

is before them, granting landed immigrant status at that stage.

The second area of disagreement relates to appeal by sponsors. Many of us on this side have the feeling that what the minister is granting with one hand he is taking away with the other. He says there will be an appeal. But he limits the right of appeal to those classes of relatives which the governor in council may prescribe. He says that if this is not so restricted, the board will be swamped with appeals. I must say that if they are legitimate appeals and if their number is likely to swamp the board, the board should be expanded so that it is able to deal with all the appeals which will be forthcoming. I do not want to see this back-door method used to restrict the concessions which are made in the bill—the process of going behind the doors into the cabinet chamber and saying “Today we will cut out this class of relatives”. I do not think this is good enough.

Right of appeal is confined to Canadian citizens, but in the present circumstances a landed immigrant has the right to sponsor a relative. However, he has no right to appeal under this clause. Mr. Chairman, as long as a landed immigrant has the right to sponsor I suggest he should have the full right of appeal, exactly as everybody else. When he is under the shelter of the laws of this country he should enjoy every right that they provide.

I hope the restrictions that the minister proposes to establish in relation to sponsorship, confining the privilege to Canadian citizens, will not be adopted finally, and I am concerned that this clause should confine itself entirely to Canadian citizens. I repeat my concern with regard to the power to confine appeals to certain classes of sponsors as a result of executive action which undoubtedly will be taken on the recommendation of the minister of manpower and immigration concerned.

As one looks at the procedures proposed in the event of appeal, it becomes apparent that in fact there will be no necessity for appeal in cases involving sponsored immigrants who meet the requirements of the Immigration Act and the regulations. I am satisfied that generally speaking the department administers the sponsorship procedures fairly and honestly. The department does not try on frivolous grounds to deprive people who are eligible for sponsorship of their rights. Therefore it is my view that unless some discretionary power is placed with the board

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the provisions of the bill for appeal in relation to sponsorship will be virtually meaningless.

The minister knows that the appeals which are made to him today on behalf of sponsors are for the exercise of discretion and judgment in relation to applicants who do not meet the requirements in full. Occasionally the minister may have to turn a blind eye when he is satisfied that a person who may not meet the full requirements of the regulations may yet become a good Canadian citizen. What I fear is that the appeal procedure will turn out to be of very little value.

The third principal area of disagreement which was defined during second reading this afternoon related to the handling of security cases and cases where there is a criminal intelligence report. This is perhaps the most difficult of all the areas. All of us can understand—and one who has been a minister himself can readily understand—the problems which are involved. But I have certainly never been satisfied with the provision in relation to security as far as the old Department of Citizenship and Immigration was concerned. I have said in this house before that had I remained in the department there would assuredly have been changes made in the procedures, especially the procedure relating to citizenship.

I believe that the procedure which the minister is now advocating—simply the presentation of a certificate signed by himself and by the Solicitor General—is just not good enough. I do not believe one can deal with people on that basis. The minister is opening up the procedure, but it still does not conform to what I believe to be natural justice. I know that the sources of security information cannot be disclosed to an appellant; to disclose those sources would in many cases make it impossible to secure information at all. But I say there must be an examination by an impartial tribunal. As I recollect it this is what was advocated by Mr. Joseph Sedgwick in his report. He considered this problem and this is what he had to say:

In making their decision the board will have to be made aware of, and take into consideration, any adverse security report. For reasons already stated, it will not be possible for the board to disclose the report to the applicant. The result will be that in some cases where an appellant might otherwise have been successful he will fail without having had the opportunity to challenge the grounds upon which the adverse decision is based. As a matter of general principle this is not a desirable course of action, but in the context of national security I am convinced of its necessity and justification.