

On section 11—Grant of certificate of citizenship in certain cases.

Mr. GREEN: In paragraph (c) of section 11 we find the word "alien." Apparently there is no definition of "alien" in the bill, although it is defined in our present Naturalization Act and in our Immigration Act as meaning a person who is not a British subject. Why is no definition of that word inserted in this bill?

Mr. MARTIN: The reason it was left out is that there is no doubt concerning the legal connotation of the word and it was felt unnecessary to define it. "Canadian citizen" and "British subject" are defined in this bill, and in the case of other parts of the commonwealth which are recognized in section 28 of this bill. All other persons are aliens; "British subjects" are characterized in sections 26 and 28; and it was felt that we should follow the practice of recent legislation, based particularly on the treatise on nationality by Professor Hudson, to which I referred. Other countries have no such provisions. But we wanted to single out "Canadian citizen" and "British subject", which are characterized.

Mr. GREEN: What is the definition of "British subject"?

Mr. MARTIN: A person who owes allegiance to a common king.

Mr. GREEN: That is not set out in the bill?

Mr. MARTIN: But surely we know that. That is set out in the proceedings of the imperial conferences of 1930 and 1937.

Mr. FULTON: Would the minister by way of amplification tell us what sort of case is contemplated in section 11, subparagraph (b)?

Mr. MARTIN: Yes. In the administration of the measure it has been found useful in cases of adoption of an alien child or a child of doubtful antecedents, and it really is a most essential clause. Adoption, as the hon. gentleman knows, cannot of itself confer national status. The consequence is that many families in Canada who have adopted children who happen to have been born in the United States or elsewhere found that the child when approaching maturity cannot, for example, obtain a schoolteacher's certificate, cannot enrol for certain professions, because the child cannot establish that he is a British subject. We have many such cases, and it is to deal with that kind of problem, which up to now we have been wholly unable to deal with, simply because we had no authority.

Section agreed to.

63260—73½

On section 12—Certificate not effective till oath of allegiance taken.

Mr. GREEN: Will the minister explain what the plan is with regard to the way in which the oath of allegiance is to be taken?

Mr. MARTIN: The hon. member is now talking about other than British subjects?

Mr. GREEN: Explain it for both British subjects and non-British subjects.

Mr. MARTIN: In the case of British subjects there will be a regular form which contains at the bottom the words which appear in the second schedule of this bill, and they will simply sign their names underneath. In the case of others who will go before a judge, the intention is to have a ceremony. It will not be possible to maintain the ritual in all communities, because of considerations of the size of community and convenience and so on, but the ceremony as far as the oath is concerned will be somewhat as follows. Just before the applicants are presented with the certificate there will be an address, by the judge, we hope in most communities by the mayor, perhaps by visiting dignitaries of the various churches, and so on.

Mr. FLEMING: A member of parliament?

Mr. GREEN: The Secretary of State?

Mr. MARTIN: The Secretary of State has gone to a number of these, and proposes to go to others if he can. While the present Secretary of State does not personally add very much to the proceedings, I think his office does.

Mr. MacNICOL: Humility exalteth a nation.

Mr. MARTIN: Just before the certificate is presented they will be asked to rise, and the judge will administer the oath in a formal ceremony which we hope will be both impressive and memorable.

Mr. GREEN: A British subject can take the oath before anyone empowered to administer an oath?

Mr. MARTIN: Yes.

Mr. REID: When applicants come before the various judges of the nine provinces, are they to be asked questions as to their knowledge of the responsibilities of citizenship and so on, and is it proposed to have the series of questions similar for the whole of Canada?

Mr. MARTIN: Yes. Up to now that has not been done. The hon. member for Lake Centre was speaking a while ago about a certain manual which we hope to get from