

Some hon. members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Motion agreed to, bill read the second time and referred to a legislative committee.

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FISHERIES ACT

MEASURE TO AMEND

The House resumed from Monday, November 28, consideration of Bill C-74, an act to amend the Fisheries Act and to amend the Criminal Code in consequence thereof, as reported (with amendments) from a legislative committee.

SPEAKER'S RULING—MOTIONS IN AMENDMENT

The Acting Speaker (Mr. Paproski): There are three report stage motions on today's Notice Paper in amendment to Bill C-74, an act to amend the Fisheries Act and to amend the Criminal Code in consequence thereof.

There is an error for which the Chair and the Table apologize. Four motions were received prior to six o'clock p.m. last night. The motion omitted is in the name of the hon. member for Prince George—Bulkley Valley. Copies of this motion are available at the Table. It becomes Motion No. 4.

Motion No. 1 standing in the name of the hon. member for Gander—Grand Falls causes the Chair some concern because it seeks to introduce into the bill the licensing of fishing vessels, a subject which goes beyond the scope of Bill C-74, as agreed to at second reading. By doing so the hon. member is reaching into the Fisheries Act to amend Section 7, in contravention of Citation 773, paragraph (8) (a) and (b) of Beauchesne's fifth edition, which reads as follows:

(a) An amendment may not amend a statute which is not before the committee.

(b) An amendment may not amend sections from the original Act unless they are specifically being amended in a clause of the bill before the committee.

For this reason, it is with regret that I must rule the amendment out of order.

Government Orders

Motion No. 2, standing in the name of the hon. member for Cardigan is in order. It will be debated and voted on separately.

• (1750)

Motion No. 3, standing in the name of the hon. member for Prince George—Bulkley Valley, deals with the tabling of the annual report by the minister on administration and enforcement of the provisions relating to fish habitat. While this motion is similar to an amendment that was moved, debated and defeated in committee, as a result of representations, I have decided to give the member the benefit of the doubt and allow the motion to go forward for debate in the House. It will be debated and voted on separately.

Motion No. 4 deals with a matter dealt with in committee. It is my understanding that, as a result of consultations and representations, this motion may now be more acceptable to the House. Motion No. 4 will be proposed to the House for a separate debate and vote.

I shall put Motion No. 2 to the House.

MEASURE TO AMEND

Mr. Lawrence MacAulay (Cardigan) moved:

Motion No. 2

That Bill C-74 be amended in Clause 6

(a) by striking out lines 10 and 11 at page 3 and substituting the following therefor:

“remove it within forty-eight hours after the com-”;

(b) by striking out lines 15 to 17 at page 3 and substituting the following therefor:

“along a beach or within a fishery for such a period exceeding forty-eight hours after the commencement of a close time as the fishery officer considers neces-”.

He said: Mr. Speaker, it is a pleasure for me to speak to this motion that I have put forward.

What my amendment will do is restore the 48-hour time period for the removal of fishing gear, especially lobster traps, from the water. When I was reading the bill, this clause eliminating the 48-hour grace period was one that stuck in my mind.

When I went home to Prince Edward Island and spoke to the lobster fishermen in my riding, I asked them how this would affect them and received the same reply over and over. “It just won't work”, they said. What happens when the weather is bad? What happens if the fisheries