

Citizenship and Immigration

of the government of Canada to enshrine the principles of equity and justice which will guide responsible officials in the discharge of their difficult and complex duties.

Hon. J. W. Pickersgill (Bonavista-Twillin-gate): I notice, Mr. Speaker, that the hon. lady indicated that the order which she has tabled was dated January 18. I congratulate her upon having chosen that day to give a more liberal interpretation to the regulations.

Mr. Chevrier: That is well said.

Mr. Pickersgill: I did not attempt, of course, to follow all of the details although I listened attentively to the outline contained in the hon. lady's speech, but there are one or two observations I should like to make. Of course the hon. lady has done the best she could to indicate that the tribunal would be independent, but she knows that without an amendment to the Immigration Act the final decision in all these cases is vested by parliament in the minister and cannot be transferred by order in council to anybody else. All the appeal board can do is act in an advisory capacity to the minister, however much she may seek to bind herself to accept its advice. That is the law and that, of course, was one of the things members on the opposite side of the house objected to when they were over here, and which they were going to change five years ago.

The hon. lady has said that the new section 31, which is substituted for section 20 of the existing regulations, abolishes discrimination. Of course it does nothing of the kind. It substitutes one set of criteria for discrimination for another. I am one of those who think that the words "discrimination" and "selection", as any dictionary shows, mean precisely the same thing, and they cannot mean anything different.

The hon. lady is well aware, as she has said previously in the house, that there is in the existing regulations no racial or other similar discrimination, and I am glad there is not going to be any such discrimination now. But I suggest that what the hon. lady has done is to make it necessary to look at every individual case and compare it with every other case, and that, by abolishing some of the convenient general categories she is going to create an administrative problem that it will be absolutely impossible to cope with if we are to have any substantial immigration. Of course, if the pattern of 1961 is to be followed, when we had a net emigration from this country, it is probable that the new regulations are well designed to serve that end.

Finally, I should like to point out that what the government undertook to do five years

ago was, not to change the regulations but to change the act, and that has not been done.

Mr. Harold E. Winch (Vancouver East): Mr. Speaker, the Minister of Citizenship and Immigration (Mrs. Fairclough) has now given to the House of Commons a most important statement on a most important matter. Through you, Mr. Speaker, I can say to the minister how much we regret that it was not possible to give the other members and parties of the house a preview of the regulations and the changes about which she has now given us notice. I say this because I am certain everybody will understand that, even with all we have been told in this statement, the implications and the interpretations are of such a nature that it is not possible at this time to make any major comment upon them.

However, we welcome at long last some official statement from the government and I am certain it will be understood when I say, with all due respect, that after all the vituperation we heard on immigration policy and other matters when certain hon. members sat on this side of the house—

Mr. Speaker: Order. I think the hon. member is going outside the scope of the statement that was made. I am not restricting him in commenting on the views the minister has expressed, but this is not a debate and he should keep himself to the matter which was announced by the minister.

Mr. Winch: At this stage, Mr. Speaker, I am certainly not entering into a debate, because that would take much longer than you would allow at this time. I am pointing out that at long last we have something that we understood was to come in by way of legislative enactment and which after five years the government has discovered can be carried out by regulation.

We welcome anything, whether it be by legislative enactment or regulatory change, that is going to mean the placing of the citizenship and immigration laws of Canada on a basis which will better demonstrate what democracy means to our country, our peoples, our governments and legislative bodies. We welcome anything that will demonstrate to the world that we are completely honest in our position on immigration; that it should be on a non-discriminatory basis and not influenced by colour, sex, creed or the country from which these people come.

We have heard only very briefly of the new principles of immigration under section 31, I believe it is, based on education and skills primarily. We hope that when we have had a chance to study what the minister has