

CANADIAN CITIZENSHIP

NATIONALITY, NATURALIZATION AND STATUS
OF ALIENS

The house resumed from Tuesday, April 30, consideration in committee of bill No. 7, respecting citizenship, nationality, and naturalization and status of aliens—Mr. Martin—Mr. Macdonald (Brantford City) in the chair.

The CHAIRMAN: When the committee last sat it was considering amendments to section 10 moved by the hon member for Eglinton:

That section 10 (1) (c) be amended by inserting after the word "war" in line 25, the following words:

"or is a British subject within the meaning of section 28."

Shall the amendment carry?

Mr. MARTIN: Before proceeding, I think this might be the appropriate place—I was waiting until we finished with subsection 1—to say that I intend to introduce an amendment to provide for a new subsection 2. As the committee will recall, in my opening statement I said that I should be glad to listen to suggestions from all sides of the house, and after listening to the debate and giving some consideration to the matter, I should like to offer an amendment to section 10 to provide that the requirement as to British subjects going before a judge and making a declaration and so on shall be dispensed with. The situation now will be that, the necessary period of residence having been complied with, a British subject will merely make an application to the Secretary of State, and if the department is satisfied as to the declaration the certificate will issue. It is felt however that in certain doubtful cases there should be the right to refer the declaration and the application to a proper officer for consideration. The situation will be, therefore, that British subject applicants shall not be subjected to the normal ceremony provided for in the bill in so far as it applies to other groups. As to the actual terms of the amendment, I will disclose them after subsection 1 has been dealt with, but I thought I should tell the committee ahead of time that that is the proposal.

Mr. GREEN: Will it be necessary for that British subject to take the oath of allegiance?

Mr. MARTIN: Oh, yes. He will take the oath of allegiance as the governor general has done, as we all do, as all members of parliament do. But he will do it simply by signing a document.

Mr. GREEN: There will be no appearance in court at all?

[Mr. MacKinnon.]

Mr. FLEMING: The amendment to be proposed is as to subsection 2; is that correct?

Mr. MARTIN: It will be a new subsection 2. The present subsection 2 will become subsection 3.

Mr. FLEMING: It will be an entirely new provision?

Mr. MARTIN: It is a new subsection.

Mr. FLEMING: Will the minister indicate whether he intends to dispense with the residence requirements in subsection 1 (c)?

Mr. MARTIN: The situation will merely be that a British subject who wants to become a citizen of Canada under the law, and who will continue at the end of one year, as now, to have the right to vote, the right to civil service employment, the right to pension, all the rights he has now, if at the end of the period he will simply write on a special form to the department of the Secretary of State, that certificate will be issued to him.

Mr. FLEMING: But he still will not be a citizen?

Mr. MARTIN: Any rights he has now will be continued.

Mr. MacNICOL: If he does not write in and ask for a certificate of citizenship, what will be his status?

Mr. MARTIN: Obviously if he does not write in, nobody has the opportunity of knowing of his existence.

Mr. MacNICOL: He still would be able to have all the prerogatives—

Mr. MARTIN: Yes. I thank my hon. friend for asking that question. He will have the right to vote, the right to an appointment in the civil service, all the rights he enjoys now, whether he applies for it or not. That has always been and will continue to be the situation.

Mr. BOUCHER: Will the privileges that a British subject in Canada now has be extended to members of the commonwealth who enter Canada later under the same conditions? In other words, does it just happen to those who are now in Canada?

Mr. MARTIN: No. With regard to those who are now in Canada, with regard to all British subjects now in Canada, on the passage of this act they are automatically affected just as is the hon. member himself. They do not have to do anything.

Mr. GREEN: Is it not a fact that they must have been here for five years before they can be in that position?