

Immigration

the Standing Committee on Labour, Manpower and Immigration.

The Acting Speaker (Mr. Ethier): Order please!

Mr. David MacDonald (Egmont) moved:

Motion No. 23.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 27

(a) by striking out line 9 at page 20 and substituting the following therefor:

"of any democratic government,";

(b) by striking out line 20 at page 20 and substituting the following therefor:

"any fraudulent or improper means or intentional mis-";

(c) by striking out line 29 at page 20 and substituting the following therefor:

"such information, but no such report shall be made pursuant to paragraph 27(1)(b), (d)(ii), (e) or (f) if that permanent resident has resided in Canada as a permanent resident for more than five years."

Mr. Andrew Brewin (Greenwood) moved:

Motion No. 24.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 27 by striking out lines 19 to 21 at page 20 and substituting the following therefor:

"pertaining to his admission or was granted landing by any willfully false and fraudulent misrepresentation of any material fact, wheth-

Mr. David MacDonald (Egmont) moved:

Motion No. 26.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 27 by striking out line 14 at page 21 and substituting the following therefor:

"lent or improper means or intentional misrepresenta-".

[English]

Mr. David MacDonald (Egmont): I should like to speak briefly to the amendments in my name to which Your Honour has referred, and deal with three aspects, especially, which I believe to be of importance but which unfortunately were not regarded favourable by the committee.

In the first place, there is an issue here which I believe to be of considerable moment concerning the acceptability of those who have been involved, or, as it says in clause 27(1)(c), are engaged in or instigated subversion by force of any government. The addition of the words "by force" has, of course, considerably improved this clause. The situation in the world community is such today that parliamentary institutions, freedom of public expression, freedom to take part in assemblies, and so on, are becoming increasingly rare. Many people must, therefore, regard the situation in this country with considerable envy. It is for this reason we must be very concerned, when passing an immigration act, to distinguish between governments which are supported by the will of the people and those which have secured power by force in order to establish some form of dictatorship. All too frequently we read in newspapers or hear on the broadcasting media of some democratic regime or institution which has fallen in the face of some totalitarian power.

● (1410)

In immigration law which is going to deal with hundreds of thousands of people who often come from many such countries and who, while taking up residence and perhaps even citizen-

[Mr. Deputy Speaker.]

ship here, will feel quite strongly about the freedom or possibility of freedom of their own home country, we would not want in some way, in the context of our own Immigration Act, to defeat the purpose of our own society, which is to uphold the notion that people should be allowed to participate and act responsibly in their own country, and that they should have elemental respect for human rights and the dignity and sanctity of the individual.

When this does not occur, I am sure that for those who take an interest in seeing that their former homeland is returned to some form of democratic institution it must not be beyond their opportunity so to participate. This is why I have included in the first part of this amendment, (a), the word "democratic".

The second part of motion No. 23 refers to intentional misrepresentation as against simply misrepresentation. The minister and his officials will recall that we discussed this matter at very considerable length at committee and it forms part of both motion No. 23 and motion No. 26. Again we move into an area where we are going to be dealing substantially with people who, not familiar with the rules as they apply with respect to presentation of evidence or the validating of themselves as individuals in terms of correct immigration procedures, may innocently provide some kind of information which is not wholly or totally accurate.

I think the minister will recall a good deal of the conversation in committee which concerned the accuracy or credibility of the translation services and the translated records which are sometimes used in examining the legitimacy of an applicant. Of course, it is just not in the area of translation, which I think the minister took very seriously and promised to improve to the best of his ability; it is in the whole area of dealing with people coming from different cultures and societies, in many instances having perhaps been under the authority of administrations and bureaucracies which are not inclined to treat them with any great degree of fairness. Something which we would not accept in our own country is very often traditionally the case in the homelands of these people.

Therefore, people who are in the nature of being immigrant applicants often approach the bureaucracy with fear and anxiety, unsure both of the nature of the bureaucracy itself as well as the general cultural situation of the country to which they are coming. For us not to include this provision for the inadvertent, unintentional misrepresentation which might occur with respect to information seems to me to be overly narrow and legalistic when dealing with people whom we hope will enjoy and assume the benefits and responsibilities of Canadian society. Therefore, for that reason I have included this amendment on these two occasions in motions 23 and 26.

The final part refers to the concept of domicile, but not the language of domicile. This is to be found in (c) of motion 23, which reads as follows:

—such information, but no such report shall be made pursuant to paragraph 27(1)(b), (d)(ii); (e) or (f) if that permanent resident has resided in Canada as a permanent resident for more than five years.