

Establishment of Immigration Appeal Board
hon. member for Kootenay West are considered in that context, which is what I understood—

An hon. Member: Let him speak for himself.

Mr. Barnett: —I think it will be realized that he was merely making a statement in accordance with what I consider to be the unfortunate circumstance that in previous years this party has not been fortunate enough to have elected to the House of Commons people who belong to the legal profession. Those of us who do not belong to that profession are occasionally inclined to make references that its members may not like. Nevertheless most of us recognize that it has in its ranks some of the finest citizens of Canada.

Mr. Herridge: Mr. Chairman, in reply to the questions that were raised by the hon. member for Norfolk and the hon. member for Ontario with regard to members of our party who are members of the legal profession I would say that I do not have any direct evidence at the present time. I forgot to mention that when I was discussing this question two or three years ago I also discussed it with the Minister of Public Works who assured me that his practice was identical with that followed by the Leader of the official Opposition. I am mentioning this now because I overlooked it in speaking previously. I am raising this matter because I think it is one of serious concern. It does concern many Canadians and I have had much correspondence on it. I trust that even this limited debate will prevent any member of the house who is a member of the legal profession charging anyone for representation in the future.

Mr. Starr: Mr. Chairman, I would like to ask the hon. member a question. A moment ago he mentioned that the Leader of the official Opposition had made a rule in this respect and that the same rule had been made by a minister on the government side. Can he say whether the same rule was made by the leader of his party?

Mr. Herridge: I have no knowledge of that, Mr. Chairman. I think the hon. member for Ontario is enjoying himself at the present time.

Mr. Starr: Answer the question.

Mr. Herridge: We have not had any formal caucus ruling on this point. However, the hon.

[Mr. Barnett.]

member for Ontario misunderstood me. The Leader of the official Opposition told me that he informed all his law partners at the time he was elected that they were not to deal with any matter within the jurisdiction of the federal government or any agency thereof because he was elected for that purpose and it was his duty to do it without fee. I raised this matter because I hoped it would cause hon. members on all sides of the house to consider it and to make certain that we all comply with what has become a tradition in the mother of parliaments.

Mr. Marchand: Mr. Chairman, may I now answer the hon. member for Carleton? According to the information I have the reference to the Immigration Act in clause 22 is necessary in order to ensure that the functions of the special inquiry officer under the act are not affected.

Clause agreed to.

Clauses 23 to 27 inclusive agreed to.

On clause 28.

Mr. Marchand: Mr. Chairman, there is a new clause which I should like to introduce at this stage. It is numbered clause 28. The reason for introducing this clause is that in clause 30 we have established that an inquiry officer can reopen an inquiry and modify his first judgment. A consequential amendment was therefore necessary. It reads as follows:

That Bill C-220 be amended by renumbering clauses 28 to 33 as clauses 29 to 34, respectively and by adding the following clause immediately after clause 27:

"28. Section 29 of the said Act is repealed and the following substituted therefor:

29. An inquiry may be reopened by a Special Inquiry Officer for the hearing and receiving of any additional evidence or testimony and a Special Inquiry Officer has authority, after hearing such additional evidence or testimony, to confirm, amend or reverse the decision previously rendered."

Mr. Pickersgill: I so move.

Mr. Marchand: If the board has the authority to order this inquiry, then of course the special inquiry officer should have the authority to carry on the inquiry under the conditions which are set down.

Mr. Bell (Carleton): As I understand it, all the amendment does is to strike out the words in the existing section 29: "or by order of the minister or by majority decision of an immigration appeal board". The minister nods his head so I believe the answer is yes.