

certain educational institutions and which will set out in factual form certain well-known facts concerning Canadian life, and we shall have a series of questions prepared, which need not be exclusive but will be suggested to the person in charge of the ceremony. As the hon. member for Essex West said, Mrs. Hamilton of Windsor has written a wonderful textbook which will be widely used throughout this province and in which there are certain questions that she puts in a hypothetical way. In answer to the hon. member for New Westminster I may say that, so far as we can, we shall formulate a series of uniform questions seeking to convey to the potential Canadian citizen facts which I am sure all of us regard as necessary in such an application.

Mr. DIEFENBAKER: With reference to section 12, in the case of an infant under fourteen years of age, is there any provision for its being required to take the oath of allegiance on reaching the age of twenty-one, where the father was naturalized?

Mr. MARTIN: No, there is not. What is intended in the case of a child of fourteen who cannot take the oath is to have the schoolteacher in the particular community impress upon that child the nature of the obligation, and so on. That is all that is contemplated.

Mr. DIEFENBAKER: The child is automatically naturalized and becomes a Canadian citizen and remains such?

Mr. MARTIN: Yes.

Section agreed to.

On section 13—Certificate not to be granted to persons under a disability.

Mr. McKAY: How inclusive is the term "disability"?

Mr. MARTIN: It means incapacity of a minor, lunatic or idiot. The hon. gentleman will recall perhaps that under the heading disability in the interpretation section of the old act women were included. Under this bill—and little reference has been made to the fact, although in many commentaries on the bill in other countries, in journals on international law, much is made of it—we take the lead in giving to women the control of their national status. As I have said, at long last they are taken out of the disabled class as they should have been, and I am glad to make that statement to-night in the presence of the distinguished woman member of the house.

Section agreed to.

[Mr. Martin.]

On section 14—Rehearing.

Mr. GREEN: Is this a new clause?

Mr. MARTIN: Yes.

Mr. GREEN: Will the minister explain it.

Mr. MARTIN: Hon. members who have compared this bill with the old act will note that there has been a considerable diminution in some of the discretionary powers given the Secretary of State. I felt as soon as I became Secretary of State that I was doing many things that I should not have the power to do, and I have reduced to a minimum the discretionary powers exercised heretofore by secretaries of state. This section is new and provides in subsection 2 that the minister, in a case where a certificate has been granted, may order a rehearing. The purpose is to enable a rehearing to be required in cases where we are not satisfied that the proceedings have been properly conducted, or when all the evidence has not been produced or examined, or where for any other reason another examination of the case seems desirable. Once the rehearing takes place, the decision will be final. It does not apply, of course, when the court has rejected the application but only in cases of approval, where the minister has occasion for doubt.

If the committee wishes other reasons I can give them because there have been instances where in one place on one occasion no fewer than twenty-two certificates were granted. If we had had this power, I suggest that no one in this house would have granted those certificates. It is felt that there are cases where, because of lack of interest on the judge's part, the examination is so perfunctory that it cannot be said to have involved either a proper ceremony or the laying of a foundation for determining whether the application should be granted. The intention is to cover embarrassing situations that may develop.

Mr. GREEN: Is the judge given wider discretion than he is under the present regulations? At the present time his powers are limited by regulation 16, which reads:

At the conclusion of the hearing of the application by the judge, the said judge shall endorse upon the petition his decision in the case as to (a) residence qualification, (b) good character, (c) adequate knowledge of English or French, (d) intention to reside in His Majesty's dominions and (e) no disability under section 2 (f) . . .

Which simply defines what is a disability. Judges have told me they are very much handicapped in putting in the report because their instructions are that they must report on nothing except these points I have read,