

the statute permits it. Therefore the definition of terms is of extreme importance. I support the request for a change in clause 7(2)(c) and the minister's suggestion that the section stand.

Mr. Marchand: We will come back to it.

The Chairman: Does the committee agree now that clause 7 shall stand?

Clause stands.

On clause 8—*Board may make rules.*

Mr. McCleave: I wonder if I may ask two questions of the minister at this point? Under the rule making provision, would definite circuits be set up for the board in places in Canada outside of Ottawa? Would this be part of the purpose of this particular section?

Mr. Marchand: No, Mr. Chairman, I think the board can sit anywhere in Canada, according to clause 6 which we have just passed. Now of course the board is going to make regulations. The only thing clause 8 does is to empower the board to make these regulations, provided they are approved.

Mr. McCleave: I am sorry, Mr. Chairman, I did not understand that an amendment had in fact been passed to clause 6. I apologize to the committee for that. Will the board have sufficient flexibility to sit, not at regular intervals, but immediately when a case should be determined without causing the appellant to wait perhaps an unnecessarily long time? This was a criticism I heard directed at this bill some time ago by a person who nominally supports the government, that perhaps our approach in parliament was wrong. Will people not be forced to wait unnecessarily long before their cases are heard?

Mr. Marchand: Clause 6, which was adopted, indicates that the board may sit at such places in Canada as it sees fit. The board will therefore sit wherever it desires. I do not feel we can fix by statute the place where it shall sit or the circumstances under which it shall sit. I believe this should be up to the board to decide.

Mr. McCleave: Yes, but on the other hand the board is not limited to definite sittings at definite times. There is this flexibility as a result of the amendment.

Clause agreed to.

Clause 9 agreed to.

Establishment of Immigration Appeal Board

On clause 10—*Hearing and determination by one or more members.*

Mr. Marchand: I shall ask my colleague the Minister of Industry to move this amendment, Mr. Chairman, which reads as follows:

That bill C-220 be amended by striking out clause 10 and substituting therefor the following:

10. (1) The Chairman of the Board may direct that evidence relating to an appeal under this act be received, in whole or in part, by a member of the board and that member has and may exercise all of the powers of the board in relation to the hearing of an appeal.

(2) A member by whom evidence relating to an appeal under this act has been received pursuant to subsection (1) shall make a report thereon to the board and a copy of the report shall be provided to each of the parties to the appeal.

(3) After receiving any report made under subsection (2), and after holding a rehearing, in whole or in part, of the appeal if in its discretion the board deems it advisable to do so, the board shall determine the appeal.

I believe this takes into account the points that were mentioned yesterday. A member sitting alone will not be entitled to make a judgment. He will have to report to the board, which will decide the matter. This is the first point. The second point is that the report will be given to the appellant.

Mr. Bell (Carleton): This represents a considerable improvement, Mr. Chairman.

Mr. Drury: I so move.

Mr. Lewis: I just want to say briefly that I am pleased the minister has reworded clause 10. This amendment meets the points I made yesterday and which I think were made by others as well. I appreciate very much the minister's consideration of these points. The new section, in so far as it deals with these matters, seems to me to meet the case.

Mr. Brewin: I want to propose a further amendment to clause 10, Mr. Chairman, but it does not in any way detract from the amendment the minister has already introduced. The effect of my amendment would be to add a new subclause (5) which would read as follows:

(5) The board shall at the request of the appellant or of the minister give reasons for its disposition of an appeal.

I wondered whether it was appropriate to move this amendment to clause 10 or whether it might more appropriately come under clause 14. However, I noticed that clause 14 deals only with appeals under clauses 11 and 12, and clause 17 deals with a different type