

At the present time immigrant visas are not required of British subjects born in the United Kingdom, Australia, New Zealand or the Union of South Africa, nor of citizens of Ireland born in Ireland, nor of citizens of France born in France or St. Pierre and Miquelon, nor of citizens of the U.S.A. or persons legally admitted to the U.S.A. who wish to migrate directly to Canada.

This provision in the present Regulations is, of course, subject to the criticism that it discriminates in favour of citizens of the countries mentioned and against those of other countries. It is particularly vulnerable to criticism on the grounds that it grants preferential treatment (waiver of visa) to countries whose populations are essentially white; and that it favours the *old* Commonwealth countries over the *new* ones.

The new provision in subsection (3) places all countries ostensibly on an equal footing by requiring visas in all cases. Subsection (4) then provides that the Minister may exempt certain groups or classes of persons from the immigrant visa requirement and may substitute the requirement of a letter of pre-examination. This letter of pre-examination will serve as a pro-forma visa and will be combined with the medical certificate into a single form so that, in the actual result, the new requirement, as it will affect the presently favoured countries, need not be greatly different from the present requirements.

In the United Kingdom, for example, at the present time a British subject born in the United Kingdom can proceed to Canada with his passport and a valid medical certificate. If the new Regulations are approved, and the Minister, acting under subsection (4) of Regulation 18, exempts British subjects born in the United Kingdom from the visa requirement, such persons will then be free to proceed to Canada with a passport (as at present), together with a letter of pre-examination issued in the United Kingdom – on the reverse side of which will be found the medical certificate presently required of United Kingdom immigrants (see attachment).†

The letter of pre-examination is already used with respect to persons coming forward from the U.S.A. and no change will be involved here. The same form (pre-examination letter on front, medical certificate on reverse side) will be used for U.K. and U.S. immigrants: and it will be possible for the Minister to extend the use of the pre-examination letter, if and when it is desired to do so, to France, Eire, Australia, New Zealand, South Africa and indeed to other countries.

It may be that the new subsections (3) and (4), which will require a visa or a pre-examination letter from citizens of countries not requiring them at present, may give rise to some misunderstanding on the part of the presently preferred countries, if proper explanation is not given in advance of the intent and purpose of the new provisions. Consideration should therefore be given to the desirability of some advance notification to the U.K. and other authorities. In fact, the proposal to equate the pre-examination letter (including the medical certificate) with the visa will have the effect of eliminating the appearance of discriminating in favour of certain countries, *without actually introducing any change of substance and without imposing any real additional inconvenience on the countries previously exempt from visa requirements.*

The only alternatives to the procedures proposed herein would involve the continued maintenance of some elements of discrimination in favour of the countries presently given preferential treatment; or else to relax the immigrant visa requirements to a dangerous extent for other countries.

9. *Regulation 20*: This Regulation is the most important of all. It is the heart of Canada's immigration policy and in its present form is the main source of criticism that our immigration policy has within it concealed elements of discrimination. There is no doubt that this criticism is to some degree justified. The present subsections 20(a) and (b) set out the list of countries from which immigrants may come to Canada fairly freely on the basis of their training, skills,