

I am sure all hon. members hope that, as result of this bill or any future legislation involving credit of this kind, we will not be faced with an offshoot of the tax discounters business which Bill C-46 last year attempted to address. I am sure that is the hope of all hon. members. Obviously, in the first year this credit is applicable people will run into certain difficulties. Once they have had one go at it, it will be a very routine procedure in subsequent years. It is similar to what happened when the Ontario property tax credit was introduced. Now that is a simple ritual which people go through year in and year out. Many people receive the credit even though they are not otherwise taxpayers.

● (2152)

Miss Bégin: Mr. Chairman, perhaps I can comment on this. To make certain that no tax discounting is possible, the cheques are non-assignable. We have looked into that. I am familiar with non-assignability because when I was minister of national revenue the province of British Columbia asked me to look into that matter very closely. For instance, family allowance cheques are non-assignable and therefore cannot be cashed at tax discounting offices. A tax rebate cannot be non-assignable. Under the present system in Canada it is impossible. In the eyes of the income tax system, this payment is considered to be a tax refund. From that point of view, non-assignability is a technique of controlling tax discounting.

The possibility of several instalments rather than an annual lump sum in future years will be looked into. I will monitor these lump sum payments very carefully. I should like mothers to express their viewpoints. The two major factors which could lead us to reconsider this in future years would be the budget difficulty which is being created eventually for families and tax discounting practices. It is up to mothers to tell us whether they prefer a lump sum payment once a year or several instalments. In future years—not this year—we could move toward a system of several instalments.

Mr. Rae: Mr. Chairman, I do not share the optimism of the Minister of National Health and Welfare and her parliamentary secretary, but I appreciate that they are willing to look carefully at the administrative repercussions of this measure.

Referring to the matter of non-assignability, surely where there is a sovereign parliament anything is possible, provided the will is there. I do not accept the argument that it is not possible to make this form of credit a non-assignable security or something which cannot be borrowed against.

I think my second point has been talked to death, but I should like to give an example. The hon. member for Egmont was the first member to raise this on the first night of the debate. He was concerned with the fact that the chairman of the Human Rights Commission wrote a letter to the minister dealing with the possibility of this provision being discriminatory. Then we received the opinion of the Minister of Justice which indicated that the Income Tax Act was not an infringement of the Bill of Rights. That should come as no surprise, since the most recent supreme court decision in this matter was that the Bill of Rights has no cutting edge. If the Bill of

Family Allowances

Rights has no cutting edge against the Unemployment Insurance Act, surely it will have no cutting edge against the Income Tax Act. That does not mean it is not discriminatory; it means that we do not have an entrenched Bill of Rights.

I should like to refer to a common law relationship in which the woman earns \$13,000 and her male friend earns \$20,000. Under this scheme, their children would qualify, whereas the children of a wife and husband in similar circumstances would not qualify. I am not here to score any particular points. The minister has expressed her opinion, which I suggest was somewhat offhand. She suggested that the submission of the chairman of the Human Rights Commission was invalid. I do not think it was invalid. If my example is true—and I see that the minister is nodding—

Miss Bégin: No, I am not nodding.

Mr. Rae: Is the minister going to sleep?

Miss Bégin: Absolutely not.

Mr. Rae: If my example is incorrect, perhaps the minister can correct it. It is my distinct impression that a couple cohabiting in a different form of sin than that referred to by the hon. member for Edmonton West is able to claim a benefit for their children, whereas if a joint income tax return is filed as required by the act by a married couple, their children will not benefit.

This seems to be a common problem. In the spirit of conciliation, perhaps we can receive an agreement from the minister that she is prepared to look at it again, rather than dismiss the point out of hand because it comes from this side.

Miss Bégin: I am so concerned about the status of women that I would not dismiss it lightly. As I indicated the other night, from a legal point of view the opinion of the Minister of Justice is that this bill has no discriminatory features. The hon. member for Broadview referred to the Income Tax Act, which is a bill in itself and another matter altogether. It is not for me, the House or the commissioner of the Human Rights Commission to judge a bill in terms of a common law situation. I repeat that the letter of Mr. Gordon Fairweather is very ambiguous. People are still reading it and wondering what he actually meant.

Mr. Baker (Grenville-Carleton): No, they are not.

Miss Bégin: Well, the hon. member for Kingston and the Islands referred to one sentence in the letter, and other members have referred to other sentences.

Some hon. Members: No, no!

Miss Bégin: In the second paragraph of the letter Mr. Fairweather referred to marital status. Since it is ten o'clock, perhaps I can continue tomorrow.