

Government Orders

corporation or a forgiveness of any amount by the corporation, to provide the corporation with an undertaking that basically would, in the event of the person failing to comply with any of the requirements associated with the benefit, compel that person to pay back the benefit in whole or in part to the corporation.

For the purpose of this section clearly the definition of person is very important. I understand as regards housing co-ops, for example, the co-op is itself a corporate person and as regards a non-profit housing society, for example, that society is a corporate person. There is no problem there.

What I am wondering is whether or not it may be possible to further back that up either by the co-op or the housing society, in the instance of the co-op backing it up to its individual members or in the instance of the society backing it up to its individual board or even individual residents. Is that contemplated in this proposed section?

Hon. Elmer M. MacKay (Minister of Public Works): I think the best way to answer that initially is to say that the intention, as I understand it, is at the project level. I do not think it is intended to go back to the individual members. It is at the level of the project itself.

Mr. Harvey (Edmonton East): Mr. Chairman, I had assumed that was the case. What troubles me somewhat is I see nothing here that precludes the individual project operator, be it the corporate person of the co-op or of the board or of the society, from backing that further to the membership on the one hand and the residents or board on the other.

I was just wondering if the minister could identify something in the new section or elsewhere in the act that would prevent that further backing of that responsibility in this instance.

Mr. MacKay: I am not sure I can fully answer my colleague without conferring with my officials, but I think it is a question of interpretation.

I think it is fairly clear that it was intended to operate at the project level and it would not be applied in an unreasonable or shall we say a Draconian way. If he wishes to give me a moment or two, I will try to elaborate a little more.

Mr. Harvey: I would be willing to let the matter hang.

Mr. MacKay: I would appreciate it. I do not want to give a misleading answer.

Mr. Joe Fontana (London East): We have heard the horror stories of where in fact this has occurred. We obviously want to stop it.

Can the minister say whether or not this will give the authority to CMHC to rewrite some of these old agreements and perhaps even look at the principle of retroactivity to ensure these loopholes are closed and closed quickly so that in fact nothing like this can occur again as has happened in the past.

Mr. MacKay: On the question of retroactivity I think the answer is definitely no. Again, I am sorry I cannot be more specific on some of the nuances here, but there would be no retroactivity involved.

Clause 48 agreed to.

On Clause 49—

Mr. Joe Fontana (London East): Mr. Chairman, this appears to be a very positive move on the part of CMHC in order to start charging fees for its services.

I am just wondering whether or not these fees are going to be charged to social housing groups or municipalities? Where is the criteria? I know you talk about training and non-profit but some of these fees now that are offered by CMHC to groups are in effect done now gratis, free of charge, as part of the partnership that exists between CMHC, the provinces, the non-profit groups or what have you.

I agree that sometimes the fee for services is a good idea but I would like to know who is going to be charged and when will they be charged because it is just a blank and wide-open clause. I would like some more specificity with respect to those fees for services.

Hon. Elmer M. MacKay (Minister of Public Works): It is really basically an enabling provision. As the explanatory note in the bill as my colleague no doubt knows states, it is enabling to supply housing-related property management and development services to federal government departments and agencies. That is the main purpose of it. We are not going to impinge on what public works does, for example, but to the extent it relates to housing expertise it would enable us to deal with a situation like Summerside where there was a need for our services.