

Immigration

non, although I guess they were not particularly in the refugee category.

● (2050)

I hope this point can be cleared up rapidly. If it can, I will ask my colleagues to let me withdraw my amendment.

Hon. Bud Cullen (Minister of Manpower and Immigration): Mr. Speaker, I think the hon. member's concern might be more relevant if we in fact said that each year we were going to accept a certain number. What we are talking about here is setting levels which will be most flexible.

Just so there will not be any misunderstanding, there need be no concern that the use of levels will arbitrarily limit the admission of refugees, contrary to Canada's humanitarian traditions. If it is understood—and if it is not, it should be—our intention is to use the processing priorities provided for in 115(1)(f) to ensure that refugees, through being given second priority—first priority is the family class—would never be subject to numerical limitation. There is virtually no likelihood that the level would ever be set so low as to restrict or delay the admission of the family class, convention refugees, or those like persons who may be designated pursuant to 115(1)(d). In other words, they will be top priority. If we were dealing with a specific number here, there might be some concern; but the fact that we are dealing with levels gives us the flexibility that we need. The priorities that we set under the act, putting convention refugees in the second category after the family class, I feel give no real cause for concern.

The Acting Speaker (Mr. Ethier): Order, please. Is the Chair to understand that there is a request to withdraw the motion?

Mr. Fairweather: I think we had better test the House, Mr. Speaker.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): The question is on motion No. 11. All those in favour will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

Mr. Paproski: On division.

The Acting Speaker (Mr. Ethier): Negatived on division. Motion No. 11 (Mr. Fairweather) negatived.

[Mr. Fairweather.]

Mr. Andrew Brewin (Greenwood) moved:

Motion No. 12.

That Bill C-24, An Act respecting immigration to Canada, be amended in Clause 14 by striking out lines 8 and 9 at page 11 and substituting the following therefor:

“grant; or”

He said: Mr. Speaker, this amendment requires a little explanation. It has to do with terms and conditions. It applies to lines 8 and 9 of Clause 14, at page 11 of the bill. The clause presently provides as follows:

(a) he—

That is, an immigration officer.

—shall grant landing to that immigrant, in which case he may impose terms and conditions of a prescribed nature;—

My amendment seeks to strike out the last two lines which read “in which case he may impose terms and conditions of a prescribed nature”.

The idea of imposing terms and conditions on people we admit to this country is a new one. The terms and conditions are not to be revealed to parliament; they are entirely within the discretion of the immigration officer who is handling the case. As far as I can make out—the minister will correct me if I am wrong—there are no restrictions on what sort of terms and conditions are referred to. If my amendment is turned down and we pass the clause as presently worded, we are giving to an immigration officer the right to impose terms and conditions on a person he has found admissible to Canada under the regulations. I think that is wrong.

I think there is somewhere else in the bill a restriction on the terms and conditions, but in the clause with which we are dealing here an immigration officer grants landing and he can impose terms and conditions. I think that under Clause 15 the terms and conditions apply only for six months.

In committee at the instance of the hon. member for Davenport (Mr. Caccia) the committee passed an amendment which restricted certain terms and conditions which could be applied; but it is my submission to this House that no case can be made out for giving an immigration officer power, in effect, to legislate, to say what terms and conditions apply to a person whose landing would otherwise not be contrary to this act. An immigration officer would be able to say he will land that person but only if he observes certain undefined, vague, and perhaps highly onerous or ridiculous terms and conditions as imposed by that officer.

I do not think I need say more than that. Throughout the bill I have suggested a number of amendments designed to remove restrictive, unnecessary clauses which multiply the powers of officials, and in this case not even officials but any immigration officer. I am trying to simplify the procedure. We have never had this sort of thing before, and I do not want to be part of any process which imposes it now.

Hon. Bud Cullen (Minister of Manpower and Immigration): Mr. Speaker, when I read this motion in the first instance the intent of it was not clear. It seems to me that it would have the effect of eliminating the power of an immigration officer at a