

Merchant Seaman Compensation Act

act, find other sections of it which appeared to me to require further study. I noticed, for instance, that section 12 of the present act states:

The right to compensation provided by this act is in lieu of all rights and rights of action, statutory or otherwise, to which a seaman or his dependants are or may be entitled against the employer of such seaman for or by reason of any accident happening to him while in the employment of such employer, and no action in respect thereof lies.

I should like to have the merchant seamen's compensation board study this particular section. I am not a solicitor, but I find it just a little beyond my recognition as a matter which perhaps denies people rights which they should possess. Similarly, I think sections 14 and 18 require clarification. What I am saying is this: I think the intent of the hon. gentleman's amendment is one with which we can all agree, but when he says that this matter is one concerning the deprivation of children, let me tell him that I have taken the precaution of consulting the board about this and the board assures me that no case has come up for consideration in which the settlement of the children has not been satisfactorily arranged or, if it has, they are not aware of it. I do not make this point as an argument against the hon. member but I do think it removes the urgency. The board says there has been no case in which satisfactory arrangements have not been made. Where there was no foster mother available to live with the children the usual arrangements have been that the child or children have gone out to live with relatives, in which case the orphan's allowance of \$35 a month was paid to the relative by the company which had employed the seaman. Not the widow's allowance, however; she did not receive the allowance unless she came into the seaman's household and preserved it, and preserved the family as a compact unit.

Further, I suggest that the attention of the merchant seamen's compensation board should be drawn to this debate—and no doubt this will be done—in the hope that the board will consider the points of view which have been expressed, and that it will perhaps consider making a further study of other parts of the act. Then, if it sees fit, it can make appropriate recommendations to the minister concerned, the Minister of Labour (Mr. Starr).

Mr. Terry Nugent (Edmonton-Strathcona): In rising to take part in this debate today I think I might be wise first of all to dispel the surprise, or what might be the puzzlement on the part of some hon. members, as to why a member from Edmonton, Alberta, where

[Mr. Morris.]

we do not have any seamen at the present time engaged in the fishing industry, should be taking part in this debate.

If the house would bear with me and consider it relevant, I might perhaps explain that all my life seamen have been a topic of conversation in my house, because my mother came from Fox Harbour, Placentia bay, Newfoundland, and my father came from Kelligrews, just outside St. John's. From my earliest days, therefore, I became well acquainted with the tales of hardship and struggle on the sea and what happens to the families when disaster strikes. In fact, my interest goes a little further than that, inasmuch as I still have throughout Newfoundland and in many other parts of that coastal area first cousins, second cousins and so on engaged in the fishing industry. Further, I have had the pleasure of visiting Newfoundland, all too briefly I must confess, but I was most impressed with the hardihood of the fisher folk there. I must confess, too, I was a little depressed at not finding that evidence of wealth which I would like to have seen enjoyed by the very fine people I met and talked to there. It is, therefore, a very personal interest I take in this because of family and personal associations with these people engaged in the industry, as well as the normal interest of a member of parliament, when we are discussing legislation which is predominantly concerned with dependant children of those who are not fortunate enough to be able to look after their offspring.

In listening to the hon. member for Burin-Burgeo who introduced this bill I must say I felt he had an excellent point in attempting to cover any possible emergency which might arise or which might in some manner or other preclude some children from receiving the full benefits of the legislation, all the money that is available for this assistance. I know that in any case where the breadwinner is gone—and it is especially true in cases such as this where both parents are gone—it is difficult to imagine that the compensation, even if those concerned can take full advantage of the measure, is sufficient to adequately compensate those who remain. Despite what has been said I am not convinced that if this bill were passed it would really have the effect of improving the lot of the child in these circumstances. Although some additional benefit might be made possible under the legislation this amendment might psychologically open the door to harmful effects which I know is not the intention of the sponsor of the bill.

I do not pretend to be a psychologist but we hear more and more every day about the results of psychological studies. The factors and influences which are essential in