

*Family Income Security Plan*

ment to provide that where the benefit is paid in respect of a child or person who is wholly or substantially maintained by federal or provincial government money or by an institution, then the benefit must be spent for the care, maintenance, etc. of the child or person. This merely emphasizes that a benefit which is paid to parents is not in trust for the child.

The principle of Bill C-170 is not the principle of the Family Allowances Act; it is not the principle of its predecessor, Bill C-264 which was introduced in the last session on September 13, 1971. Between that date and March 15, 1972, when Bill C-170 was introduced, an entirely different principle, a totally different philosophy, a distinct legal concept, was silently substituted.

The Family Allowances Act, the Youth Allowances Act all have one principle in common. That principle is that the benefits are established, paid, administered and accounted for as a right that is vested in our children. The people of Canada, acting through their government, are the donors. The parents are the trustees and the children have been and are the beneficiaries. The government proposes to take away that right in Bill C-170.

Nowhere in his explanation of the bill on second reading did the Minister of National Health and Welfare (Mr. Munro) confess to the purpose of Bill C-170. Indeed, he implied that the rights of Canadian children, as established by Parliament, will be maintained and even enhanced. As reported in *Hansard* at the top of page 1133, he said:

FISP benefits will provide a basic income for each child upon which can be built additional supports as deemed appropriate by provincial or municipal authorities. We know that unemployment insurance does not make any special provision for children. Neither do old age security, the guaranteed income supplement, the Canada Pension Plan retirement pension or war veterans allowances . . .

He might have added that neither does FISP.

Section 5 of the Family Allowances Act provides:

The allowance shall be applied by the person receiving it exclusively toward the maintenance, care, training, education and advancement of the child . . .

Section 5(1) of the Youth Allowances Act provides:

An allowance payable to a parent in respect of a dependent youth shall be applied exclusively for the care, maintenance, education or advancement of such youth.

Clause 5(2) of Bill C-264 introduced last session provided:

A benefit shall be applied

(a) in the case of a child referred to in paragraph 3(1)(a), exclusively toward the maintenance, care, training, education, or advancement of the child in respect of whom it was paid, and

(b) in the case of a person referred to in paragraph 3(1)(b), exclusively toward the maintenance, care, training, education or advancement of the person in respect of whom it was paid . . .

Those trust provisions for the benefit of the children of Canada do not appear in Bill C-170. Instead, that bill takes away the vested right of the children, a right which the minister said was the only such right they possessed. And what does Bill C-170 propose to substitute? Outright grants to adults. The children become part of a formula upon which the right of the adult is based and calculated.

[Mr. Marshall.]

• (1150)

Clause 5 provides that the recipient of the allowance shall be the parent or other authorized person. The definition of "family" and "parent" refers to the child as being in the custody and control of such person. Clause 3(1) on page 3 and clause 4(3)(a) and (b) on page 4 provide that a child be wholly or substantially maintained by such person. That is the sum total. There is no reference to the child being cared for, trained, educated or advanced.

**Mr. Lincoln M. Alexander (Hamilton West):** Mr. Speaker, I think this motion has considerable merit. The title of this bill is: "An act to provide for the payment of benefits in respect of children". The governing words are "in respect of children". I humbly submit that at issue here are payments made for the benefit, maintenance, education and support of children.

What the hon. member is attempting to put before the House, I think quite forcefully, is that we are removing the trust aspect relating to these payments. It now appears that the money is going not for the benefit of the children, or in respect of children, but rather in respect of parents or those who have the control of or guardianship of children.

I am sure the government is aware of the principle that the hon. member is trying to put forward. Let me refer to clause 5(1.1), an amended provision which sets forth the thinking that should be behind the bill. It provides:

Benefits paid in respect of persons referred to in paragraph 3(1)(b)—

Paragraph 3(1)(b) refers to persons who are looked after or provided for by a department or agency of the government of Canada, or a province or institution. The money paid under FISP is to be used for, and shall be exclusively applied toward, the maintenance, care, training, education or advancement of the person in respect of whom the money is paid.

It is there that you have an anomaly. Where children are under the care of an institution or federal or provincial agency, the government has been extremely explicit in stating that the money is to be used for specific purposes. However, in the relationship that exists between parents and/or guardians and/or relatives and children the trust aspect is forgotten about and the parents are told that they can take the money and do what they want with it. And this is exactly what is happening.

It would not take too much research to look into this kind of relationship. I am not going to make a general statement in this regard, but too many parents do not use the money for the benefit of their children. Rather, it is used for the benefit of themselves. I do not want to illustrate cases where people wait for the cheques to arrive by mail and then take a taxicab to the local beer parlour or liquor store, or buy clothing for themselves. I do not know how that would benefit the children.

I suggest it does not take too much argument to make anybody realize that the hon. member has brought to the forefront a point that should be thoroughly considered by the government. If this money is to be used for the benefit of children, the act should specifically so provide. In fact, I am wondering whether this money will be so used.