

Citizenship

credited with at least half that time toward the three-year provision required to obtain their Canadian citizenship. In other words, the wife of the Lutheran pastor, the university professor and the four or five other cases I referred to who have been here on permits long enough would be able to apply for Canadian citizenship on the first day after the passing of the new Immigration Act. They would not have to wait three years, half that time or any length of time; they would be able to apply after the normal three months, which I think is too long, to get their Canadian citizenship. There would be no waiting period for those people.

I hope the House will readily accept my amendment. However, I might caution hon. members not to pass my bill until after February 15. If it passes any sooner, the proclamation of the new Citizenship Act would wipe it out. I am sure it is a rare occasion when an hon. member asks the chamber not to pass a bill until after a certain date. However, I would be most grateful if the House would pass my bill at third reading. I would like it passed around February 16, 17 or 18. Then cases such as those I have mentioned—and there are many hundreds, if not over a thousand—would be able to obtain their citizenship.

May I close with a short quotation from a letter which I found to be somewhat heart-rending. A gentleman who wrote to me stated:

My wife died of pneumonia in March, 1966, but I have never forgotten the distress she felt at being treated in this cruelly insensitive manner by the statutory regulations regarding epileptics.

Thank you, Mr. Speaker.

Mr. Jacques Guilbault (Parliamentary Secretary to Secretary of State): Mr. Speaker, I wish to thank the hon. member for Regina-Lake Centre (Mr. Benjamin) for having consulted with the Secretary of State (Mr. Marchand) and myself to make us aware of his intentions. I wish to state that his avowed purpose to help those on ministerial permits is worth-while. After having consulted with officials in the department, I might state that we believe the hon. member's purpose is already covered by some sections of the new act. I will read them for the record. I have been trying to convince the hon. member, but he is somewhat reluctant about some legalistic talk. If one looks at the new Citizenship Act, he will find in section 2(2)(b) the following:

A person who is lawfully present and entitled to permanently reside in Canada shall be deemed to have been lawfully admitted to Canada for permanent residence;

This is found in the interpretation section of the act and covers what the hon. member intends. Section 5(4) of the act which deals with special cases reads as follows:

In order to alleviate cases of special and unusual hardship or to reward services of an exceptional value to Canada, and notwithstanding any other provision of this act, the governor in council may, in his discretion, direct the minister to grant citizenship to any person and, where such a direction is made, the minister shall forthwith grant citizenship to the person named in the direction.

I recognize that this is not a blanket coverage such as the hon. member is proposing, but nevertheless it can become

[Mr. Benjamin.]

useful. I submit that the first excerpt of the law that I read would cover the purpose of the hon. member. However, we are willing to send the bill to committee in order to have more time for departmental lawyers and others to appear before the committee. We will then be in a better position to know the exact effect of the hon. member's bill.

There is something I wish to clarify. It does not really matter whether the hon. member's bill is passed before February 15. The new Citizenship Act is already in existence. It is only that it has not been proclaimed. It can be amended. If it were amended today, when it is proclaimed, the whole act as amended would be proclaimed. There is no problem there. I just state that for the record. That being said, we on this side will agree to send it to committee.

● (1720)

The title to Bill C-237 reads, "An act to amend the Canadian Citizenship Act". As the hon. member has said, we would need the unanimous consent of the House to amend the title of his bill so as to read, "An act to amend the Citizenship Act", in other words, to amend the new bill. Do I have unanimous consent to do this, or would the hon. member do it—I do not mind. But it is essential, otherwise we would be amending the old act.

Some hon. Members: Agreed.

Mr. Jake Epp (Provencher): Mr. Speaker, I, too, wish to thank the hon. member for Regina-Lake Centre (Mr. Benjamin) for presenting this bill to us and giving us the great opportunity to bring a matter of great importance to the attention of not only the House but Canadians generally. My intervention will fall into two parts, one of them dealing with the matter which I believe the hon. member has specifically in mind, namely, the provisions with respect to residency as they relate to epileptics. I shall refer specifically to sections 7 and 8 of the 1952 Immigration Act which give rise to some serious caveats. First, with regard to the provisions as the hon. member for Regina-Lake Centre sees them, section 5 of the Immigration Act of 1952, under the heading "The Prohibited Classes", reads:

No person other than a person referred to in subsection 7(2) shall be admitted to Canada if he is a member of any of the following classes of persons—

Subsection A(4) reads: "If immigrants are afflicted with epilepsy." Section 5 contains a number of other archaic provisions which would be removed by the new act. Turning specifically to the entry of epileptics into Canada, let me point out that at the present time they must enter on a minister's permit. This procedure gives rise to a number of difficulties. The hon. member for Regina-Lake Centre has drawn attention to some of these difficulties. It is imperative that I mention them again. A person who is here on a minister's permit enjoys only quasi-legal status. He is not, of course, a citizen, nor does he enjoy landed immigrant status. He is not here as a visitor: he is in a state of limbo; his status has not been regularized. First, he is not qualified for residency.