

Establishment of Immigration Appeal Board

Furthermore, an amendment may not be moved to insert words at the beginning of a clause with a view to bringing forward an alternative scheme to that contained in the clause, or to leave out the whole substance of a clause in order to insert different provisions, or to substitute in effect a new draft for an existing clause.

I might say to the hon. member for Greenwood that my consideration of this particular point in our procedures has not gone far enough for me to be able to say that this ruling should be rigidly applied, but I point out to hon. members of the committee the procedure which is being gradually adopted. However, in this case I am going to accept the amendment moved by the hon. member for Greenwood.

Mr. Marchand: Mr. Chairman, I do not have much to add to what I have already said on this clause. I just want to refer to a few examples given by the hon. member for Greenwood. The hon. member spoke of what is happening in France and Germany concerning the emigration of people coming from behind the iron curtain. I think he is right. But I do not believe that either in Germany or France immigrants have 10 per cent of the rights given to immigrants to Canada. Also, they are on the continent, and it is very easy to send them back home. Here in Canada it is another matter. So if the hon. member wants to have the type of legislation that France and Germany have in respect of immigrants, I do not think we will gain anything. Therefore I do not believe the comparison is just. If in France they believe a man is a danger to the security of the state he is just not allowed to enter that country, or he is deported right away without any appeal or any right. This is the situation, and I do not think we can compare it with the situation in Canada.

The hon. member mentioned that 50 per cent of the cases in which he was involved were security cases. I think he included in this figure prospective immigrants from behind the iron curtain who are not allowed into Canada. I am not speaking of sponsored immigrants but non-sponsored immigrants. The hon. member qualified those cases as security cases. Of course they are refused in accordance with our general security policy, but they are not refused on security grounds, formally speaking. Therefore if the hon. member includes these people in his figure I understand his argument; but I do not think they are security cases in the sense of "security" as it applies in this provision.

[The Chairman.]

• (3:30 p.m.)

Let us forget about communists and speak of extreme right wing elements coming here from France; persons involved in violence in Algeria, for example. Of course we receive reports on such people, and we are in no position to give out this information; otherwise the system would be useless. So all we can say to this man is that his application is rejected in accordance with such and such section of the Immigration Act. We cannot go further than that; otherwise I think he would be deprived of the information on which the case was judged. Therefore in the present state of affairs I think it would be best to adopt the clause as it now stands in the bill and after we have received the report of the royal commission on security we will be better able to find new procedures to deal with those cases. However, in the meantime it would surely not be wise to accept the proposed amendment.

Mr. Lewis: Mr. Chairman, it has become quite clear that the minister's mind is closed on this subject. In fact I may say, with all due respect to the minister, that he has not even bothered to read the amendment which was put before him.

Mr. Marchand: Yes, I did.

Mr. Lewis: If he had read it he would not have made the remarks he did. The problem on this issue, ever since second reading of the bill a couple of days ago, is that the minister and his advisers have closed their minds completely and if any suggestion is made to them, no matter how reasonable or practicable, they will not look at it. If he is in that mood, then nothing anyone can say will change his mind.

This is not a matter of the number of people affected even though my colleague, the hon. member for Greenwood, mentioned the figure of 50 per cent. I do not personally care whether one or 1,000 persons are affected. The point is that a basic principle is involved, one with which I am sure the minister and the Solicitor General agree. I do not understand the minister's logic when he says over and over again that it is right, proper and not frustrating to give the appellant no information at all but there is something vicious about giving him part of the information. I invite the minister to look at this amendment carefully. What the amendment proposes is that in a security case—and according to the amendment the minister will determine what is a security case—(a) the board will conduct