

Establishment of Immigration Appeal Board

at, but nevertheless, there are problems that he cannot ignore and could not overlook even though he were in my present position. In matters of security—I do not think I am revealing any secrets—but in any case, everybody knows that we obtain a great deal of information from sources which would soon dry up if we brought such information before the court. As soon as we would make use of that information in public, its source would dry up overnight. Such is our problem.

I thought that we might at a given time have some evidence accepted in camera and even, eventually, deny admittance to certain persons, if you like, in order to protect our sources of information, but then, this would be a mockery of the law, and I would rather have none of it. Of course, the responsibility lies with the minister. But in order that the discretionary power be as restricted as possible, we decided upon this certificate, which would require the signature of two ministers. Thus, at least two ministers would see the file and the rights of the individuals would be protected to the greatest possible extent. Now, in that connection, I may not be ready to die for that formula, but I feel it is my duty to tell the house that I am forced to protect what I referred to a while ago.

An inquiry on security is now under way in Canada. That problem will doubtless be discussed. We may eventually find a way of conciliating the rights of the people, the security of Canada, as well as the sources of information which no police force can do without, whether it be in communist, socialist, capitalist countries or any other, including those governed by dictators. In any case, that is the problem we have to face; we have not found a better solution because we are unable to do so. Now, when we discuss the bill clause by clause, if a workable suggestion is made in this connection, guaranteeing what we want to guarantee, I will be the first to accept it. However, it is not easy to do so at the present time.

Mr. Speaker, many other points have been raised. I will take them up when we examine each individual clause of the bill. I simply wish to say that the object of the bill is the establishment of a court which will be independent of the government, the minister, the department itself; in my opinion, the bill does precisely that.

Now, I was asked to be flexible. Just to show how flexible I am, Mr. Speaker, my first gesture will be to inform the house

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that, when the bill comes up for consideration in committee of the whole, I will move an amendment to clause 10 (1), which provides that the chairman of the board may delegate the powers of the board to any member.

I feel this power should not only be given to the chairman, but to all members of the board, since a designated member will exercise the powers of the board itself. I feel it is only natural that the board and not exclusively the chairman, should delegate its powers.

I also intend to move an amendment to clause 28, which enables a special inquiry officer to review and reverse its own decision, in order to provide for more flexibility in the text.

Mr. Speaker, I would like to move an amendment to clause 15—

Mr. Lewis: What is the number of the clause?

Mr. Marchand: The new clause 28, Mr. Speaker.

Now, I should like to move an amendment to clause 15(2) so as to empower the appeal board to allow a person under a deportation order to remain in Canada. If it is so decided, if the board feels a person can remain in Canada, it can also decide, under the same principle, that a person involved in that appeal may come to Canada, that is, not only will a person be allowed to remain in Canada, but, under the same principle, the person concerned by the ruling will be able to come to Canada from outside the country.

Mr. Speaker, I intend to move those three amendments when we shall study the bill clause by clause.

Many of the questions raised are more relevant to the white paper and to the general immigration policy than to the bill now before us. In due time, we shall have, no doubt, the opportunity to discuss this matter.

At any rate, I feel the bill ensures additional rights, provides guarantees and is worth a fair trial.

Some hon. Members: Hear, hear.

[*English*]

Motion agreed to, bill read the second time and the house went into committee thereon, Mr. Batten in the chair.