

rights of people already in the country, depriving them of rights which they had when they entered the country.

According to the Immigration Appeal Board, deportation orders made pursuant to regulation 28(1) on the sole ground that those involved did not have the appropriate visa, were illegal. But parliament is being asked to say that, notwithstanding the inconsistency between the regulation and the statutory provision, those deportation orders were legal. I find this to be an abuse of certain rights. Of course, it must be remembered that in the case of many deportations there are separate grounds. These may be included under regulation 5(t). Other reasons may include suppression of information and the making of untrue statements. Since last November there has been added the further ground of not being in possession of a visa as required by regulation 28(1).

As a matter of fact, Mr. Chairman, I have appeared before the Immigration Appeal Board on cases arising out of regulation 28(1). I say that those deportation orders must now be vacated. There is no way in which you can sentence a man illegally and then ask parliament to approve the sentence. We would not do it with a criminal but where, in effect, deportation orders have been declared to be illegal, parliament is being asked to legalize those orders. I contend that if there are no other valid grounds for these deportation orders, they must remain vacated.

Parliament is being asked to legislate retroactively. To that, sir, I object. If my material reaches my desk soon, I hope to go into the wording of the sections and of the regulation and deal at length with the decisions of the Immigration Appeal Board. Again I say I recognize the problem, but I do not think we should hurry to crush the rights of certain individuals in this country. I cannot sanction that.

There is another matter to be considered in connection with clause 2. Again I stress the inconsistency between regulation 28(1) and section 7(3) of the act. I recognize the problem faced by the minister; the door is wide open. But I contend the remedy lies in amending the Immigration Act, not in making regulations.

All too often we are told that the regulations made under the Immigration Act have the approval of parliament. That is utter poppycock, Mr. Speaker. Regulations made under that act from time to time since 1952 are rarely, if ever, subjected to scrutiny by parliament. They are made by the minister on the recommendation of his officials. No one can give an objective assessment of those regulations. It is on that count that I find this procedure difficult to accept. There should have been an amendment to the Immigration Act. Regardless of what parliament is being asked to do here, the governor in council still will have power to pass regulations which are absolutely contrary to the wording and to the spirit of the statutory provisions.

● (1230)

I hope we can get an answer from the minister as to why the government did not amend the Immigration Act in the proper way, rather than asking parliament to give retroactive approval to deportation orders which I submit never should have been made if they were made on the grounds only of regulation 28(1).

### *Immigration*

**Mr. Danforth:** Mr. Chairman, while we are dealing with this bill affecting immigration, I should like to bring to the attention of the minister that I agree completely with the proposition of the hon. member for Peace River that the Parliament of Canada should play a greater part in deciding upon the major regulations that are enforced by the Department of Manpower and Immigration.

I deal with a specific problem faced by our agricultural industry, where we are now depending more and more upon the importation of offshore labour on a seasonal basis in order to adequately harvest and plant crops. It is completely within the jurisdiction of the Department of Manpower and Immigration to determine how this program is controlled. In my considered opinions, the department is not aware of the peculiar problems that are growing in magnitude because of the way in which their regulations are administered.

The Department of Immigration, through the minister, takes the position that when we have high unemployment in Canada, no matter in which region it may be, this justifies their saying that there is sufficient competent labour available for the harvesting of crops. This question is particularly important now because of the fear of consumers that scarcity of food in Canada can cause an undue increase in its price.

The attitude of this government has been that if you do not want to work, you should not have to do so. I raise this matter because the Prime Minister reaffirmed the position of the government that a Canadian should not have to work if he does not want to. Mr. Chairman, many people do not like to work in agriculture. They do not like the monotony, the conditions and the fact that you work sometimes in heat and sometimes in cold. That is all right; they do not like it and they should not be forced to work at it. We all agree with that. But the department takes the position in most cases that Canadians should want this type of work.

Then there is the allegation by the Department of Manpower and Immigration that if the farmers of this country were to pay wages or salaries comparable to those received in industry, there would be no difficulty in obtaining competent farm labour. This is a fallacy. This is not why we have a scarcity of farm workers; we have a scarcity because in many instances it is seasonal work, short-term in nature. There is not the permanency that is found in other positions. When the minister and the government say to me, as a representative of the agricultural industry, that farm labour is not paid enough, let me point out that in many instances the \$30 to \$40 for an eight-hour day which some farm workers are now receiving is comparable to many industrial jobs, and it is impossible to obtain farm labour at these rates. In desperation, farmers have left it entirely up to the workers as to what their wages shall be; they have put the work on a unit basis so that the worker is paid in direct proportion to productivity. There is no limitation, other than physical capacity, on the wages workers can earn.

I have walked into canning and processing plants where there are cafeteria and washroom facilities comparable to most hotels. I have seen a 19-year old girl making \$40 a day. We cannot quarrel with this type of wage. However, most of our harvest season occurs when students, who