

The Assistant Deputy Chairman: Order, please. Before recognizing the hon. member for Esquimalt-Saanich I should like to put the amendment to the House. It is moved by the hon. member for Greenwood—

—that the Temporary Immigration Security Act, clause 2, be amended by adding after the words in line 10 thereof, "in his opinion", the words, "on reasonable grounds"; and that a subsection (2) be added as follows:

"Nothing in this section shall be deemed to require the production before any court or tribunal of the sources of information whose disclosure the minister certifies will be prejudicial to the security of Canada."

Mr. Munro (Esquimalt-Saanich): Madam Chairman, I should like to say a few words in the general context of this amendment. Bearing in mind that deportation has a long-term effect on the individual concerned, it would mean that the person would never again have the chance to apply for admission to Canada, unless of course the minister gave his approval. I am wondering if this "reasonable grounds" notion that has been put forward in the amendment might not be a safeguard against an unintended misuse of the statutory discretion that is given the minister now, under this particular bill, to deport a person. If there were a mistake made—and one could be made, with all the best intentions in the world, on the part of the minister—and an individual were deported but a year later sought admission to this country, how could that person again get in?

● (1630)

Mr. Andras: Madam Chairman, any person deported cannot enter the country again without the consent of the minister. I can tell you from practice that from time to time, where a person has been deported, a deportation order executed and the person removed, and circumstances have changed and an appeal has been made to me or my predecessor—this goes back perhaps to the days when Ellen Fairclough was sitting here, so I am not talking about parties—the minister has the power to admit that person who had been deported. Indeed, in some cases people who have been deported have applied for landed immigrant status and have been granted such because of rehabilitation or other reasons. These are individual cases, and one has to examine the facts.

The fact is that visitors in the category to which this bill will apply do not now have appeal rights. This contemplates no change whatsoever in the appeal system. It does not add or subtract from the category of people who have the right to appeal to the board or the courts. It makes no change there at all. There is no change to the principles that already have been established, as I indicated earlier, under which I can summarily deport such people from the country. What I cannot do is stop them at the border. The bill extends that power so I can do this at the border.

I do not want to go into too much detail, for rather obvious reasons, but I have experienced situations where time is of the essence. I assure hon. members, with every degree of sincerity I can muster here, without going into too much detail, that time is of the essence in some of these situations. It is not good enough, if we believe in the power that is already in the act under which I can deport visitors who are dangerous, to do it after the fact rather than before. That is what we are asking for here.

Immigration Security Act

[Translation]

Mr. Lachance: Madam Chairman, I rise on a point of order.

The Assistant Deputy Chairman: The hon. member for Lafontaine-Rosemont (Mr. Lachance) on a point of order.

Mr. Lachance: Would it be possible to know whether we on this side of the House can be recognized at the same rate as the other side of the House, Madam Chairman? I have been rising for about four or five minutes.

The Assistant Deputy Chairman: Government members will be recognized at the same rate as members sitting on the other side of the House. For the time being I recognize the hon. member for Edmonton West (Mr. Lambert).

Mr. Lambert (Edmonton West): Madam Chairman, I will be very brief. However, I wonder whether the minister is not influenced by the general attitude in his department.

[English]

What I am saying is that this almost becomes an occupational hazard in the department and that practically any information is withheld even from the people concerned. If it becomes a matter of health or some physical disability that is discovered on examination, the whole blessed rigmarole has to be gone through again, with doctors consulting doctors; but the person involved cannot be advised. If it is a matter of assigning points, and so forth and so on, that again is not disclosed. It formerly was disclosed, but this immigration process has gone into a shell, which I submit is totally wrong.

There should be a fairness in this matter. I know the minister takes the view that this sounds to be fair. With the greatest respect, this has coloured the minister's reaction to what I think is a very legitimate proposition by the hon. member for Greenwood. Perhaps the language of his amendment might be more felicitous in respect of one or two points which might take away from the difficulties the minister foresees, but surely to goodness it is fair.

We are dealing with a very tough thing. We saw the excesses of October, 1970. There is a tendency here, when dealing administratively, nicely and neatly, to overreact. The minister admits he is not a lawyer. The giving of reasons is not giving of the evidence; that is the point I want to make. The minister does not have to disclose the source of information or the nature of the danger a person involved poses to security in Canada—not security "of" Canada, security "in" Canada. This covers Canadians and visitors here under the umbrella of security. I would not expect the minister to disclose the evidence.

The proviso introduced by the hon. member for Greenwood is correct because it leaves to the minister the discretion he desires in relation to a duly signed certificate under which the minister exercises his responsibility. It would not be in the public interest to disclose the information or the source of that information, but surely that is all that can be expected. The individual and the public surely must, and should, know that an individual has been deported or barred from Canada because his presence here could pose a threat to security in Canada. That is a reason-