

Family Allowances Act, 1973
GOVERNMENT ORDERS

[*Translation*]

FAMILY ALLOWANCES ACT, 1973

MEASURE TO AMEND

The House resumed consideration of report stage of Bill C-70, an Act to amend the Family Allowances Act, 1973, as reported (without amendment) from a legislative committee; and Motions Nos. 4 and 6 (Ms. Mitchell), Motions Nos. 5 and 7 (Mr. Malépart) (p. 9391), and Motion No. 9 (Mr. Redway) (p. 9392).

Ms. Lynn McDonald (Broadview-Greenwood): Mr. Speaker, I should like first of all to congratulate women's groups, those especially from the province of Quebec, who have participated in this action against the de-indexation of family allowances. I notice that some representatives of these groups are sitting today in the galleries of the House.

[*English*]

The matter before us today is the more narrow subject matter of the clauses which the Government is trying to bring in with regard to the presumption of death of missing children. Fortunately, this measure affects a very small number of people. It is not like the issue of family allowances which affects every family in the country. However, I do not think that this is any reason for us to be happier about these provisions. These are families which are suffering the loss of missing children who may yet be found while the search goes on. This is an area in which we would hope to see a great deal of sympathy and understanding given to those families by the Government, instead of seeing this rather heavy-handed approach which would give the Minister the power to cut off benefits with some rather arbitrary measures and ones which are constitutionally quite dicey.

● (1520)

The Government would have us believe that Clause 5 is for the benefit of the parents of missing children, that is that it will eliminate the need for the Government to collect possible overpayments in instances where the family allowance is paid out beyond the actual date of a child's death. Of course, if this were all there was to it, we would have fewer objections, although one would still want to raise jurisdictional questions.

The excuse for his heavy handed legislation does not stand up to any real examination because it is simply not needed. There is already a power to remit overpayment and, obviously, in cases of compassion, we would expect it to be exercised, and so there is no need for legislation to provide for additional powers in that kind of instance. In fact, as the Department of National Health and Welfare itself points out, the numbers are really very small indeed. We are not talking about budgetary savings of great consequence. There is not a great deal of money at stake and I think the feelings of the families concerned must count a great deal more.

The groups which have not been consulted, particularly the child find groups, which are doing excellent work in supporting parents and assisting them in the search for missing children, are beginning to make their views known even though they have not had the chance to meet with the committee. As we know, groups were cut off. We had all kinds of proposals for groups to come before committee, but they were not permitted to do so because the Conservatives insisted on pushing through the legislation quickly. However, these groups are now telling us that it is simply not necessary to give the Minister such God-like powers of discretion for the discernment of time of death and that the whole clause is so poorly worded that no one has any clear idea at all of when the Minister would invoke these powers. I think we should take the advice of groups which are, after all, the ones who are working on this subject. They are the ones in touch with the families, the ones who have experience with the current situation and who know what the difficulties are with the administration of family allowance in these kinds of cases.

To conclude I would simply like to point out, Mr. Speaker, the arrogance and shortsightedness of the Government in its failure to consult I say it should withdraw the clause in question. If it is reluctant to withdraw the clause, then it should look very seriously at an alternative proposal, such as the proposal put forward by my colleague, the Hon. Member for Vancouver East (Ms. Mitchell), which is a much more sensible way of dealing with the question and which would as well retain the respect for provincial jurisdiction in this area.

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, as we enter into the last two days of debate on Bill C-70, the Bill to deindex the family allowance and the amendments thereto, I believe it is incumbent upon us as Members of Parliament to review the process whereby we arrive at this stage of the Bill today.

You will recall, Mr. Speaker, as will the Minister of National Health and Welfare (Mr. Epp), that, in essence, the commencement of this debate began in November of 1984, some two months after the Conservative Government assumed office. The Government promised in the Economic Statement of the Minister of Finance (Mr. Wilson) that Canadians from all walks of life would have the opportunity to enter into a debate and a review of family benefits, and the Government talked as well about the need for a review of elderly benefits.

From mid-November, 1984 to the end of January, 1985, there was considerable debate on the floor of the House of Commons about the actual intentions of the Government with respect to the two papers which would have been tabled with the Economic Statement of November, 1984. I recall very well some of the promises made at that time not only by the Minister of National Health and Welfare but by the Prime Minister (Mr. Mulroney) and the Minister of Finance. They gave us the reasons and the rationale for the kind of debate they wanted to have concerning both those papers. I can recall very well the Minister of National Health and Welfare indicating that the purpose of the review was simply to ensure that the benefits would flow to those targeted groups in our