

*Supply—Citizenship and Immigration*

in deciding that a person may not be said to be of good character under section 10 of the act if the person concerned is an atheist, the judge concerned, or more precisely the citizenship court, may be directed to apply the law according to the interpretation which a higher court seized with the case would say is the right interpretation.

Hon. members may know of the decision of the supreme court of Canada in the Leon Ba Chai case, where the wife of an immigrant was refused landing permission by an inquiry officer under the Immigration Act on the basis that, she being a concubine, and he having another wife, she was not a wife within the law of Canada. The supreme court stated that under the regulations as they stood at the time, a legal wife was one who was a legal wife under the law of the country of the applicant. It was found that in China, if I remember correctly, if a husband took full responsibility for a concubine and their children then she was deemed to be a lawful wife.

The Supreme Court of Canada ordered the immigration officer in making his decision to apply the law in accordance with the correct legal interpretation stated in the supreme court judgment. Assuming that the interpretation was wrong in this instance, and I do not pass judgment on that, this would appear to be a relatively similar case.

All I want to say before taking my seat is that if I had an opinion to submit as a private citizen or as a member of the house I would say that the fact of a person professing not to be a follower of one given religion or another, or of any religion, ought not to be taken as an indication that the person so stating or so professing is not a person of good character.

**Mr. Brewin:** Mr. Chairman, I wonder whether I might comment on the minister's statement. I thank him for it and assure him that his words will reach the people concerned. I agree with his suggestions and views in the matter, and I would hope that if and when the case comes to be disposed of the representatives of the government who will appear in the case will be of the same view as the minister.

**The Deputy Chairman:** Order. It being five o'clock shall I rise, report a certain resolution and request leave to sit again at the next sitting of the house, or later this day as the case may be?

**Mr. Badanai:** Mr. Chairman, I wonder whether the committee would allow us to proceed in order to complete the estimates

[Mr. Favreau.]

of the Department of Citizenship and Immigration.

**The Deputy Chairman:** If there is to be any discussion with regard to whether or not the committee should proceed beyond five o'clock it might be better procedure to do so with the Speaker in the chair.

Resolution adopted in committee of supply this day reported and concurred in.

**The Acting Speaker (Mr. Batten):** When shall the committee have leave to sit again, later this day or at the next sitting of the house as the case may be?

**Some hon. Members:** Now.

**Mr. Favreau:** Mr. Speaker, I think it is in order for me to report to you that by arrangement made with the house leaders of the various parties this afternoon private members' hour will be waived, and it would therefore be in order to pursue the discussion in committee of supply.

**Mr. Herridge:** Mr. Speaker, I am not objecting to the present suggestion, but I do want to say that I consider it is poor practice for members to continue to give up private members' hour. It is one of the few opportunities available to members to bring forward their bills and I hope this practice will not be continued.

**The Acting Speaker (Mr. Batten):** Does the house agree to go into committee of supply?

**Some hon. Members:** Agreed.

## SUPPLY

The house in committee of supply, Mr. Batten in the chair.

Citizenship—

5. Administration, operation and maintenance including grants and contributions for language instruction and citizenship promotion, \$1,715,000.

**Mr. Orlikow:** Mr. Chairman, I should like to rise at this time to add my voice to the opinions expressed by the hon. member for Vancouver East and the hon. member for Greenwood with respect to the subject of citizenship. I must say at the outset that I have not had the difficulties that the hon. member for Vancouver East seems to have had.

Last year I went to the former minister of citizenship and immigration with the case of a young man who had applied for citizenship, had been turned down by a previous minister and was applying again. Apparently he had