

from the very first as probationary Canadian citizens. While these people are still only Chinese citizens by nationality and we could not object to them having recourse to the Chinese Consular officials, I think that in view of the privileges which they enjoy and their intention of making this country their permanent home implied in their landing here as immigrants, we have a right to object to the Chinese Consular officials putting on any campaign to organize them with a view to maintaining their loyalty to China and their interest in Chinese domestic and political matters.

7. If we exclude the three categories mentioned above, the only Chinese in Canada whom we would have no reason to object to exercising their right to vote in Chinese elections through marking a ballot at their local Consular office would be those who come within the non-immigrant classes as defined in Section 2 (h) of the Immigration Act, namely diplomatic and consular officers, tourists and travellers, students, businessmen, etc., who are exclusively Chinese citizens and who are only in Canada temporarily. It is doubtful whether Article 26 (5) of the Chinese Constitution which states that "the number of delegates to be elected by Chinese nationals residing abroad shall be prescribed by law," is designed to provide for the representation of this particular group. Strictly speaking, they are not Overseas Chinese and should only vote for representatives of their native constituencies back in China. If we adopt the attitude that dual nationals and Chinese enjoying the rights of domicile in Canada should not be invited by the Chinese Consular Service to cast votes in the National Assembly and Legislative Yuan elections, I think the whole purpose of Article 26 (5) of the Chinese Constitution providing for representation of Overseas Chinese would be defeated in Canada and it would probably not be worthwhile for the Chinese Consular Service to extend polling facilities to the small transient group that would be left. From an administrative point of view, of course, it would be difficult to ensure that only Chinese non-immigrants went to the polls opened at the Chinese Consulates and cast their ballots.

8. While there is some doubt whether the holding of elections in Canada by the Chinese Consular Service in a manner not contrary to the positive law of Canada would be a violation of international law, nevertheless I suggest that we would be ill-advised to continue to overlook electoral activity on the part of the Chinese Consular Service in Canada. Such activity can only serve to perpetuate among communities of Chinese living in Canada political divisions which have no *raison d'être* in this country. I therefore recommend that, in accordance with the attitudes adopted by the United Kingdom, French, Dutch and Siamese Governments, we should let the Chinese know, through their Ambassador in Ottawa, that the Canadian Government regards the extraterritorial application of the Chinese electoral law in Canadian territory as an unwarrantable interference with Canada's territorial sovereignty. We should ask an assurance that no further attempt will be made to apply this law in Canada. In order to have our views on this subject recorded, I think it would be well to give an *aide mémoire* to the Chinese Ambassador on this subject and ask for a written reply from him. I am attaching a copy of an *aide mémoire* for your approval.†

9. I should like to take advantage of this talk with the Chinese Ambassador to touch also on two other aspects of Chinese political activity in this country: the