

regulations in fact change the spirit and intent of the legislation passed in the House.

It is for that purpose I have moved the amendment which will do the following: every order in council, and I know we have had some discussion in committee as to who can give information vis-à-vis orders in council respecting immigration, regulation or forms that are needed for the administration of the Immigration Act, will be laid before parliament within 15 days if parliament is in session. If it is not in session, I have given conditions for that. What is more important is that the regulation will then need the affirmative resolution of parliament: that is the important part.

What I am deeply concerned about is that as parliamentarians we have the right to debate these regulations and, if we choose, to vote on them. Whether we want to admit it or not, the regulations have a tremendous effect on immigration. It is for that reason it is imperative that parliament has the right to debate the regulation and voice its opinion on it. I do not believe this is restrictive as far as the minister is concerned, because it takes in the spirit of amendment to which he has agreed. For that reason, I commend that amendment to all members of the House.

**Mr. Andrew Brewin (Greenwood):** Mr. Speaker, I wish to say a few words on motion No. 52. It is aimed at the same purpose to which the hon. member for Provencher (Mr. Epp) has directed his motion No. 50: it is aimed at ensuring that there be some measure of parliamentary control over the more important and substantial regulations. Where motion No. 52 differs from motion No. 50 is that we apply it, and I do not think this is in No. 50, to the regulations passed under the provisions of clause 115(1)(a) (b) and (c). I would like to tell the House what those regulations provide for. They provide what might be termed as the guts of the whole of the immigration system. I quote:

The governor in council may make regulations (a) providing for the establishment and application of selection standards based on such factors as family relationships, education, language, skill, occupational experience and other personal attributes and attainments, together with demographic considerations and labour market conditions in Canada, for the purpose of determining whether or not an immigrant will be able to become successfully established in Canada—

That is the basic purpose of an immigration act, to set standards of selection. We all agree we cannot allow a completely open door so that everyone who wants to come to Canada as an immigrant may do so. We need to have a selection process. Therefore, we set up the Department of Immigration and passed the act. These regulations dealing with selection standards for the various items included in the selection standards are the very essence of any immigration policy. The hon. member for Provencher is correct when he says these regulations are absolutely essential to the whole act. We believe that at least some of them should be under the direct control of parliament.

Subclause (b) prescribes the classes of persons whose applications for landing may be sponsored. The House knows that sponsored applications are the applications of close relatives. It is said in clause 13 that the reunion of families

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through a process of sponsorship is one of the key purposes of the act. However, we leave to regulation the prescribing of what classes of people may be sponsored. We are abdicating in this particular clause. Subclause (c) exempts members of the family class from the requirements and the regulations, prescribing special regulations. I am not sure whether that use of the dispensing power is even legal. My recollection is that James II lost his throne, and King Charles I his head, because they used widespread exempting powers. However, that is a technical point.

**Mr. Knowles (Winnipeg North Centre):** It was not technical for Charles I!

**Mr. Brewin:** No. These three clauses are highly important. The act is full of references to regulations. There are at least 18 clauses of matters to be dealt with by regulation in this section alone. Indeed, the whole bill is full of "as prescribed by regulation". As far as I know, the whole question of what refugees ought to be admitted is to be prescribed by regulation. The terms and conditions which people may have imposed on them when they come to this country can be prescribed by regulation. One can go through the whole bill picking out the phrase "as prescribed by regulation". I have not attempted, in my motion No. 52, to deal with that. I have taken out the ones that are the key provisions of any immigration scheme. I pretty well know what the minister is going to say. He will say that we have to be flexible in these matters, but that parliament cannot meet all the time. That is perfectly true.

**Mr. Epp:** You mean, we do meet all the time.

**Mr. Brewin:** We nearly do. There is a perfectly legitimate excuse for many matters of detail being decided by regulation. However, there is no reason why these key issues should not be dealt with by parliament itself. The method I have suggested is somewhat similar to the method selected by the hon. member for Provencher in his motion No. 50. His is subject to affirmative vote. I have a provision for a motion for consideration signed by 20 members which shall be considered within 15 days after the motion is filed. I want it clear that after this motion is brought in by a certain number of members of parliament to initiate discussion, it will come before parliament. That would be a useful way of doing it.

This might eliminate some frivolous motions to consider regulations. More important, it would give any 20 members the right to bring it directly to parliament. It would provide a time-frame within which it would be dealt. That is necessary, because we are all familiar with motions piling up and not being dealt with adequately or at all. I have sympathy for the President of the Privy Council trying to get all the business handled. However, unless there is a clear, strong provision, we cannot get it in.

The minister says we have to be flexible about this. I do not know why we have to be so flexible about the key provisions in the act. There are places for flexibility, but there are also places for clarity by parliament itself, and there is every reason