

Immigration Act

The hon. member's bill is presumably designed to correct the citizenship discrimination, and it would have this effect, even though the explanatory notes in the bill state that its purpose is—

—to remove the authority given to the governor in council to regulate admissibility to Canada on racial grounds.

Now, sir, stripped of any legal terms, this would simply mean that although the authority would remain in the act, there would be no intention of exercising such authority in making regulations governing the admittance to Canada of qualified persons. In seeking to remove the basis for the discrimination, the hon. member for Greenwood (Mr. Brewin) would repeal paragraph (g) of section 61 of the act, thereby severing not only the power to make regulations limiting admission by reason of citizenship, but also occupation and labour conditions.

This amendment would, in fact, remove the power to make any effective admissible classes at all.

Mr. Brewin: May I ask the hon. member a question?

Mr. Badanai: Yes.

Mr. Brewin: Has he paid any attention to the provisions of paragraph (b) of section 61 that permits all types of tests of suitability and so on?

Mr. Badanai: That is the interpretation my hon. friend is putting on this particular section. I suggest that the tests would certainly have to be directly related to the existing provisions in the Immigration Act.

Now, discrimination is of course offensive to us all and the immediate reaction would seem to be an easy agreement to delete portions of paragraph (g), particularly those which appear to have aspects of racial discrimination. In short, the principle of the bill is good. We all want to avoid racial discrimination. However, the hon. member's bill would remove the necessary authority to make effective the admission of desirable immigrants. Many complex problems are involved and until these can be solved, well meaning but ill considered or premature changes should be avoided.

It may be of interest to the members to know what the landing requirements are at present under the act. Landing in Canada is limited to persons who comply with all the requirements respecting landing in Canada set out in the act and the regulations, and who come within one of the following classes:

[Mr. Badanai.]

(a) a person who, by reason of his education, training, skills or other special qualifications, is likely to be able to establish himself successfully in Canada and who

(i) has sufficient means of support to maintain himself in Canada until he has so established himself,

(ii) has come to Canada, under arrangements made or approved by the director, for placement in employment,

(iii) has come to Canada, under arrangements made or approved by the director, for establishment in a business, trade or profession, or in agriculture, or

(iv) is the son, son in law, daughter or fiancé of a Canadian citizen who

(A) resides in Canada, and

(B) has applied for and is willing and able to provide care and maintenance for the person, until the person has established himself successfully in Canada;

(b) a person who is the husband, wife or the unmarried son or daughter under twenty one years of age of an individual who

(i) complies with the requirements of paragraph (a),

(ii) is accompanying the person to Canada, and

(iii) is willing and able to provide care and maintenance for the person until such person has established himself successfully in Canada; or

(c) a person who is the parent, grandparent, husband, wife or fiancé, or the unmarried son or daughter under twenty one years of age, of a Canadian citizen or of an individual legally admitted to Canada for permanent residence who

(i) is residing in Canada, and

(ii) has applied for and is willing and able to provide care and maintenance for the person until such person has established himself successfully in Canada;

(d) a person who is a citizen of any country of Europe, including Turkey; or of any country of north, central or South America or islands adjacent thereto; or of Egypt, Israel or Lebanon, if such person is:

(i) the son, daughter, brother or sister, as well as the husband or wife and the unmarried son or daughter under twenty one years of age of such son, daughter, brother or sister, as the case may be; or

(ii) the unmarried orphan nephew or niece under twenty one years of age, or fiancé of a Canadian citizen or of a person legally admitted to Canada for permanent residence, who is residing in Canada and who has applied for such person, and who is willing and able to provide care and maintenance for such person until he has established himself in Canada.

It seems to me, Mr. Speaker, that immigration problems cannot be solved simply by repealing paragraph (g) of section 61 of the Immigration Act without creating even greater problems.

May I point out that the Immigration Act has been in force since June 1, 1953. It had been drawn up in consultation with the Department of Justice, the privy council office and other interested departments, and before its enactment had been studied by committees of the House of Commons and Senate. I understand that representations were heard