

Establishment of Immigration Appeal Board

Mr. Pickersgill: I so move.
Amendment agreed to.
Clause as amended agreed to.

On clause 20—*Hearing of appeal.*

Mr. Bell (Carleton): Mr. Chairman, I indicated that when clause 20 was called I would be moving an amendment. That amendment, however, was consequent upon the amendment I moved to clause 21. The amendment to clause 21 having been rejected by the committee, there is no point in proceeding with the amendment to clause 20.

Clause agreed to.

On clause 22—*Jurisdiction of board.*

Mr. Bell (Carleton): In respect of this clause, would the minister indicate what the provisions are which are covered in lines 19 and 20 by the words "except as provided in the Immigration Act". To what does that refer?

Mr. Marchand: Mr. Chairman, I would have to inquire into this.

Mr. Bell (Carleton): If the minister would make the explanation on clause 1 that would be agreeable to me.

Mr. Herridge: Mr. Chairman, I wish to speak on a question which is related in principle to this clause as it deals with the exclusive jurisdiction of the board and appeals to the Supreme Court of Canada. My question of principle is related to members of this house of the legal profession who deal repeatedly with these problems for their constituents. My attention was first drawn to this situation by being informed that a former Conservative member of the house charged constituents for representations he made on their behalf to the minister, the board or the officials of the department. I was later informed by a couple of my Liberal friends that possibly one or two members on the government side of the house had indulged in this practice.

• (4:10 p.m.)

I remember the hon. member for Danforth, a man of the highest integrity who unfortunately is ill at this time, telling me this story. One of his constituents telephoned him to ask him to make representations to the appropriate authorities in connection with the entry into Canada of a sponsored immigrant. He took the matter up immediately by telephone. The department telephoned him later and said they had looked into the matter and this

[Mr. Marchand.]

person was eligible to enter Canada. The hon. member for Danforth informed his constituent of this. His constituent said, "Sir, I am quite willing to pay the usual fee." Which I understand can be up to \$500 for this service. Of course the hon. member advised him at once that he would not accept any fee at all.

Mr. Roxburgh: Mr. Chairman, could I ask the hon. gentleman a question? He mentioned two parties. I was wondering whether he knew of any lawyers in any other party who had performed similar acts?

Mr. Herridge: I will come to that later in my remarks, Mr. Chairman. The hon. member can use his imagination. I have discussed this matter with members of all parties. I shall always give great credit to the Leader of the official Opposition for his stand on this question. He informed me that when he was elected to this house he advised all his legal partners that they were on no account to bring any matter to the attention of the federal government or any of its agencies because he had been elected for that purpose and would not charge a cent. While I differ sharply with the hon. gentleman on some questions, I give him great credit for this stand.

As a result of this information and other inquiries I made I introduced a private bill which is now on the order paper, an act to amend the Senate and House of Commons Act in order to prevent this abuse occurring in the future. Mr. Maurice Western commented on my bill in the following manner:

To impose on members of the Canadian parliament a restraint accepted 300 years ago by the British parliament seems neither radical, nor revolutionary, nor avant-garde.

I do not have the opportunity to discuss that bill now but I shall do so at a later date. I have been concerned about this problem and have engaged in a great deal of correspondence on the matter. Before my bill was drafted I consulted two retired judges of the Supreme Court and got in touch with people in Great Britain and the United States. The bill was actually drafted by persons who are very concerned about this problem. However, Mr. Chairman, I shall have to deal with my bill when it comes before the house.

I want to ask the minister two questions at this point, because it is a matter of importance and principle. Does the minister consider that it is proper for members of parliament who are also members of the legal profession to make representations to him, to the board or to the officials of his department and