

*Fisheries Act*

very integral and important part of their life-style. I met the people who utilized that fishery for subsistence, that is, primarily native people, but also others, who took to the sea in small vessels and fished to help feed their families and supplement the rather limited employment opportunities and meagre transfer payments which they were receiving. I had the privilege of boarding a commercial vessel and looking around, and I am sorry that at this point I cannot remember if it was a seiner or a gillnetter, because I understand that the distinction is important. The distinction has caused considerable discussion and some disagreement on the B.C. coast. I also had the privilege of meeting people who were fishing for sport, as a break from work, as part of their retirement life-style, simply for their own enjoyment and recreation.

● (1640)

I can say that it was a way of life which made a profound impression on me, particularly as it relates to the native people involved in subsistence fishing. Although I represent a riding which has no significant salt-water fishery, I think it is a way of life which should be preserved and developed, as indeed the Act suggests in its objectives. However, without careful conservation of and attention to the fish stock as well as the breeding cycle, breeding grounds and breeding seasons of the salmon—I will not name the varieties for fear I fall into the trap of misdescribing them—this way of life and economic opportunity will not be passed on to the children and their children by the present generation of users of this very significant Canadian resource. Thus we have the introduction of the original Fisheries Act and thus we have the amendment before us in the form of Bill C-32.

I believe that this is another example of an inexperienced Government taking the hammer to crack a nut. We have, it is true, seen court decisions which the Government may feel go against the careful management of that fishery, but nevertheless we have to make the point that the remedy for an adverse court decision is not necessarily legislation, particularly not legislation of the very far-reaching and powerful nature embodied in what the Government tabled in this House on February 28.

I would like to draw a parallel to the salt-water fishery, which is of course the main topic of discussion, with the freshwater fishery experience in my own riding of Kenora-Rainy River. It would appear that the Government of Ontario, in its very questionable wisdom, has decided that certain user categories will have preference over others on the Lake of the Woods. This is based on an economic analysis of the return from fishing which employs some very seductive and somewhat gross measures which may not reflect, and of course cannot fully reflect, the various interests involved as well as the significance of the changes in the licencing and allocation regime. Certainly they do not reflect the wishes of a large number of people who live in that area and participate in that particular fishery. It appears that the Province of Ontario has decided that sport fishermen are to have first crack, so to speak, at the fish resource, primarily pickerel, and that the balance should be divided among the traditional commercial

fishery interests. Let it be remembered that these were the people who established the Lake of the Woods as a major producer of protein for Canadians during the westward expansion of our country in the late 1800s and the early 1900s. Lest it be said I am painting a rosy picture of history, it should also be acknowledged that the sturgeon fishery on the Lake of the Woods was completely fished out in a very short number of years because of demand and the fishery died out shortly thereafter. Obviously that is to be avoided in the ocean fisheries of Canada. Equally obviously, that is the Government's responsibility and it is trying to meet that responsibility, but not in a way which I or my Party can approve of, certainly not fully.

Under the amendments to the Act, the Minister gets the unfettered right to allocate the resource. He is given full power over the fishing industry without any form of appeal or review process as would normally be expected given Canada's democratic traditions. Bill C-32 flies not only in the face of our democratic traditions, but also in the face of biology. The Bill says that "fish" includes:

(a) portions of fish,

Sensible enough. It also says:

(b) shellfish, crustaceans, marine animals,

That is stretching a point, playing a little fast and loose with the language, but it continues:

marine plants and portions thereof,

It says fish includes marine plants and portions thereof. We are being asked to look at legislation which is phrased in shorthand. Surely any biologist, as my hon. colleague seated right next to me could tell us, would say that fish does not include marine plants or portions thereof. What next, Mr. Speaker? Will there be a move to repeal the law of gravity in this Chamber along the lines that whatever the Government enacts becomes the case? I think not. I certainly hope not. But this objection, it must be admitted, is a small one compared to the objection to the power that the Minister is granted over the fishery. Again I quote from the proposed substitute paragraph for paragraph 34(m) of the Act:

(m) authorizing a person engaged or employed in the administration or enforcement of this Act to vary, in respect of any area or portion thereof, any close time, fishing quota or limit on the size or weight of fish that has been fixed by the regulations.

What this does, Mr. Speaker, is to give the Minister dictatorial powers over this particular industry. Under this clause he would have virtual power to dictate every parameter of the industry particaly down to what time of day the fisherpeople could exercise their bodily functions. That is frankly an abuse of the legislative process. I would not propose that even an NDP Government should have such sweeping powers without any right of appeal or review.

The Conservative election promises of fair representation, co-management and consultation have gone by the way. Such is life. The Government, because of the size of its majority, appears to be tabling legislation which reflects a blind belief