among the four provinces, and the specific highway links to be strengthened or improved, are under discussion.

2. No decision has been made to abandon any rail passenger service in the Atlantic provinces. The Canadian Transport Commission has held hearings related to these routes and has stated that a decision will be made by December of this year. The over-all objective of the government is to improve rail transportation services when such services make sense, and to this end is prepared to pay 100 per cent of any operating deficits when effective management has been demonstrated. Alternatives to upgrade the service will be evaluated after the CTC decision has been made.

[*English*]

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

AMENDMENTS TO IMPLEMENT CHANGES IN IMMIGRATION POLICY

The House resumed, from Friday, July 22, consideration of Bill C-24, respecting immigration to Canada, as reported (with amendments) from the Standing Committee on Labour, Manpower and Immigration.

Mr. Serge Joyal (Maisonneuve-Rosemont) for (Mr. De Bané) moved:

Motion No. 46.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 83 by striking out lines 24 and 25 at page 47 and substituting the following therefor:

"certificate issued at the discretion of a judge of the Federal Court of Canada upon application of the Minister and the Solicitor General, which application shall contain all the particulars of security or criminal intelligence reports, is filed with the Board".

He said: In resuming this debate at the report stage of Bill C-24, I would like to remind the House that motion No. 46 which seeks to amend clause 83 of this bill, under the heading of security which concerns the terms of reference of the Immigration Appeal Board, has the same effect as amendment No. 29 which sought to amend section 39 of the law which applied to permanent residents. The nature of section 24, contrary to clauses 39 and 40 which have been included in the bill at the request of the RCMP security services, is not a new point of law. Actually, it is a repetition of section 21 of the Immigration Appeal Board Act adopted by the House in 1967.

Clause 83 applies to permanent residents or those who claim the permanent resident status. Those are visa holders, those

who consider themselves as political refugees as well as people who hold a return permit.

● (1510)

I will not dwell on the nature of this returning permit. These are provisions dealing with new rights Bill C-24 is acknowledging for the first time, which certainly appears to me as an improvement over the provisions of the previous immigration act. Clause 83 provides that a security certificate signed by two cabinet members, the Minister of Manpower and Immigration and the Solicitor General of Canada, and filed with the Immigration Appeal Board has a determining effect on the terms of reference and jurisdiction of the Board. As a matter of fact, the filing of this security certificate, not to the effect that either one of the permanent claimants or permanent residents falls in any of the categories referred to in clause 39, but the simple fact of mentioning such a certificate to the effect that the presence in Canada of the designated person would be contrary to the national interest and security has a determining effect on the jurisdiction of the Immigration Appeal Board. As a result, the Immigration Appeal Board is deprived of its jurisdiction on humanitarian considerations or compassionate grounds.

As we all know, Mr. Speaker, the Immigration Appeal Board has been set up to meet two main objectives: first, to ensure the respect of judicial procedure in the case of hearings required by permanent residents; second, to bring within the Board's terms of reference humanitarian elements the consideration of which may determine its decision to uphold or reject a claimant's appeal. The Immigration Appeal Board takes favourable decisions in most cases when taking into account humanitarian considerations or compassionate grounds. Yet, the filing of that security certificate, as was mentioned previously, denies the Board such jurisdiction or responsibility as far as hearings are concerned. Therefore it is important to make sure that the security certificate is worded in such a way as to meet the security objectives the law is trying to determine and ensure within the general framework of national security.

As far as clause 39 is concerned, we had put forward an amendment which would ensure that this security certificate would be issued at the discretion of a Federal Court judge in Canada. During the debate in committee, many speakers have emphasized the very important role and responsibility that the judges of the Federal Court or the Supreme Court of Canada have in the judicial process which was designed to ensure the respect of law in the implementation of procedures for the national security. The hon. member for Fundy-Royal (Mr. Fairweather) said on this occasion that the Mackenzie-Pratte-Caldwell Commission, established by Prime Minister Pearson in 1969, said in page 53 of their report that the deportation of an immigrant who had been formally admitted to Canada was an extremely serious gesture and that this kind of order should be subject to an official judicial process providing for a right of appeal before an agency like the Immigration Appeal Board.