to take in public on this matter.

I have spoken at some length but I do think this is a very important issue. In economic terms our offshore mineral rights are of major importance to the nation. I trust that as a result of this reference to the Supreme Court, a reference which will proceed this year, we will have a ruling within the next 12 or 18 months which will reduce the uncertainties and I hope and expect, designate the federal government as the only authority in this case. This does not preclude a subsequent accommodation as occurred in the United States where the States of the Union obtained rights out to the three mile limit and the nation of the United States retained all the rights extending beyond that.

Surely, some such accommodation is possible in Canada. However, in the interim we need to know what the law says. I trust that this question and other similar questions are never resolved in the political arena where the outcome is never clear-cut, where considerable uncertainty continues throughout all time. I want to see this reference pursued. I want to see it dealt with by the Supreme Court of Canada and I want to see a reasonable accommodation between the nation and the provinces subsequent to the rendering of a decision on the reference to do with offshore mineral rights.

[Translation]

Mr. Maurice Allard (Sherbrooke): Mr. Speaker, it is with great pleasure that I speak in support of the motion of the hon. member for Shelburne-Yarmouth-Clare (Mr. Bower), and I congratulate him for initiating this debate, which is of interest not only to the Maritime provinces and the provinces of Quebec, and British Columbia, but also to other Canadian provinces. As a matter of fact, eight Canadian provinces are interested in mineral rights off the coasts and on the continental shelf.

As recalled a few moments ago by the hon. member for Coast-Capilano (Mr. Davis), on October 14, 1964, at a dominion-provincial conference, there were wide differences of