

what will be the exact consequences of granting such right of appeal. Therefore the governor in council is given the authority to make regulations and to experiment, as it were, first of all with one particular class, and then extend the provisions of the clause to classes other than Canadian citizens and even to landed immigrants.

**Mr. Greene:** I so move.

**Mr. Bell (Carleton):** Mr. Chairman, I am afraid that I cannot greet this amendment with the enthusiasm with which I greeted the last one. I must take the attitude that this is a sophistical amendment. What it does is to purport to give in the first part—and with that I agree—and then to take away or to give the potential of taking away in the second part. The first part of the amendment extends rights which heretofore have been confined, in the clause as drafted, to Canadian citizens. This amendment would extend the clause to any landed immigrant, in which proposal we concur. The first part of the amendment we will certainly support.

In the second part of the amendment the minister has potentially reduced the first part of the amendment to an absolute nullity. He has given the right to go behind this parliament into the secrecy of the cabinet chamber and to say no, landed immigrants will not have the right to make an application. I think that this is unsatisfactory.

In addition to this, Mr. Chairman, the minister has taken, and insists upon taking, the right to say that the classes of relatives shall be those only as defined by the governor in council. The committee has no means whatever of knowing to what classes of relatives the governor in council will extend this right, and in my view the amendment is totally unsatisfactory in this respect.

As a third ground I confess to my disappointment that the minister has not included in this amendment the same principle enshrined within his amendment to clause 15. If this amendment were carried we would have strict, immediate application. What some of us were seeking to achieve was to bring into this clause the humanitarian and compassionate considerations to which the minister agreed in relation to clause 15.

I would urge the minister at this stage, if he will, to amend this clause by including the very words he has just asked the house to adopt in clause 15. If he were to insert in line 21 the words "or the existence of compassionate or humanitarian considerations that in the

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opinion of the board warrant the granting of a special relief", he would then give the discretionary power for which some of us on this side are asking.

In the manner in which this amendment is drafted it is unsatisfactory. It is giving with one hand and taking away, or potentially taking away, with the other. It does not import into this clause any of the compassionate or humanitarian considerations which might lead to the granting of relief. I submit that the minister is being inconsistent. If he is prepared to do this in clause 15, there is no reason whatever why he should not do it in clause 17. I hope the minister will not dig his heels in but will give the matter further consideration.

● (4:30 p.m.)

**Mr. Lewis:** Mr. Chairman, I want to say a word along the lines of the remarks of the hon. member for Carleton. I have an additional suggestion deriving from some of the minister's remarks last night which appear to me to have validity and to deserve consideration by the committee. I hope we shall find some way of voting separately on the two points in the minister's present amendment. I would support the first amendment. However, I have the same objection to the second amendment as I had, and as the hon. member for Carleton and others expressed, against the original wording.

I am sorry to say to the minister that nothing he said last night on this point or anything he added today convinces me that his position is right. Again it seems to me that he is stating the position out of fear that this appeal tribunal might take over some of the functions of the department. Really, I do not know what is worrying him. I do not know why he should ask this committee to give the governor in council the authority which, in effect, would enable it to limit the class of persons who may appeal, just as narrowly as the minister may decide. I cannot for the life of me see how he can ask us to support that. The minister takes unto himself a different authority, in a sense, from that under the original wording.

Under the original words the minister could limit the area in which appeals may be made to such classes of relations as may be referred to. In the present wording it is not only the classes of relations, but it is also the classes of sponsors, if the words "by such persons" mean anything.