

HOUSE OF COMMONS

Friday, January 19, 1962

The house met at 2.30 p.m.

CITIZENSHIP AND IMMIGRATION

TABLING OF NEW REGULATIONS—STATEMENT BY MINISTER

Hon. Ellen L. Fairclough (Minister of Citizenship and Immigration): Mr. Speaker, I should like to table copies of new immigration regulations approved earlier this week to take effect from February 1, 1962. The new regulations are in two parts, the first of which has been formally approved by the governor in council as P.C. 1962-86 of January 18, 1962, while the second part requires only the approval of the minister under section 62 of the Immigration Act. These new regulations consolidate, revise and replace the various regulations passed in previous years, including those issued under previous ministerial authority.

Part I of the new regulations deals with such important questions as visa requirements, admissible classes, the responsibility of transportation companies and most of the major administrative and policy matters dealt with in the present regulations.

Part II extends the field of jurisdiction of the immigration appeal board and ensures that all appellants will be given an opportunity to submit their appeals to an independent tribunal which is free to conduct its proceedings independently of departmental officials.

The most important provision of the new regulations is section 31 which is in fact the core of Canada's immigration policy. The new regulation 31, replacing section 20 of the former regulations, lays primary stress on education, training and skills as the main condition of admissibility regardless of the country of origin of the applicant. If a person can qualify on these grounds and has sufficient means to establish himself in Canada until he finds employment or, alternatively, is coming forward to approved employment or with suitable plans for self establishment in Canada, he or she is admissible subject only to the normal requirements of good health, good character and so forth. This means that any suitably qualified person from any part of the world can be considered for immigration to Canada entirely on his own merits without regard to his race, colour,

national origin or the country from which he comes. This is a substantial advance over the former regulations in that the selection of immigrants, in so far as selection on the basis of skills is concerned will be done without discrimination of any kind.

Likewise if a person has the requisite skills and potential ability to establish himself in Canada he or she may also be sponsored by a parent, parent in law or fiancé already in Canada provided the sponsor is a Canadian citizen. The Canadian sponsor must be able to provide care and maintenance for such immigrant until the latter is able to look after himself. The sponsorship at the Canadian end takes the place of the requirement that the immigrant himself must have sufficient means or, alternatively, firm employment or self employment opportunities.

Subsection (c) of section 31 also provides for the admission of a somewhat wider list of immediate dependants and close relatives. It applies not only to sponsors who are Canadian citizens but also to persons other than Canadian citizens who have been legally admitted to Canada for permanent residence and who wish to bring forward a mother, father, husband, wife, grandparent, fiancé or an unmarried minor child. This provision is of universal application; its principal effect will be to improve the position of persons from countries which have received less favoured treatment in the past, by the inclusion of grandparents and fiancés in the admissible categories of dependants and by the elimination of age limits with respect to fathers and mothers.

Subsection (d) of section 31 continues unchanged the special provisions regarding the admissibility of certain classes of relatives such as brothers and sisters, adult sons and daughters, orphan nieces, etc., which applied to certain countries specified in former regulation 20(c). The reasons for the continuation of this special provision are essentially historical, based on the immigration patterns and policies that have been established over many years. This situation could only be changed by introducing restrictions and withdrawing privileges which have been enjoyed for many years by close relatives and sponsors from European and western hemisphere countries—those parts of the world from which Canada has traditionally derived the vast majority of its population. This the government does not deem wise or equitable