

NEW IMMIGRATION LAWS NOW EFFECTIVE

MINISTER'S ANALYSIS: The Minister of Citizenship and Immigration, Mr. Walter Harris, announced on June 9 that the new Immigration Act and amendments to the Canadian Citizenship Act had been brought into force, effective June 1, 1953, by Proclamation of the Governor in Council. Mr. Harris said that the new Immigration Act clarifies and simplifies procedures, and that the changes in the Citizenship Act had been made to bring citizenship provisions in line with the Immigration Act.

Pointing out that more than 800,000 immigrants had come to Canada since the end of the Second World War, the Minister said that the new legislation does away with certain anomalies that had been brought to light during the continued movement of newcomers to Canada, and standardizes the procedures in connection with immigration and with the acquisition of Canadian citizenship.

The Minister noted with pleasure an increase in the number of immigrants becoming Canadian citizens and said there is a great deal of evidence to indicate that post-war immigrants place a very high value on citizenship. A good number of the early arrivals in this group, who have been in Canada the necessary five years, have already secured Canadian status while the filing of certificates of intention to become Canadian citizens shows a gratifying increase.

GOOD CANADIANS

"Particularly encouraging is the fact that so many are giving concrete evidence that they will be good Canadians," he said. "They, of course, retain a sentimental and cultural attachment for their homelands but they are looking to the future rather than living in the past."

"This is as it should be for, while we expect the sentimental ties to remain, there is no obligation on people admitted to Canada, to participate in the political struggles of other countries. The obligation is, on the contrary, an undivided loyalty to Canada."

Under the new Immigration Act, it is stated specifically that everyone seeking entry to Canada must be examined to determine whether or not he should be permitted to come to this country, and that Canadian citizens may enter Canada as a matter of right.

The new Statute also allows the re-admission of any person having "Canadian domicile", that is who has had his place of domicile in Canada for a period of five years after having been landed as an immigrant. "Canadian domicile" may be lost, however, if a person makes his permanent home in another country. Loss of "Canadian domicile" is not caused, however, by absences necessitated by service in the armed forces, or in the case of representatives of Canadian firms or of wives or children of persons who must thus live outside Canada.

The landing of an immigrant is the first step toward the acquisition of Canadian domicile, and, ultimately, of Canadian citizenship. Landing is authorized provided the immigrant does not fall within one of the prohibited classes described in the Act or in the regulations. Non-immigrants may be granted entry to Canada provided they do not fall within one of the prohibited classes.

The Act in force until June 1, 1953, made it mandatory to have a Board of Inquiry in every case where a person was reported as being undesirable or as being a public charge. Under the new Act the report will be submitted to the Director of Immigration who will decide if the circumstances warrant the holding of such an inquiry.

Retaining the provisions under which a person ordered deported is returned to the country from which he came to Canada or to his country of nationality, citizenship, or birth, the new Act also recognizes voluntary departure to a country other than that of nationality, citizenship, or birth, subject to the approval of the Minister and the consent of the person ordered deported.

The new Act seeks to set out up-to-date and adequate provisions for the protection of immigrants against various types of exploitation which, though not common or frequent, must be apprehended and rendered susceptible of punishment.

WAITING PERIOD

Under the amendments to the Canadian Citizenship Act, the five-year waiting period necessary to the acquisition of Canadian Citizenship has been made to coincide with the period of acquisition of "Canadian domicile" under the Immigration Act. British subjects who had lived in Canada for twenty years prior to January 1, 1947, when the Canadian Citizenship Act came into force, are now recognized as Canadian citizens without the necessity of having their Canadian landing verified.

Under previous provisions, natural-born Canadian citizens born outside Canada were required to file declarations of retention of citizenship within one year after reaching the age of twenty-one. The time limit has been extended from one to three years under the amendments, and if such persons have a place of domicile in Canada, they are no longer required to file declarations of retention of citizenship.

The amended provision affects any Canadian citizen born outside Canada who was a minor on the first day of January, 1947. It is given a retroactive effect so that in cases in which, during the period following January 1, 1947, a person would have ceased to be a Canadian citizen through failure to file a declaration of retention prior to reaching twenty-two