

**Mr. Speaker:** Excuse me. I am getting confused with respect to the effect of the votes. The Hon. Member will know that his practical solution is not to put Motion No. 8. There is nothing to withdraw since it will be up to him to decide whether or not to put it at the time. Therefore, if he chooses not to put it, it will not be put.

**Mr. Deans:** I rise on a point of order, Mr. Speaker. It is a much simpler point of order.

Given the complexity of Your Honour's ruling, short though it was, would it be possible to provide me with a copy?

**Mr. Gauthier:** And us as well.

**Mr. Deans:** In this way I could take a brief look at it and try to understand exactly what the implications might be as a result of what, no doubt, is a very learned ruling.

**Mr. Speaker:** I would be perfectly happy to do that. Do I take it that the Hon. Member wishes to reserve his right to make representations with regard to Motions Nos. 1, 2 and 3?

**Mr. Deans:** Yes.

**Mr. Speaker:** Then may I suggest to the House that we begin with Motion No.—

**Mr. Gauthier:** Motion No. 2.

**Mr. Speaker:** In my view, Motions Nos. 1 and 3 are out of order. Motion No. 2, in my view, is questionable. On that basis, I am prepared to give the Hon. Member the benefit of the doubt. Is there any objection to that?

Therefore, I suggest that we start with Motion No. 2 and provide those affected—

**Ms. Mitchell:** I rise on a point of order, Mr. Speaker. I wonder if you could explain your views a little further in regard to Motion No. 1, which is my motion, and also Motion No. 3, both of which were accepted in committee. The reason I am wondering—

**Mr. Speaker:** Order, please. May I suggest to the Hon. Member that I believe her House Leader was suggesting that he and others might want to see the words of my ruling rather than having me repeat what I have just said. May I suggest that it would be most efficient to begin, therefore, with Motion No. 2 and distribute the ruling.

**Mr. Gauthier:** Mr. Speaker, I rise on a point of order. I think you are a genius. This is, indeed, an unclear amendment. I think it should be explained by the Hon. Member in order to make it clear. I would like to hear arguments with respect to why Motion No. 2 should be accepted. I do not understand it myself.

**Mr. Speaker:** I take it we have a suggestion that Motions Nos. 1, 2 and 3 be stood down, that we begin the debate with Motion No. 4, and that my ruling be distributed. I take it

*Family Allowances Act, 1973*

there is no objection to grouping Motions Nos. 4, 5, 6, 7, 8 and 9 for debate.

Therefore, my intention is to distribute my comments and begin with Motion No. 4.

**Ms. Margaret Mitchell (Vancouver East)** moved:

Motion No. 4

That Bill C-70, be amended in Clause 4

(a) by striking out lines 39 and 40 at page 2 and substituting the following therefor:

"person or institution is entitled and where that person or institution has not been convicted of an offence under section 20 in connection with the obtaining of the allowance, the Minister shall remit all of the allowance or amount in excess of the allowance in any case where these result from a calculation based on a new certificate issued pursuant to subsection 15.1(2); in any other case, the Minister may remit all or any portion of the amount or excess of the allowance where the Minister is satisfied that"

(b) by striking out lines 10 to 16 at page 3 and substituting the following therefor:

"Act." "

**Mr. Jean-Robert Gauthier (Ottawa-Vanier) (for Mr. Malépart)** moved:

Motion No. 5

That Bill C-70, be amended in Clause 5 by striking out lines 14 to 47 at page 3 and lines 1 to 8 at page 4.

**Ms. Margaret Mitchell (Vancouver East)** moved:

Motion No. 6

That Bill C-70, be amended in Clause 5 by striking out lines 20 to 47 at page 3 and lines 1 to 8 at page 4 and substituting the following therefor:

"15.1(1) Where a child has, either before or after the coming into force of this section, disappeared under circumstances that raise a presumption that the child is dead, the Minister may apply to a court of competent jurisdiction in the province or territory where the child usually resides for an order declaring, according to the law of the province or territory, that the child shall be presumed to be dead; thereupon the child shall be deemed for all purposes of this Act to have died on the date stated in the court order.

(2) If, after obtaining a court order under subsection (1), the Minister receives new information or evidence that the date of death is different from that stated in the court order, the Minister may, with leave of the court, apply to the court for an order to vary, amend or revoke the order previously made, in which case the child named in the court order shall be deemed for all purposes of this Act to have died on the date so stated in the new court order.

(3) If, after obtaining a court order under this section, the Minister is satisfied from new information or evidence that the child named in the court order is alive, the Minister shall forthwith cause to be paid any allowance that would have been payable in respect of the child if the order had not been made.

(4) Subject to subsection (3), the Minister is bound by the law of the province where the child normally resides in respect of the issuance and revocation of death certificates and the making, variance and revocation of orders of presumption of death."

**Mr. Jean-Robert Gauthier (Ottawa-Vanier) (for Mr. Malépart)** moved:

Motion No. 7

That Bill C-70, be amended in Clause 5 by striking out lines 26 to 47 at page 3 and lines 1 to 8 at page 4 and substituting the following therefor:

"Minister may, five years after the disappearance of the child, issue a certificate declaring that the child is presumed to be dead and thereupon the child shall be deemed for all purposes of this Act to have died on the date the certificate is issued.

(2) If, after issuing a certificate under this section, the Minister is satisfied from new information or evidence that the child named in the certificate is