

8th Day.]

NATURALISATION.

[13 June, 1911.]

Mr. CHURCHILL—*cont.*

maintain five years as the qualifying period. This is a safeguard to the Dominions as well as to us, but five years anywhere in the Empire should be as good as five years in the United Kingdom. (3) The grant of nationality is in every case discretionary, and this discretion should be exercised by those responsible in the area in which the applicant has spent the last twelve months. (4) The Imperial Act would not apply to the self-governing Dominions until adopted by them. (5) Nothing now proposed would affect the validity and effectiveness of local laws regulating immigration and the like or differentiating between classes of British subjects."

Mr. BATCHELOR : Is there not one other thing you want there—I do not know that it is quite clearly enough expressed—that no Imperial naturalisation would override the local requirements ?

Sir JOSEPH WARD : It cannot until it is adopted by the local Legislature.

Mr. BATCHELOR : I do not think you have that expressed at all—that no Imperial naturalisation granted anywhere can give naturalisation in cases where locally something else is required.

Sir JOHN SIMON : Take the case of a natural-born British subject who may, of course, be a person of colour, it may be that he cannot speak any European language—there are thousands and tens of thousands such—I suggest to you that he is a natural-born British subject whatever happens, but, of course, that does not in the least affect the legislative power of each and every Dominion either to exclude him or, if he comes inside the area of a Dominion, to deny him privileges which white people or persons speaking a European language enjoy. Surely his position internationally as a British subject of the King is beyond question.

Mr. BATCHELOR : I am not discussing that at all—that is not the point. The question is this : Supposing any one of the Dominions chooses to impose some kind of barrier on naturalisation, this Imperial Act should not prevent them doing something.

Mr. CHURCHILL : Nothing would conflict with the local law.

Mr. BATCHELOR : That is not expressed in your five propositions.

Mr. CHURCHILL : You have a pretty good safeguard in practice. First of all, you have the fact that either the Mother Country or else one of the Dominions has thought the man a fitting and suitable subject. Then you have the five years which are in force in this country, which is a still greater security, and the special conditions which apply in this country, one of which is ability to read and write the English language.

Mr. BATCHELOR : Yours covers all our requirements, there is no doubt about it.

Mr. CHURCHILL : I do not think you need run any risk at all in practice. The only thing you need to say in the future, supposing you wish to say it should be 10 years is : " We will not have anybody who has not been 10 years in the Colony."

Sir JOSEPH WARD : I am satisfied with the proposal, and I think it meets what Mr. Batchelor wants.

Mr. CHURCHILL : In any case nothing affects the autonomous power of the local Parliament. You could pass a law in which you could say " The provisions of this Act must be in abeyance as respects Australia."