

Merchant Seaman Compensation Act

the existing household or by moving that child into another household? To my mind the interests of the child or children should be the guiding factor.

Mr. Morris: Mr. Speaker, I can only say that the hon. gentleman is asking me if I have stopped beating my wife. I am trying to portray here an interest in the child, but it can be portrayed in a different way. I pointed out earlier—the hon. gentleman was sitting there; I do not know whether he was ossified—that the child who was being taken out of the household might be done harm—

Mr. Martin (Essex East): Let us not lose our tempers, now.

Mr. Morris: I am not. Mr. Chairman, the hon. member for Essex East (Mr. Martin) says, "Let us not lose our tempers". I have no intention of losing my temper. I simply said that the interests of the child can be preserved in other ways. I might also add that it is pleasant to see the hon. member for Essex East back in the house. Section 30(2) of the act—

Mr. Martin (Essex East): I have not been here for a long time.

Mr. Morris: —says that in order for the foster mother to qualify she must keep up the existing household and she must maintain and take care of the children entitled to compensation. In this situation the foster mother now would appear to receive \$75 a month plus \$25 for each child entitled to compensation. If this situation does not exist and the child leaves the existing household, then the child would become eligible for the orphan's rate of \$35 a month. The whole purpose of section 30(2) seems to me to be to maintain the existing household. If someone also keeps up the existing household, either moving in from outside or being already there, then that person is in the same position as the mother. This provision would seem also to have in mind that for the benefit of the children whatever was existing in the way of a household should be continued. The hon. member asks: do I place the priority of the interest of this child above the other interests. I say in answer to that that there can be no dispute between us. However, we do not share the same opinion as the best way of ensuring the object we have in mind. I believe that the present legislation is intended to preserve the interest of the child by preserving that which is known to the child, by not running the risk of dividing the family.

Mr. Carter: Does the hon. member think that the foster parents should be penalized in cases where the existing household cannot be preserved?

Mr. Morris: Perhaps if the hon. gentleman would allow me to complete the few remarks I have to make he would understand more clearly what I am trying to say.

The proposed amendment does not take into consideration the continuance of the existing household. That is the whole objection of the hon. gentleman who introduced it. It does require that prior to the time of the death a domestic establishment was maintained for the child or children entitled to compensation. There is nothing which says it should be condemned. I maintain that this amendment defeats the whole purpose of the legislation and, indeed, encourages the dissolution of the previously maintained domestic establishment. It simply ceases to exist as a unit. This is the purpose of the present section.

I am sure there are other hon. gentlemen who wish to participate in this debate. I will, therefore, not compromise their time by dwelling upon the sections to which our attention was drawn by the hon. member in his explanation of the proposed bill, wherein he recommends a close reading of sections of the Pension Act. I wish to summarize my views on this matter by saying that I believe that both the Pension Act and the act we are now considering are at one in their desire to preserve the household. I submit that the concept of the household is as much an underlying factor in the present Pension Act as it is in the Merchant Seamen Compensation Act. If the proposed amendments, devoid of the household factor, were to become law, then section 30(3) would permit the payment of a lump sum of \$200 to a foster mother who keeps up the existing household. It would permit that payment now only to a foster mother outside that household only if she keeps up the existing household. With the greatest care may I draw the attention of the committee to the fact that the hon. member's amendment would also appear to me to make it possible to take a seaman's children, subject to compensation, and place them in an orphanage, when the orphanage would be entitled to compensation.

We in this house have the highest regard for all those people across Canada who, in the absence of a family connection or a relative in a position to act as a foster parent, voluntarily, and under the grace of God, assume the functions of parents by taking care of children who were in public orphanages. However, none of us would strenuously argue that that was more desirable than that they be left with a fellow human of their own family.

I take the view, in summary, that the present act may not be as bad as the hon. gentleman portrays it. I did, in reading the