

who receive the legal designation of citizen are those people who come into Canada from the outside. In other words, the hon. member for Temiscouata, myself, and other hon. members in this house; my genial friend, the hon. member for Calgary West, for whom I have great affection, and many others in Canada are not now entitled to the legal designation of Canadian citizen. This bill will go one step farther than the provisions of the Immigration Act and the restricted meaning of the Canadian Nationals Act. As a result, all who are in fact citizens of Canada will achieve this status by law.

Another thing this bill will do is to remove another anomaly that can exist under the Canadian Nationals Act and the Immigration Act. A person who has never lived in Canada, who may live in Europe, who is the son or daughter of a Canadian national may under the provisions of the Canadian Nationals Act be granted a passport and yet under the provisions of the Immigration Act be denied entry into Canada. Imagine such a thing as a Canadian national being denied entry to his own country! That was the anomalous situation which created all kinds of confusion and it is one of the things which will be a matter of history when this bill becomes law.

Mr. SMITH (Calgary West): It has existed for twenty-seven years.

Mr. MARTIN: For twenty-seven years.

Mr. SMITH (Calgary West): Time for a change.

Mr. RAYMOND (Beauharnois-Laprairie): When the minister spoke in the house on October 22 he said:

Despite what one often hears to the contrary, there has been a Canadian nationality.

As I understand it, this bill does not create a Canadian nationality because we had it before. We cannot create what we already have. As I stated before, there is a schedule in the Canadian Nationals Act which provides for the renunciation of Canadian nationality. We cannot renounce what we do not have. I want this cleared up. I contend that this bill does not create a Canadian nationality. As the minister says, it is a codification of many statutes. I agree with that statement, but it does not create a Canadian nationality because we already have that.

Mr. MARTIN: I do not want to get into a metaphysical argument with my hon. friend as to what nationality means. I can only say to him what I have already said, perhaps too often, and accentuate it a little by pointing out that the first point to be considered in reading together the two sections of the Cana-

dian Nationals Act and the Immigration Act is that the present Canadian law provides for two distinct classes of person who would come under the definition of "Canadian." A person may be a Canadian national and a Canadian citizen. That is the law as it now stands and, as the hon. member for Calgary West has said, the time has come when we should change it.

The Canadian Nationals Act confines the class of Canadian citizens to persons born in Canada who have not become aliens and to naturalized subjects of His Majesty with Canadian domicile and to those who have been naturalized under the laws of Canada and who have not subsequently become aliens. The same act defines "Canadian domicile" to mean a landing in Canada within the meaning of the act. Listen to this:

The wife of a Canadian citizen unless landed in Canada or born in Canada and the children of a Canadian citizen unless landed in Canada or born in Canada are thus excluded from the category of Canadian citizens although such wife and children are Canadian nationals within the meaning of the second act. For example, A is a Canadian citizen and a Canadian national under the two acts. He has a wife B and several minor children. These are not citizens unless born or landed in Canada. The whole family are Canadian nationals under the act . . .

Which my hon. friend says creates Canadian nationality. And so on. I might read thousands of cases where a real injustice has been perpetrated because of the confusion.

Mr. RAYMOND (Beauharnois-Laprairie): Is this bill extending Canadian nationality?

Mr. MARTIN: There was a limited definition of a Canadian citizen; there is now. We are here clarifying ambiguities, removing confusion and extending citizenship to a point where we make the paramount status of a Canadian that of Canadian citizenship.

Mr. FULTON: Following up this point as to consultation with the other dominions, the minister has said that this bill will make no fundamental change in the status of a British subject. I would refer him to the Naturalization Act, which is, I understand, a uniform act throughout all the member countries of the British commonwealth. By section 11 of that act as it now stands the Secretary of State of Canada can by certificate of naturalization create a British subject for Canada, and the same may be done by the Secretary of State or the corresponding minister of all other empire countries. That act was passed in 1914, and it provided that after the act was adopted by all member countries of the commonwealth they should have the power