

Proceedings on Adjournment Motion

ans in illustrating the change which technology will bring about in the important field of communications. That was the purpose of my suggestion that it was time for the Secretary of State, his officials and the government to give serious consideration to studying the Broadcasting Act which we now have, in view of the things that will be here within a year, or three years, to see whether it belongs to the age of the dinosaur—even though it was only passed two years ago—or whether it can stand up to what we face in the very near future. In that friendly spirit, hopeful of consideration of my request by the Secretary of State, I appear on the “late show” tonight.

Mr. Gérard Pelletier (Secretary of State):

Mr. Speaker, since the hon. member started with rather light remarks may I point out that they were not in the spirit of the act or of the regulations, because the programs he mentioned would not constitute 60 per cent Canadian content. I congratulate the hon. member for his concern for technological development. I agree that we should all follow these developments very closely. But I should also say that if the hon. member re-read the Broadcasting Act and refreshed his memory on certain of its provisions, he would see that it is a very farsighted piece of legislation which encompasses not only the developments that had taken place at the time the act was adopted, but even some future developments—which might be called progress or which some people might call possibilities for further nuisance and noise pollution. The act envisages many developments that are not with us yet but that were known to be on the cards at that time. I must say, Mr. Speaker, that the hon. member has not convinced me that we have to be very worried. I certainly do not think that we have to insist on revising the Broadcasting Act before June 26. Next fall, after having had in his livingroom for two months, this marvelous gadget that he heard of in the Standing Committee, he might come back even more convinced that we must change the act. Then we will all listen to him very intently. Until that happens, however, I think we can survive with the Broadcasting Act as it is.

● (10:10 p.m.)

IMMIGRATION—REPRESENTATION OF APPLICANTS BEFORE APPEAL BOARD BY UNQUALIFIED PERSONS

Mr. Hyl Chappell (Peel South): Mr. Speaker, during question period I asked the Minister [Mr. McCleave.]

ter of Manpower and Immigration (Mr. MacEachen) the following question:

In view of the fact that hundreds of would-be immigrants are being badly represented before the Immigration Appeal Board, by people who pretend to be but are not solicitors and are not capable, will the minister, as requested by the Immigration Appeal Board, amend the regulations to the act, to stop this abuse of so many would-be new citizens?

If an applicant for admission to Canada is refused by the departmental immigration officers, or if anyone else is ordered deported by these officers, he may have a hearing before an inquiry officer pursuant to the provisions of the Immigration Act. If he is still unsuccessful, he has the right of appeal to the Immigration Appeal Board pursuant to the Immigration Appeal Board Act. I shall read the relevant sections of the act, Mr. Speaker. Section 27(2) of the Immigration Act provides:

the person concerned if he so desires and at his own expense shall have the right to obtain and to be represented by counsel at his hearing.

This is, of course, a hearing by a special inquiry officer as provided for by section 2 (b) of the regulations to the act. Departmental form 689 which is headed, “Notice concerning the rights to be represented by counsel at an immigration inquiry,” contains the following paragraph:

If you so desire and at your own expense, you have the right to retain, instruct and be represented by counsel. Counsel need not necessarily be a lawyer, but may be a friend, priest or minister of your church, or a representative of the Salvation Army—

The Immigration Appeal Board rules, section 11 (2), provides that:

An appellant or respondent whether or not he appears in person before the board, has the right to be represented by counsel, at his own expense.

Section 2 (b) of the rules states:

Counsel means any person authorized by the appellant or respondent to represent him before the board, and is not restricted to barristers, solicitors or advocates, and in the case of an appellant or respondent who by reason of age or physical or mental condition is unable to act or proceed on his own behalf or to authorize counsel to act for him, includes any person interested in his welfare.

So by departmental form in respect of a hearing before a special inquiry officer and by a rule—not parliamentary legislation—in respect of a hearing before the Immigration Appeal Board, the newcomer or deportee who wishes to stay in Canada, perhaps more than anything else in the world, can be represented by absolutely anyone. The ability, training,