

That is, I must reside in this country, whether in that constituency or somewhere else, for twelve months, and in the constituency for two months before I can vote. In other words when I, a native-born Canadian, return I am in exactly the same position as the British subject coming here for the first time.

Mr. SMITH (Calgary West): If the minister will permit a question, I noticed that all the lawyers here agreed with him, but I do not. I think, and in fact I am sure, that you can go away for a year or two years, but if that absence is temporary your domicile remains right where it was, and you do not need to spend a year in Canada after you come back in order to vote in an election. Otherwise how would any of our students at universities be able to vote?

Mr. GARDINER: Let us take the case of a man who is known by everyone in this house. I refer to Mr. Weston, who was a Canadian-born British subject and who went to Britain where he ran for the British House of Commons.

Mr. HACKETT: And he became domiciled there.

Mr. GARDINER: He became a member of the British House of Commons, and then came back to this country. I take it he must live here for twelve months before he can vote in an election.

Mr. SMITH (Calgary West): Quite right, because he changed his domicile.

Mr. GARDINER: I am assuming I get a job and go to Britain where I intend to stay, but that after five years I do not like it and come back to this country. I have to live here for a year before I can vote, and the British subject is in exactly the same position. In other words, as soon as a man comes here from another part of the British empire and settles in this country he has all the rights I have as a Canadian; he has to simply live out his domicile in a certain area in order to attain certain rights, just as I would have to do. If I transfer my residence from the province of Saskatchewan to the province of Ontario I must live here for a certain length of time before I can assume the ordinary rights of citizenship in this province, and the same thing is true throughout the empire. So I repeat that in principle if we say in this bill that a man must be here for twelve months we are doing the same as if we say that he must be here for five years before he can get a certificate of citizenship, and it is simply a matter of time. In the one case you do not get your

certificate for five years, and in the other case you do not get it for one year. But there is no difference within the five years as to what you can do as a citizen.

Having said that, may I say that I would have been inclined to agree with some of the arguments put forth, particularly by the hon. member for Vancouver South, in regard to the section as it was originally drafted, in connection with the provision that a British subject must go before a court in order to obtain his certificate. To my mind that would have been changing the principle that has applied in the past to British subjects coming to this country. But since the minister has indicated his willingness and his desire to bring in an amendment eliminating that procedure, it seems to me the only thing now involved in the question under discussion is the point raised by the amendment in regard to the granting of a certificate at the end of one year, as opposed to the five-year provision contained in the bill itself. On that question I think the point raised the other evening by the Minister of Mines and Resources, in his capacity as administrator of the Immigration Act, is well taken, namely that the five-year period is necessary in order to determine certain matters in relation to sending people out of this country. I do not like to use the term "deportation" in connection with British subjects, any more than I would care to use it in connection with a person who is sent from one province to another. If I go from the province of Saskatchewan to the province of Ontario, and within a certain period of time become a public charge or have to be sent to a provincial institution, I am liable to be sent back to the province of Saskatchewan. As a matter of fact, even within a province we make arrangements to send people back to their original municipalities when they become public charges. So I do not see that it affects a man's citizenship as a British subject if he is required to go back to Britain, or to Australia, because when he came here he had certain shortcomings or certain physical deficiencies which made it necessary for him to be looked after by the state in which he is or from which he came.

As I understand the remarks of the hon. member for Eglinton and the hon. member for Calgary West, they have no objection to the five-year term being applied in such cases. If I read and interpret the bill properly it simply means now, that a British subject is not required to go before a court in order to establish his right to a certificate, that he is given an absolute right to a certificate if he applies for it at the end of five years, and

[Mr. Gardiner.]