

Establishment of Immigration Appeal Board

"(ii) the existence of compassionate or humanitarian considerations that in the opinion of the board warrant the granting of special relief, the Board may direct that the execution of the order of deportation be stayed, or may quash the order, or quash the order and direct the grant of entry or landing to the person against whom the order was made."

(b) by striking out line 32 on page 5 and substituting therefor the following:

"stayed, it shall allow the person concerned to come into or remain in"

(c) by striking out lines 45 to 49 on page 5 and substituting therefor the following:

"(a) has been stayed pursuant to paragraph (a) of subsection (1), the board may at any time thereafter quash the order; or

(b) has been stayed pursuant to paragraph (b) of subsection (1), the board may at any time thereafter"

The effect of this amendment would be to broaden the authority of the board in view of the present more restricted wording of clause 15 (1) (b) (ii) which reads: "the existence of other exceptional circumstances". So we introduce here the concept of humanitarian and compassionate grounds. This point was stressed yesterday by many hon. members, and as far as this question is concerned I presume that the new wording is more satisfying than the present wording of the bill.

● (4:20 p.m.)

Mr. Greene: I so move.

Mr. Bell (Carleton): Mr. Chairman, I think that in this amendment the minister has substantially met the representations which we on this side of the house made in relation to this matter. I think this is a very considerable advance and is a worth-while amendment which, in substance, meets what we have in mind. I would be prepared, as I am sure would my colleagues, to accept this amendment, and under the circumstances I will not proceed with the proposed amendment to clause 14.

Mr. Lewis: Mr. Chairman, I imagine that the minister and his advisers spent a great deal of time, into the night, preparing these amendments and I congratulate them upon the result and express our appreciation, even though the minister spent some sleepless hours. What he has produced is a very worth-while change.

Mr. Marchand: Perhaps I will gain a few hours tonight.

The Deputy Chairman: Shall the amendment carry?

[Mr. Marchand.]

Some hon. Members: Carried.

Amendment (Mr. Greene) agreed to.

Clause as amended agreed to.

The Deputy Chairman: Is it agreed that we now revert to clause 14?

Some hon. Members: Agreed.

On clause 14—*Disposition of appeal.*

Mr. Marchand: Mr. Chairman, I am just wondering whether the objections of the hon. member for Peace River have been met.

Mr. Baldwin: Yes, Mr. Chairman. This goes beyond the power of staying, and relates to the specific power of quashing an order. It meets my point precisely.

Clause agreed to.

The Deputy Chairman: We shall now consider clause 16.

Clause 16 agreed to.

On clause 17—*Appeal from refusal to approve application.*

Mr. Marchand: Mr. Chairman, I shall ask my colleague the Minister of Agriculture to move:

That clause 17 of Bill C-220 be amended

(a) by striking out line 13 on page 6 and substituting therefor the following:

"17. A person who has made application"; and

(b) by striking out lines 22 to 24 on page 6 and substituting therefor the following:

"this section may be taken only by such persons and in respect of such classes of relatives referred to in the regulations as may be defined by order of the governor in council".

The purpose of the amendment is to modify the first line of clause 17, which restricted to Canadian citizens the right of appeal in cases of sponsorship. The governor in council will now have the authority not only to determine the classes of relatives for which this right of appeal will exist, but at the same time will have authority to determine the person who may take an appeal. This means that not only Canadian citizens but eventually even landed immigrants could exercise this right of appeal.

There is no doubt that this amendment would leave all of the powers in the hands of the governor in council. But as I have said, Mr. Chairman, we did intend to do this, which is why we inserted clause 17. However we do not want to be pushed too fast in this direction, because we should like to know