

Monday, October 22, 1945.

The house met at three o'clock.

CANADIAN CITIZENSHIP**NATIONALITY, NATURALIZATION, AND STATUS OF ALIENS**

Hon. PAUL MARTIN (Secretary of State) moved for leave to introduce bill No. 20, respecting citizenship, nationality, naturalization and status of aliens.

He said: In view of the importance of the bill it is felt desirable to make a preliminary statement which will be helpful in explaining its general provisions and which will also assist hon. members in their deliberations of it.

On May 24 of this year, speaking in Winnipeg, the Prime Minister remarked on the fact that one of the symbols of nationhood that is lacking in Canada at present is a clearly defined nationality or citizenship status. He indicated that it would be his intention, if the government were returned, to have that defect remedied. The present bill is designed to achieve that purpose.

It should not be concluded from this that the bill in reality makes any sweeping change or that there has not previously been any such thing as Canadian nationality. Despite what one often hears to the contrary, there has been a Canadian nationality, but the difficulty has been that the existing definitions were so specialized and so unrelated that they led to a condition of great confusion and misunderstanding. "Canadian nationals" have hitherto been defined under the Canadian Nationals Act, but in reality the definition had virtually no significance. The term "Canadian citizen" is now, in strict accuracy, only an immigration status. As a third type of status, there is that of "British subject". Undoubtedly each of us in this house is all three of these, but I venture with great respect to suggest that few of us know what it means when the words "Canadian citizen" are used at the present time, or how that status differs from "Canadian national". If we do not know, what chance has the ordinary citizen of this country to know what he is? Sometimes he is told that he is a Canadian and should be proud of it. And then he comes to fill in some form asking his national status and is told that there is no such thing as "Canadian". It is extremely undesirable that there should be confusion about so fundamental a matter.

I have referred to the need for clearer definition of national status in this country. An equally great need, in clarifying the definition,

is to remove a large number of legal complications that arise under existing legislation. As I have said, we have at present a naturalization act that defines British subjects and governs naturalization of aliens in Canada. We have also "Canadian Nationals" Act which defines "Canadian nationals". Thirdly, we have The Immigration Act, which defines Canadian citizens for purposes of immigration entry. At present a person may be a British subject by naturalization in Canada, but he may have no right of entry because he is not a Canadian citizen. This arises if he has been out of Canada long enough to have lost his "domicile" under the Immigration Act, and the resulting situation is an unending source of difficulty, confusion and embarrassment for Canadians who have gone abroad. Similarly, a person who is the son of Canadian parents, and who is a British subject and a Canadian national may, in certain circumstances, find that he, too, is not a Canadian citizen and cannot enter Canada. For example, if Canadians go abroad and have a child abroad, that child is a "Canadian national", but he is not a "Canadian citizen" for purposes of the Immigration Act, and so he has no right to come into the country. A Canadian national who cannot enter the very country of which he is a national! It is even possible for a Canadian national not to be a British subject. Whether any case of this type has actually occurred I do not know, but due to requirements of registration under the Naturalization Act which do not exist under the Canadian Nationals Act, such a thing can occur.

Mr. Speaker, as a result, to remove all this confusion it is the intention of the government to undertake an extensive revision of the present Naturalization Act in terms of Canadian citizenship. By this I mean that the bill I am introducing is in reality a comprehensive amendment of the Naturalization Act in which, to avoid the old sources of confusion, all definitions, conditions and qualifications are in terms of a general status of "Canadian citizen". Further to remove difficulty, the Canadian Nationals Act will be repealed and its whole purpose will be encompassed in this new bill. Along with this it is intended to amend the Immigration Act so as to alter its present definitions and provide that anyone who is a Canadian citizen under this new bill will automatically and at all times have a right of entry into Canada. If this is carried through, the result will be that in future there will be only one act governing all aspects and all practical consequences of national status in Canada.