

*Establishment of Immigration Appeal Board*

Mr. Sedgwick was suggesting that this information should be available to an independent and impartial tribunal—the board itself. I think that if we were to follow the channel which Mr. Sedgwick indicates we would at least reach an interim solution until such time as the royal commission on security under the chairmanship of Mr. Max W. Mackenzie presents its report to parliament. I trust that this field of security information in relation to immigration and to citizenship is one in which this royal commission will dig and delve very deeply indeed.

● (8:20 p.m.)

These are the three basic areas in which differences of opinion have developed during the debate this afternoon. I propose, as we come to the appropriate clause, to move certain amendments. I had hoped to give notice of them before the dinner hour so as to give the minister an opportunity to consult with his officials, but perhaps he will permit me to give such notice now. This will give the minister an opportunity to consider them at the appropriate time.

In dealing with what I call the first basic area of disagreement I propose to move an amendment to clause 14, a copy of which I will send to the minister, to the hon. member for York South and to others who are interested. The amendment reads as follows:

That clause 14 be amended by numbering the present clause as subclause (1); by striking out the word "or" in subclause (b) in line 4; by substituting a semicolon for the period in line 7 of subclause (c) and adding thereafter the word "or"; by adding subclause (1) (d) as follows:

"(d) making an order pursuant to subsection (2) hereof."

and by adding subclause (2) as follows:

"(2) In disposing of any such appeal, the board shall have authority, in its absolute discretion,

(a) to make an order authorizing the landing as an immigrant of the appellant, notwithstanding anything in the Immigration Act, if the board is of the opinion that it might be anticipated reasonably that such person would become a satisfactory Canadian citizen;

(b) to make an order granting the appellant the right to enter Canada or, being in Canada, to remain therein for such probationary period as the board may determine and to renew any such order from time to time or to cancel, rescind or amend it, or at any time when such person is on probation, to make an order pursuant to subsection (a) hereof;

(c) to make an order permitting the appellant to remain in Canada for such length of time as the board may determine, if the board is satisfied that the deportation of the appellant might endanger his personal safety or security and to renew any such order from time to time or to cancel, rescind or amend it, or at any time while such an order is in effect, to make an order pursuant to subsection (a) hereof."

[Mr. Bell (Carleton).]

I recognize that the adoption of that amendment would probably require some consequential amendments to clause 15, although I do not think that they would need to be very substantial in nature. What I suggest is a direct and positive approach. I believe that the minister's approach, which is not only negative but very fainthearted, will not meet the situation and will not give the board the discretionary power which is so necessary.

In relation to what I defined as the second basic area of disagreement I wish to give notice to the minister of the following amendment:

That clause 17 be amended by substituting a period for the comma after the word "approved" in line 21 and by striking out all the words thereafter in lines 21 to 24 inclusive; by renumbering the remainder of clause 17 as subclause (1) and adding as subclause (2) the following:

"(2) In disposing of any such appeal, the board shall have authority, in its absolute discretion and notwithstanding anything in the Immigration Act or the regulations, to make an order authorizing the landing as an immigrant of the person sponsored if the board is of the opinion that it might be anticipated reasonably that such person would become a satisfactory Canadian citizen."

The effect of this amendment would be to eliminate the power of the governor in council to make regulations which would confine the class of relatives which have the right to appeal, and as well, it would enable the board to take a positive and discretionary approach to the situation.

I confess that I have been working on a proposed amendment, which is not yet ready, to the clause dealing with the security or criminal intelligence reports. I claim no particular excellence in the amendments, except that they represent a point of view which I suggest to the minister we should attempt to meet. Let him draft them in any way he will—I have no pride of draftsmanship whatsoever—but I suggest that since he himself said this afternoon that he would be submitting amendments, he demonstrate flexibility by incorporating these principles into this legislation. If he does that, then I believe we will have made a great step forward in making this legislation work to the advantage of immigrants and of all the people of Canada. If it stays in its present rigid and inflexible position, then I am afraid the future immigration administration may well prove to be much worse than it has been in the past.

**Mr. Lewis:** Mr. Chairman, I do not propose to repeat what I said before the dinner recess in this general discussion, but I do want to