

kind of procedure. Hon. members are aware of the fact that in this way we are bypassing the 48 hours' notice, the second reading stage of amending an act which has already been passed by parliament, and we are also bypassing the committee stage.

With all this being said, I am at this time asking if there is unanimous consent of hon. members who have heard the suggestion of the minister, and if so I am ready to put the motion at this report stage.

**Some hon. Members:** Agreed.

**Mr. Deputy Speaker:** Following the suggestion of the minister, the Chair will put the amendment proposed by the Minister of National Health and Welfare (Mr. Lalonde).

[Translation]

**Mr. Lalonde moved:**

That Bill C-16, An Act to amend certain statutes to provide equality of status thereunder for male and female persons, be amended by adding thereto, immediately after Clause 22 thereof, the following:

23. (1) All that portion of subsection 59.2(1) of the *Canada Labour Code* following paragraph (c) thereof is repealed and the following substituted therefor:

"is entitled to and shall be granted maternity leave consisting of a period

(d) not exceeding

(i) seventeen weeks, if confinement occurs on or before the date specified in the certificate referred to in paragraph (c), or

(ii) the aggregate of seventeen weeks and an additional period equal to the period between the date specified in the certificate referred to in paragraph (c) and the actual date of confinement, if confinement occurs after the date specified in the certificate,

(e) beginning no earlier than eleven weeks preceding the date specified in the certificate referred to in paragraph (c), and

(f) ending no later than seventeen weeks following the actual date of confinement."

(2) Subsections 59.2(2) and (3) of the said Act are repealed and the following substituted therefor:

"(2) Every employee who does not submit an application in accordance with paragraph (1)(b) but who is otherwise entitled to maternity leave under subsection (1) is, subject to subsection (3), entitled to and shall be granted leave consisting of

(a) any period or periods that are within the eleven weeks immediately preceding the date specified in the certificate provided to her employer under paragraph (1)(c) and in respect of which she provides her employer with a certificate of a qualifying medical practitioner certifying that throughout such period or periods she was incapable of performing the normal duties of her employment by reason of a medical condition that was not expected by the medical practitioner and that is directly attributable to her pregnancy, and

(b) a further period of a duration such that, when added to the period of leave granted under paragraph (a), it produces a total period that equals the maximum period provided under subparagraph (1)(d)(i) or (ii), as the case may be, but where leave has not been granted under paragraphs (a) and (b), the employee is, subject to subsection (3), entitled to and shall be granted leave consisting of a period that equals the maximum period provided under subparagraph (1)(d)(i) or (ii), as the case may be.

(3) Notwithstanding anything in subsection (2), every period of leave granted to an employee thereunder shall end no later than seventeen weeks following the actual date of her confinement."

(4) Subsections (1) to (3) shall come into force six months after the day this Act is assented to.

24. (1) Paragraph 2(3)(a) of the *War Veterans Allowance Act* is repealed and the following substituted therefor:

"(a) a veteran who establishes to the satisfaction of the District

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Authority that he has been residing with a person of the opposite sex and has been publicly representing that person as his spouse for a period of not less than

(i) three years, where he is prohibited from marrying that person by reason of a previous marriage either of that person or of himself, or

(ii) one year, where neither he nor that person is prohibited from marrying the other,

shall be deemed to be married to that person;"

(2) Paragraph 2(3)(c) of the said Act is repealed and the following substituted therefor:

"(c) a woman, who establishes to the satisfaction of the Board that she was residing with a veteran of the opposite sex and was publicly represented by that veteran as his spouse for a period immediately prior to his death of not less than

(i) three years, where she was prohibited from marrying that veteran by reason of a previous marriage either of that veteran or herself, or

(ii) one year, where neither she nor that veteran was prohibited from marrying the other,

shall, if the Board so directs, be deemed to be the widow of that veteran".

**Mr. Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

[English]

**Mr. Baldwin:** On a point of order, Mr. Speaker, has the minister anything to say, even briefly, to justify this amendment? Could he draw diagrams for us?

[Translation]

**Mr. Lalonde:** Mr. Speaker, this bill was studied in committee and was unanimously approved by all hon. members. The two amendments being submitted, one in relation to the War Veterans Allowance Act and the other in relation to the Canada Labour Code, are purely technical amendments with a view to ensuring that both these pieces of legislation follow the same amendment procedure as was used for amendments made to other legislation through Bill C-16 concerning the definition of common law marriages and maternity leave.

The amendment to the Canada Labour Code found in clause 23 of Bill C-16 stipulates that the period of maternity leave to be granted under the Canada Labour Code must coincide with the period of benefits granted under the Unemployment Insurance Act so that the Unemployment Insurance Act and the Canada Labour Code will contain exactly the same provisions on the maternity leave.

As for the amendment to the War Veterans Allowance Act, it modifies the definition of common law spouse contained in Bill C-4 which was given royal assent in November 1974. The purpose of that amendment is to make the definition of common law spouse identical to that used in other similar federal statutes. The change defines common law spouse as anyone who resides with a person of the opposite sex and is publicly represented by that person as his spouse for a period of three years, when there is an impediment to marriage, or for a period of one year when there is not.

These amendments were mentioned during the study in committee. Hon. members have had the opportunity to look at them in committee, but of course it was impossible to consider them officially and formally at that stage.