

Immigration

and just. It seems to me that in the proposition put forward in motion No. 44 we are making sure that, in those cases where it is often difficult to arrive at a decision at the outset, the benefit of the doubt, if you like, will be on the side of the applicant. I think for an immigration program, and one specifically directed to those who apply for refugee status, we really can do no less. I hope the minister will give this very serious consideration.

● (1640)

Hon. Bud Cullen (Minister of Manpower and Immigration): Mr. Speaker, after 70 hours of committee hearings, I heard all the representations made from both sides of this House.

Motion No. 42 appears to be reasonable on the surface, but I consider it unnecessary, since it is a basic tenet of legal interpretation that anything done under a statute must be reasonable, and this would certainly include the making of regulations. More important, however, it could lead to a great deal of frivolous and fruitless litigation as individuals contend that in their particular circumstances the period prescribed was not reasonable. Thus another avenue of delay would be opened up as a result of that.

Dealing with motion No. 44, the hon. member for Egmont (Mr. MacDonald), speaking on behalf of the hon. member for Provencher (Mr. Epp), conceded that the onus of proof would be reversed. Instead of an applicant endeavouring to demonstrate the validity of his case in order to secure a hearing before the board, if we accept the amendment as drafted, the board would have to grant the hearing unless it could demonstrate that the claim was fraudulent, frivolous or unfounded. This would be next to impossible, since the board would have nothing before it except the claimant's own submission. The intended effect of the screening stage would be largely negated, with all too predictable results.

Although I have listened very carefully to the comments of hon. members and have read very carefully the amendments, I am in no position to accept them.

The Acting Speaker (Mr. Ethier): The question is now on motion No. 42 in the name of the hon. member for Egmont (Mr. MacDonald). Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Ethier): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed to the motion will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

Some hon. Members: On division.

The Acting Speaker (Mr. Ethier): I declare the motion lost. Motion No. 42 (Mr. MacDonald (Egmont)) negated.

The Acting Speaker (Mr. Ethier): The question is now on motion No. 44 in the name of the hon. member for Provencher (Mr. Epp). Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Ethier): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed to the motion will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

Some hon. Members: On division.

The Acting Speaker (Mr. Ethier): I declare the motion lost. Motion No. 44 (Mr. Epp) negated.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I rise on a point of order. It is with pleasure I point out to the House that not only have we done very well today but we are so far ahead of schedule we may have difficulties on Monday.

The mover of the next motion, the hon. member for Matane (Mr. De Bané), is not present in the House. In any event, if we were to call it a day at this time, that would leave us with only ten motions for Monday. Therefore I wonder if it would meet the wishes of the House to call it five o'clock.

The Acting Speaker (Mr. Ethier): The hon. member for Winnipeg North Centre (Mr. Knowles) is seeking the unanimous consent of the House to call it five o'clock. Is it agreed?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Ethier): Therefore, it being five o'clock, this House stands adjourned until Monday at two o'clock p.m.

At 4.46 p.m. the House adjourned, without question put, pursuant to Standing Order.