

be deported unless they are a threat to national security or public order.

Decisions to deport refugees must be in accord with due process.

Deportation may not be to a country where the refugees' lives or freedom would be threatened because of race, religion, political opinion, nationality or membership in a particular group, unless the persons facing deportation are a danger to Canada's security or have been convicted of a serious crime.

How is immigration controlled?

Those given authorization for temporary study or work may not seek permanent residence while in Canada. Visitors who overstay, take employment or engage in studies without authorization are violating immigration law and will be required to leave. They may also be arrested without a warrant. A tourist may not apply for authorization to work or study while in Canada.

Who is refused admission?

Those who threaten public health, safety, order or national security or who have failed to meet the selection criteria are not admitted. Persons with certain diseases are no longer automatically barred. For example, epileptics who can lead productive lives are now admitted. The offences of applicants who have violated foreign laws are assessed in terms of Canadian law. Imprecise criteria, such as "moral turpitude," are no longer used, and there is no longer a list of undesirable categories, such as dope dealers. On the other hand, persons who have not been convicted of criminal offences but who are known to associate with organized crime or who are likely to commit acts of violence may be excluded.

How are people excluded or removed?

Deportation is the last resort, but the act provides for less drastic methods of exclusion. If a person has improper or incomplete identification, for example, the immigration officer can let him withdraw his application without prejudice or issue an "exclusion order" barring admission for a year. A "departure notice" may be issued to a visitor already in Canada who has committed a minor infraction of immigration law. That person may later reapply for entry. Deportation, a permanent bar, is reserved for the most serious offences. Immigration officers with legitimate doubts about a visitor's intention to leave after his proposed stay may require the posting of a bond.

How are the rights of those under scrutiny protected?

A person subject to removal has the right to an immigration inquiry, presided over by an adjudicator. Adjudicators are specially trained to give objective judgements.

Can a person under threat of removal appeal?

The Immigration Appeal Board remains intact, but

persons claiming Canadian citizenship are now referred to the minister responsible for citizenship matters instead of to the board. Those in possession of valid visas, convention refugees and permanent residents may appeal a removal order on humanitarian or legal grounds. Canadian citizens may appeal a refusal to admit their family-class relatives.

What is the provincial role in immigration?

The minister responsible for immigration must consult with the provinces concerning population and labour-market needs, measures to help immigrants adjust and the distribution of immigrants to meet demographic requirements. Specific federal/provincial agreements on immigration may be made.

Recent waves of immigration have made Toronto a cosmopolitan city.

