

Establishment of Immigration Appeal Board

trained and well paid staff in the field to administer a set of fair and reasonable rules. If there were those rules and officials in the field in Canada and around the world the numbers of cases coming to the minister for the exercise of discretionary powers would decline and be limited to a relatively small number.

There have been suggestions that we move amendments to widen the proposed power of this board to deal with cases having to do with refusals to sponsor immigrants. We should be very cautious about moving any such amendments until we have answers to the questions asked by myself and other hon. members and the views of the minister as to whether the amendments that I have suggested would be useful.

I ask the minister to consider either not having this clause in the act at all, or to add a provision that it be not proclaimed until a proper order in council is passed, in order to make sure that the special joint committee of the house and Senate on immigration, which has been taking a special interest in matters of sponsored immigration, has a chance to study the implications of clause 17. That committee should first have the opportunity to study the clause and to make its report.

Some hon. members have expressed concern about clause 17 being applicable only to such classes of relatives as are referred to in regulations, made by the governor in council. It would be useful therefore if we could receive the assurance that this clause is not made available to the department, the minister, and the new board until the special joint committee presently sitting has had a chance to recommend to this house and to the other place what should be done with respect to sponsored immigration. I am sure that we would want that committee to have the opportunity to say something about this power of appeal in general.

I wish to repeat, Mr. Chairman, that I, and I think all members of the house, commend the minister upon his aims of seeking a greater degree of humanity, fairness and justice in all aspects of the administration of his department. But I think we should look very carefully at this clause, and the other clauses I have referred to that are linked to it. We want to end with something which will be helpful, instead of something that will have the reverse effect. I and other members of the house will await with interest the answers to the questions we have asked about this clause.

[Mr. Gray.]

Mr. Fairweather: I will not take many minutes to say that generally I support what has been said about clauses 10, 17 and 21. It seems to me that we should hear more from the minister about the reason for one member of the board hearing an appeal, and one member of the board designating, then, that the entire board hear the appeal. Were this to happen midway through a hearing, the full board would not have the important advantages of having seen and heard some witnesses.

I commend the hon. member for Essex West for suggesting that the appeal board be peripatetic. Such a thing has worked well with appeals under the Income Tax Act. There is no reason why this board should sit in Ottawa. Many appellants find it easier to appeal in their home milieu. Could the minister answer this question? Will the board be restricted to this city with its appeals?

Mr. Marchand: No; the board can travel. It can go anywhere in Canada.

Mr. Fairweather: That answers that. I hope the board travels. As to clause 17, I protest that only citizens have rights under this clause. From what I read, it seems doubtful that the immigration committee of the Senate and House of Commons will support that section of the white paper restricting to Canadian citizens the sponsorship of immigrants. I believe only what I read in the papers, about this. As other members have said, this situation must be cleared up by the committee, or it should be cleared up before this clause becomes the law of the land.

Referring to the matter of security, I abhor this business of ministerial certificates preventing people knowing what they are accused of. I hope that the hon. member for Carleton or other members will move an amendment—the minister might move it—that if a person is refused on the basis of a security problem, that fact will be communicated to him. I do not say that there must be full disclosure of all reasons.

● (9:20 p.m.)

I commend the minister as others have done on this reform in the law and I hope the illiberal provision now in the act, the security aspect of section 21—and it is an illiberal section—will not be continued.

Mr. Bell (Carleton): Before the minister replies perhaps it would be convenient if I were to indicate the amendments I propose to move dealing with security. When I spoke earlier in