

*Family Allowances Act, 1973*

● (1230)

[English]

**Mr. Vic Althouse (Humboldt-Lake Centre):** Mr. Speaker, the five amendments to Bill C-70 with which we are dealing are generally linked together because they deal with the administrative and legal problems that arise when we try to make changes, as the Minister has attempted to do, in the manner in which we deal with the question of missing children. In order to establish whether a child is presumed missing or dead, the Minister has proposed an amendment which would apparently give him the power to presume that the child is dead and, therefore, enable him to stop the family allowance payment.

There has been much discussion in the House about compassion and honesty, but in the few minutes I have to speak on this set of motions I simply want to point out that laws like this do not come up for review very often. The House has much business before it and, therefore, the chances of this particular Bill being reconsidered in the near future are very remote. Therefore, rather than considering the effects of this new legislation one year hence, as seems to be suggested by the Hon. Member who just spoke, we should do so five or six years hence.

I remind the House that the economic effects in 1990, which is only five years hence, have been spelled out quite clearly. They are not particularly good for poor people. The fact is that the losses from the proposed deindexation will be more than the proposed offsetting child tax credit increase which will only be in effect for a year or two. In short, poor families will be worse off in four or five years than they are under the current system.

Furthermore, this Bill also proposes changes to the child benefits on our income tax forms which will have the effect of cutting back child benefits by \$600 million each year by 1990. That is a tremendous difference in the amount of aid going to child benefits. I want to put those facts on the record to illustrate the economic effect that these proposals will have on families, particularly poor families.

The common denominator of the amendments before us is an attempt to deal with the question of missing children. That is why Your Honour has deemed that they should be discussed as a unit.

I believe there are two thrusts to these amendments. The first is administrative and based on legal interpretations in an attempt to deal with the legal aspects of this question. The House is aware that the traditional legal presumption of death has been when a person—child or adult—has been missing for seven years. One could also assume that the family allowance payment would stop for a missing teenager once he or she reached the age when those payments would stop even though the seven years had not expired.

I believe that the Minister's proposals present constitutional problems. As we know, according to the Constitution, the responsibility of the provinces to look after vital statistics in this country is provincial. The provinces keep track of when we

are born and when we die and, therefore, the provinces decide when a death certificate should be issued.

The proposal in Bill C-70 would attempt to change that and effectively give the Minister of National Health and Welfare (Mr. Epp) the right to declare a child dead and issue a death certificate because the child had been missing for a period of time deemed adequate by the Minister. According to available information during the committee stage of this Bill, it appears that that period of time would be from three to six months. There is conflicting testimony between some officials of the Department who say that this presumption of death does not occur until after six months and the child find groups, who represent parents of missing children throughout the country, who indicate that it is a three month period.

A number of concerns have been raised since the committee stage which I believe indicate that the Government should withdraw this particular amendment. There are various individuals and groups involved in this issue who were not consulted. They wish to be consulted, and we believe it would make sense for more consultation to take place with the provinces whose constitutional powers are being usurped by this proposal. Since we believe that proper consultation has not taken place on this issue, the proposal should be dropped and the *ad hoc* arrangements that have been in existence should continue without becoming a law that is of questionable constitutionality.

This is not simply a point of view held by Opposition Members because the motions we are dealing with today include amendments by government Members who have also attempted to approach the administrative and constitutional problems that have arisen. It is my understanding that these amendments will be voted *en bloc*. The discussion will take place now—

**Mr. Epp (Provencher):** No.

**Mr. Althouse:** The ruling was not that the vote be taken *en bloc* but that we vote on each motion separately if we so desire.

It is then that we will see whether the Minister decides to instruct his Members to vote for the back-bench motions before us, Motions Nos. 8 and 9.

**Mr. Epp (Provencher):** I have already put it on the record that we will vote for it.

**Mr. Althouse:** The Minister says that he is definitely going to vote for it. We will find out later in the day. The relevant points have already been made in this debate.

● (1240)

Let me simply reiterate before I take my seat that in the debate, while it was very emotional and involved because it is a political issue, we have had a lot of discussion about compassion and honesty. We might have believed that this was a compassionate move if a compensating proposal had been made by the Government to increase funds and resources used to search for missing children. As it is, the Government is left