

8th Day.]

NATURALISATION.

[13 June, 1911.]

Mr. MALAN : As the Home Secretary has stated now that twelve months at least he must be in the country in which he applies for Imperial naturalisation, that alters the situation very much indeed.

Sir JOHN SIMON : The last twelve months.

Mr. MALAN : The last twelve months ; so that with the altered principle as expressed in what we have now—No. 3—as against what is contained in clause 7 of the draft Bill, I think there is very much to be said for it ; personally I would like to say that as this is an important matter, if we could have a copy of those five or six principles, as expressed by the Home Secretary, before we come to a final decision I should be pleased, because we have hitherto been going rather on the principles expressed in the draft Bill, and they are very materially altered now in the memorandum read by the Home Secretary.

Dr. FINDLAY : I should like to say, first, one word here. It seems to me that the plan suggested by the Home Secretary involves a little needless duplication. It presupposes an application for Colonial naturalisation first, and bases upon that a right to acquire Imperial naturalisation. I think that might be avoided, and the same purpose attained by there being passed an Imperial statute providing for Imperial naturalisation, and providing that the powers given in that Imperial statute may be adopted by the self-governing oversea Dependencies, but that they should have power, however, in addition to that, to meet a difficulty which would arise, and that difficulty is this : it may well be that you will grant naturalisation upon conditions less stringent than those prevailing in some oversea Dependencies. That is quite conceivable. Possibly it is an existing fact. You would require, therefore, to provide that where an applicant for Imperial naturalisation in, say, Canada was going to acquire naturalisation there by virtue of Imperial naturalisation, the Canadian Government should have power to prescribe some further condition, some stricter condition, than that contained in your Imperial statute. The converse of that is a provision that local Colonial naturalisation may be given if the country desires to give naturalisation upon conditions less stringent than those contained in the Imperial statute.

The situation then would be this : you pass a statute providing for Imperial naturalisation which may or may not be adopted by the self-governing countries. That is the first stage. Secondly, they may adopt it, and provide that any person applying for naturalisation under it should comply with still stricter conditions than those contained in that statute, because you will observe that obtaining Imperial naturalisation means obtaining naturalisation in that particular country. Thirdly, they may enact that the present system, if it is better, should continue. Now, the difference between the course suggested and the one I am suggesting is this : you would in many cases avoid duplication altogether. The Imperial statute would be passed providing for Imperial naturalisation. New Zealand, for instance, may be content to adopt the statute as it is without more ado, and without providing for any local naturalisation at all. Canada may do the same. You would then avoid the double system entirely. It may be Canada or New Zealand think the conditions are too stringent, and it will continue its local system. It may be that Canada does not want a local system, but wants to increase the stringency of the Imperial system, and it could do that by a separate statute. So you would unify the process, having but one process, and still preserve to each country the power of controlling this matter itself.

Mr. CHURCHILL : But the Mother Country has at present the most stringent law as far as the time-limit is concerned. Our five years covers everybody.

Dr. FINDLAY : That may be so just now ; but changes may take place in Australia or elsewhere, increasing the stringency of your conditions. That is conceivable, and one must provide now for the future. The course I am advocating seems to me to avoid duplication—local naturalisation first, and afterwards Imperial naturalisation. I should have thought there would be no difficulty in drafting the proposed Bill for Imperial naturalisation, leaving each country to adopt it or not as it pleased, leaving each country to ask for increased stringency if it pleased, and leaving each country to continue its present system if it pleased.