

financial means and job opportunities, without reference to whether or not they have close relatives in Canada, willing and able to sponsor them. It is noteworthy that the countries selected in sections 20(a) and (b) are all, except for South Africa, countries with a predominantly all-white population. So far as Asia, Africa, Central and Latin America (including the Caribbean) and most of the Middle East are concerned, immigration possibilities are dependent almost entirely on the possibility of there being in Canada a close relative who is willing and able to sponsor the proposed immigrant. This means that, from these portions of the globe, an immigrant can only come to Canada under the present Regulations if he has a relative already here. His admissibility is not dependent on his own native ability, his training or skills: in fact, a person from these areas with excellent training and skills, but lacking a close relative in Canada to sponsor his admission, cannot be admitted to Canada except by a special Order-in-Council, waiving the ordinary requirements of the Regulations.

The new draft of Regulation 20 attempts to eliminate the discriminatory features of the present Regulation by omitting all reference to questions of nationality, geography or regions of the world, with the sole exception of Canadian citizens. Canadian citizens, regardless of their previous nationality, are given a preference with respect to the sponsorship of certain classes of relatives, which is not given to any other persons. (See Regulation 20(a)(iv)). This, it is considered, can be justified. Apart from this, all elements of discrimination based on race, nationality, ethnic origin, etc., are eliminated.

The new Regulation 20(a) lays primary stress on selectivity based on skills and qualifications as the main conditions of admissibility, without regard to any other factor. If an applicant can qualify on these grounds and has sufficient means to establish himself in Canada until he finds employment, or alternatively has a firm employment opportunity or plan for self-establishment in Canada, he comes within the admissible classes. (Regulation 20(a) (i), (ii) and (iii).)

Likewise, if a person has the requisite skills and potential ability to establish himself in Canada, he (or she) may also be sponsored by a parent, parent-in-law, or fiancée already in Canada, provided the sponsor is a Canadian citizen. The Canadian sponsor must be able to provide care and maintenance for such immigrant until the latter is able to look after himself. The sponsorship at the Canadian end takes the place of the requirement that the immigrant himself must have sufficient means, or alternatively firm employment or self-employment opportunities. It should be noted that sponsorship by a Canadian citizen does not, in the case of adult or married sons, daughters, sons-in-law or male fiancés, obviate the requirement that the immigrant himself have sufficient skills and training to ensure his establishment in Canada.

While section 20(a) of the new Regulations is based on skills and ability, section 20(b) makes provision for the admission *simultaneously* of the immediate dependents of a person selected to come to Canada under section 20(a). These dependents who are to accompany the bread-winner and head of the family to Canada are limited to the wife and children under 21 years of age.

Section 20(c) of the new Regulations provides for the admission *subsequently* of a somewhat wider list of immediate dependents or close relatives. It applies not only to sponsors who are Canadian citizens but also to persons other than Canadian citizens who have been legally admitted to Canada for permanent residence and who wish to bring forward a mother, father, husband, wife, grandparent, female fiancée or an unmarried minor child.

It is to be noted that the admissible close relatives under subsections 20(b) and (c) are limited to those who are actually or potentially the *real* dependents, and consequently no occupational test of skill or ability is to be applied to them.