

*Status of Women*

view that the rights of the married woman must be the same as those provided for in any economic and social partnership involving mutual responsibilities. The Immigration Act, the third act being amended by the omnibus bill, does not actually provide for any distinction between men and women.

However, the Royal Commission on the Status of Women called the attention of the government to the fact that the wife's right to enter Canada as an independent immigrant can be limited by the use in the act of the term "head of family" which traditionally describes the husband. Indeed, at present, it is implicitly provided in the act that a wife may ask to be admitted in Canada on an independent basis, since "head of family" means, and I quote:

that spouse who is financially responsible for providing for the needs of the family on a permanent basis.

In order to implement the recommendation of the commission and, more recently, that of the Advisory Council on the Status of Women, the government took advantage of the drafting of the omnibus bill to amend the terms of that act and thus clarify its meaning while avoiding any reference to the sex of claimants.

The Royal Commission on the Status of Women had also noted, but, without making any recommendation in that regard, that family dependents can be included in the deportation order issued against a head of family. Bill C-16 prohibits this practice from now on when the dependents are Canadian citizens, have been lawfully admitted to Canada and have attained the full age of 18 years, or have acquired Canadian domicile.

The fourth act amended by this bill—The Public Service Employment Act—now provides that the Public Service Commission, in prescribing selection standards, cannot discriminate against any person by reason of sex, race, national origin, color or religion. Since that provision dates back to 1967, that is before the Royal Commission on the Status of Women in Canada was set up, the commission did not make any recommendation in that regard. However, other people found that, even when discrimination by reason of sex is prohibited, discrimination by reason of age and family situation can take place against men, but especially women. That is why the omnibus bill adds those elements to the list of forbidden grounds for discrimination in setting out the implementation of those selection standards.

● (1540)

Age is also removed from the list of selection standards which can be prescribed to determine the basis of assessment of merit in relation to any position or class of positions. Furthermore, through amendments to the Pension Act, the Civilian War Pensions and Allowances Act, which deal with the disability pensions paid to members of the Canadian armed forces, Bill C-16 provides for an equal status for men and women.

Although neither the royal commission nor the advisory council have really concerned themselves with those amendments, the government has included them in the legislation so as to put men and women on an equal footing under those acts. From now on, the husband and children of women who receive disability pensions will be

entitled to the same benefits as those paid to the dependents of a male member of the Canadian forces. At the same time, pensions will be paid both to widowers and widows in order to ensure full equality.

Another amendment flowing from the above contains the rules for the payment of pensions to spouses who are both members of the Armed Forces. Further, the children of both sexes will receive pensions until they are 17 years old, while at the present time, these pensions are not paid beyond age 16. On the other hand, children attending school will be entitled to a pension until age 25, and not until age 21, as it is the case now.

The National Defence Act, although the Commission did not dwell on it, is another act being hereby amended. As a matter of fact, every summer, there is a section of the Act which prevents young girls from joining cadet organizations, and they have complained to the government. Therefore, the legislative text, using the word "boys" instead of the word "persons" would allow girls to become members of the cadets corps. There is no longer any reason to exclude them from this organization.

The last Act being amended by Bill C-16 is the Unemployment Insurance Act, 1971. Indeed, according to the Royal Commission of Inquiry on the Status of Women, if Canada wants to respect the agreement made to avoid discrimination against women who bear children, those of them who have chosen to work must not risk losing their jobs, income, security or promotion opportunities when they give birth to a child. In 1971, pursuant to the Commission's recommendation, the government had amended the Unemployment Insurance Act to provide benefits to be paid during 15 weeks at the time of maternity leave. Three years after the implementation of the legislation, however, it appeared necessary to grant greater freedom in the distribution of the 15 weeks of maternity leave. The Advisory Council on the Status of Women, as well as other groups, advocated that measure.

In fact, because it is difficult to know in advance the exact week of the termination of pregnancy, women are denied part of the benefits to which they are entitled under the plan; administrative problems also arise. Therefore, the purpose of the amendment is to relax the provisions on the opening of the 15-week period during which maternity benefits are paid, depending on the week in which her confinement occurs and within the initial benefit period for the recipient, which will permit women who prefer it this way, either for health or any other reason, to reserve most of their maternity leave for after the child is born. These amendments will apply effective six months after Bill C-16 receives royal assent. I should like to remind hon. members that this legislation will provide women who chose to contribute to the welfare of their families and society, while assuming their function as mothers, with benefits similar to those previously granted to veterans and which permitted them to take up a career following their return from military service.

[*English*]

These amendments will serve to bring equality one step closer. Yet, as I mentioned earlier, we must be concerned that such legislation does not become merely a palliative to the problems surrounding women's status—legislation must be considered in the broader context of providing