

*Supply—Indian Affairs*

Your committee recognizes that such charters must be drawn in terms which will ensure that no powers exercisable by the corporations will interfere, either within or without their boundaries, with the proper management of the parks; further that the terms of the charters must provide a careful delineation of financial powers and responsibilities as between the federal government and the corporations, having due regard to retention by the crown in right of Canada of ownership of all land within the national parks.

Your committee suggests that, among other provisions, a proper balance of powers under the charters might be achieved through a council with a mayor appointed by the minister and a council elected by and from the duly qualified residents of the town.

Your committee further suggests the chartering legislation provide that subject to the terms of agreements made between the federal government and the government of the province of Alberta, the corporations be authorized to enter into arrangements with appropriate departments or agencies of the provincial government in respect to services normally provided to municipalities incorporated under the laws of the province.

The minister earlier asked the hon. member for Brandon-Souris whether he thought perpetual leases should be allowed to continue forever, which was the word used in the committee. I want to state my view quite clearly. I do not believe that these perpetual leases should be allowed to continue forever. I am not learned in the law, but it appears to me that the way in which some of these leases were drafted comes pretty close to being the equivalent of title in fee simple as we ordinarily understand it in other parts of the country outside of park boundaries.

I believe that the national parks trust is such that the lands within the national parks of Canada should be those of all the people of this country. But the fact remains that these actions were taken in the past. The fact remains that because of the way in which these leases were worded, as far as I can understand after listening to the pros and cons put forward with regard to them, some of the people who acquired leases in earlier days, at least before the moratorium imposed in 1958, held leases that were in effect perpetual. Because of the terms of these leases they believed they had the right to expect their automatic renewal forever, subject to certain conditions required by the department from time to time.

Notwithstanding any question of the legal or constitutional position of these leases, I think this parliament should deal with the question as a matter of equity and the normal citizenship rights of the people of this country. We have heard it argued that people

[Mr. Barnett.]

have capitalized on the inflated value of these leases, and this may very well be true. When the committee made its report to the house it in effect told these people that if they wanted to question the actions of the department they could take the matter to the Supreme Court on their own initiative. I do not think this was a proper position for a parliamentary committee to take.

When we went to Banff and Jasper I had the feeling that the people there thought the committee was the highest court in the land coming to hear their case. I believe those people had the right to expect more from the committee than a complete brush-off of the representations which they as Canadian citizens made to us. I think the least that could be done, bearing in mind all I have listened to about the past history of this matter, is that a proposal be placed before parliament which would have the result of settling this problem in an equitable manner. If I may say so as an aside, I think it would be very sound politics for the government to place a proposal before parliament which would deal with the matter in an equitable manner and not as one of legality or constitutionality.

I am not a lawyer nor am I a financial expert, but as I understand the terms of these leases these people have an entitlement to what I would term, for want of a better phrase, some kind of severance allowance, if we are to terminate the practice initiated in the past. How this matter should be dealt with is, I freely admit, a very complex and complicated question. I have heard the argument advanced that the appreciation of these leases has been as a result of the expenditure of public moneys in the parks. The leases have undoubtedly appreciated because of that fact. I think parliament should look into this question and consider its responsibility as between what is admittedly a small group of Canadian citizens and the citizens of Canada generally.

If we were to consider taking action along these lines it might very well be said: In order that no one who has been in the parks will be able to exploit their position, let us determine what is the average increment across Canada from coast to coast in respect of land values. Let us compare these values with those of lands which have been held under perpetual leases and let us work out a formula which will provide that these people will be neither better nor worse off than would be a citizen of Canada who is in