reason why I believe that one should have a different definition of "child of the marriage".

• (1720)

Clause 6 is to be amended by striking out line 46 at page 4. It should then read "When an application for an order under Section 16"—that is the custody section—"is made in a divorce proceeding to a court in a province and is opposed and the child of the marriage hereinafter to be interpreted for the purpose of this Act to mean a child of two spouses or former spouses who at the material time is under 18 years of age and who has not yet withdrawn from the charge of his or her parents or is 18 years of age or over and under their charge but unable by reason of illness, disability or other causes to withdraw from their charge or to obtain the necessaries of life".

The key here is that in today's society one can ill-conceive of a child just at the age of 16 having to go back to the court to be considered as a third party, or requiring unclear reasons to allow him or her to go back to school or to stay in school.

The whole spirit of my motion involves the need for consideration of youths age 16 and 17 who are at an extremely vulnerable age and at a very serious stage in their life. I think the assurance of support and maintenance is key to the stability, both mental and physical, of these young people. We should not terminate support at age 16. Very often children are still in school at that age. If not, they encounter very great difficulties in trying to find a job.

It should be noted that in the 1981 census Canada had over half a million single parent families headed by women, and almost 43 per cent of those single parent families had incomes below the poverty line. Their median income was $13,928 compared to the median income of $27,838 for all Canadian families. Interestingly enough, the median income for single parent families headed by men was $24,813.

With that many single parents with children under the age of 18 who need to have education and to be brought up well nourished so they can become active members in our society I think we need to consider including 16 and 17 year olds in our Bill.

It costs $1 billion to our treasury every year for welfare because we do not do a proper support job for single parents, particularly for women. There is a cost out of the Canada Insurance Plan for which the Government pays 50 per cent. When you are talking of a billion dollars, I think there should be room to extend the Bill, if that is what is necessary. It is up to parliamentarians to have the right to make those decisions.

In this respect, we have all kinds of federal legislation today which indicates 18 as the proper age for consideration. The argument that it is at the provincial level does not hold any water, because both at the provincial and the federal level the Elections Act, the Young Offenders Act and the Criminal Code, all use the age of 18. I see no reason not to apply that yeardstick in this instance which goes to the very core of our society and which impacts on children in homes. Whether the single parent is male or female, the important issue is that the child up to the age of 18 be supported.

Those remarks were with respect to Motion No. 1. and Motion No. 3B.

With respect to Motion 3A, that is a fall-back position. In the event this amendment is ruled out of order or the House does not accept it, at least make it clear to the courts that if you are only to protect children up to the age or 16 and if over the age of 16 there has to be illness, disability or some other reason, which is certainly not clearly defined, one should at least adds the words in the amendment that I proposed in Motion No. 3A, namely, in Clause 2 striking out line 17 at page 1, substituting that the child of the marriage would include one who is 16 years of age and over and is under their charge but unable by reason of education, illness, disability or other causes to withdraw from their charge and to obtain the necessaries of life.

I think this is a very small cost to protect the youth, the future of our country, and to allow them to dream dreams instead of having the nightmare of going to the courts. I strongly suggest that one of these amendments be accepted.

Mr. Nunziata: Mr. Speaker, I rise on a point of order. I refrained from interrupting my hon. colleague from Mount Royal—

Mr. Speaker: Is this an argument on Motion No. 1?

Mr. Nunziata: No, Mr. Speaker. I have some confusion in my mind. You have indicated that Motion No. 1 is in order. Is that correct?

Mr. Speaker: Yes.

Mr. Nunziata: If I may, Mr. Speaker, I would ask that you reconsider.

Mr. Speaker: Order, please. Is the the Hon. Member now making a comment on the ruling?

Mr. Nunziata: No.

Mr. Speaker: What is the Hon. Member trying to do, immediately, please, on his point of order?

Mr. Nunziata: Motion No. 1. strikes lines 11 to 19.

Mr. Speaker: With great respect what is the point of order, please?

Mr. Nunziata: The effect of Motion No. 1 is to strike something—

Mr. Speaker: What is the point of order?

Mr. Nunziata: —and to replace it with nothing.

Mr. Speyer: That is what I was saying.

Mr. Nunziata: The Parliamentary Secretary to the Minister of Justice (Mr. Speyer) agrees with me. I would suggest, on a