INTRODUCTION

No single tax reform will benefit all women. Differences in marital status, employment status, number and age of dependents and, most of all, level of income, are all factors that make uniform effects impossible.

In fact, since it must be assumed in the present study that the federal government's revenue needs are not going to decrease, and that government's means of raising money are not going to be drastically changed in the foreseeable future, most recommendations extending benefits to one group of women would probably entail disadvantages to another category of women who would have to compensate for the resulting loss of revenue.

The federal Income Tax Act itself contains no provisions that specifically discriminate against women. Nonetheless, as most women's life situations differ considerably from men's, many provisions almost always apply to women and can be said to have a discriminatory effect upon them.

The self-supporting single woman without dependents gets exactly the same tax treatment as the self-supporting single man. If, as a taxpayer, she is the victim of discrimination, it is not because of tax provisions directed at women, but because the system offers least benefits to the low-income salaried worker she is likely to be. The benefits
of untaxed expense account living are not available to the overwhelming majority of single working women because of the nature of their work and the form and level of their earnings. For such women, the provisions of the income tax system simply reinforce the effects of discrimination in employment.

The tax situation of married women is actually a number of quite different situations. For the married housewife, the tax provisions provide a disincentive to outside employment. For the woman who works with her husband in a small family business or on a farm, the tax system's refusal to recognize her contribution most often ensures that she will be unable to draw any salary. Other married women who work outside the home will find that the present child care provisions benefit those with higher incomes most and low-income mothers least. Moreover, they will often have to choose between accomplishing both their home and office (or factory) duties or spending a good part of their salary for services they previously provided without charge to their families.

The most difficult situation is that of the woman who heads a family. Her chances of being poor are greater than those of any other category of persons in Canada. If she does not work outside the home, she of course doesn't have access to any of the benefits extended to taxpayers who have dependent families. If she does work outside the home, usually for a very low and inadequate pay, she may very well have to pay tax on an income already below the poverty level.
While taking a closer look at each of these situations, an analysis will also be undertaken in this paper of the various solutions proposed to remedy them. The most important of these recommendations, made by both the Royal Commission on Taxation (Carter Commission) in 1967 and the Royal Commission on the Status of Women in Canada (RCSW) in 1970, concerns the establishment of a family or marital unit taxation system. Another recommendation, contained in a study prepared in 1969 by Douglas Hartle for the RCSW, proposed the taxation of the imputed value of housewives' services. Because of their special importance, these proposals will be dealt with separately at the end of this paper.

It seems fair at this point to warn the reader that the purpose of this study is definitely not to seek ways in which women can save more of their own or their husbands' tax dollars, although this effect would no doubt occur in some cases. Instead, the goals pursued here will be a fair distribution of the tax burden, meaning that rich people should pay progressively more taxes than the poor, and the establishment of a tax system that will have the least effect possible on women's life choices.

PART I - SELF-SUPPORTING SINGLE WOMEN

In 1974, there were more than three million women in the Canadian labour force. Of these, over one million were self-supporting women without children. The majority of them were salaried employees working in clerical, sales and service occupations.
The tax system does not overtly discriminate against them or against other similarly employed women. However, because they work for others in positions commanding relatively low salaries, these women are denied access to the many tax benefits available to those who are self-employed or employed in executive positions.

Salaried workers can deduct 3% of their income (to a maximum of $150) as working expenses. The self-employed have no such limit to their deductible business costs. Car expenses, entertainment costs, combined business/pleasure trips and even a part of their home maintenance costs can often be deducted as business expenses for purposes of their tax calculation.

Salaried executives, on the other hand, enjoy some of these same benefits on a tax-free basis because they are extended to them (but not to junior employees) by their employers. These may include free meals, drinks, entertainment, trips, accommodation and so on.

Women who work in clerical, sales and service occupations are not likely to have a great deal of savings or investments. As a consequence, they are partly or wholly unable to benefit from a wide range of income tax deductions and credits: a deposit in a retirement savings plan which could reduce their taxable income by up to $4,000; a deductible contribution of $1,000 per year to a home ownership savings plan; a deduction of as much as $1,000 of interest income from Canadian sources; and a dividend tax credit which could reduce their tax by 25% of the taxable income from dividends received from Canadian corporations.
PART II - MARRIED WOMEN WHO WORK OUTSIDE THE HOME

In 1974, 39.4% of all married women between the ages of 20 and 64 were participating in the labour force. Most of them were treated as single individuals for income tax purposes, and their incomes and forms of employment made them subject to the same limitations already seen in Part I with respect to single women.

The tax system's only special provision for mothers in the labour force relates to child care expenses. Unlike some other deductions, the maximum allowed for child care expenses has not been increased every year to reflect the rise in the cost of living. It is set at $500 per child per year to a family maximum of the lesser of $2,000 or 2/3 of the working mother's total earned income.

Like all deductions, it provides the highest benefits to those with highest incomes. Because people with higher incomes pay tax at a higher rate, a deduction which reduces the amount of their taxable income lowers their tax by a greater amount than the same deduction in the taxable income of someone paying tax at a lower rate. For example, according to 1975 tax tables, an extra $1,000 deduction is worth $274 to a person with a taxable income of $5,000, and $429 to a person with a taxable income of $20,000.
To remedy this unjust situation, the RCSW recommended that compensation for child care costs be granted in the form of tax credits rather than deductions. Tax credits are deducted from the actual amount of tax to be paid, and therefore grant the same tax saving to all taxpayers (except, of course, those whose incomes are too low to pay that amount of tax in the first place).

On the other hand, some married women who work outside the home have asked to be allowed to deduct the full amount of their actual child care costs. In view of the previous discussion on the differential effects of deductions, and considering that only well-off families can afford expensive top-quality day care services, it is clear that any such allowance for real costs would grant an additional unfair advantage to families who need it least.

Two other aspects of the child care deduction are also being increasingly criticized. The first concerns the fact that mothers cannot deduct child care expenses in respect of periods when they are unemployed or adult trainees. These exclusions are difficult to justify since adult trainees are fully involved in work programs, while mothers cannot collect unemployment insurance unless they have child care arrangements leaving them free to look for potential jobs. These two illogical exclusions should be abolished.

The second and more widespread criticism relates to the refusal of many babysitters to give receipts. Some of them are dependent spouses who don't want to reduce their husbands' marital exemptions (see Part III for further explanation), and others simply don't want to file income tax returns.
The Swedish child care tax allowance indicates how this problem can be solved. In Sweden, when both parents of young children work outside the home, the spouse with the lower income (usually the wife) automatically gets a child care credit in the amount of the lesser of $450 or 1/4 of her/his income. The credit is not related to the size of the family and no receipts are required.

The Swedish system with regard to tax recognition of child care expenses is superior to ours in almost every way. The benefit levels are higher than the Canadian maximum: at Canadian women's average tax rate of approximately 15%, the $450 Swedish credit is equivalent to a deduction of about $3,000. Also, the Swedish credit does not discriminate against men and lower-income people, and recognizes that all two-earner families with young children have additional expenses. Canada could do much worse than follow the Swedish example in this respect.

PART III - MARRIED WOMEN WHO WORK WITH THEIR HUSBANDS

The Income Tax Act does not allow an employer to deduct from his/her gross income a salary paid to his/her spouse. This means that when a wife works full-time or part-time in her husband's business, be it a farm, store, restaurant or doctor's office, the law does not recognize her salary as a legitimate business expense. The couple would be better off if the husband hired a stranger and the wife worked for someone else. In most cases, however, the wife will go on working for her husband and collect no salary.
Similarly, if a person works for a partnership in which his/her spouse is a partner, a proportion of that person's salary corresponding to his/her spouse's share in the business will be deemed to be part of the partner-spouse's income from the business, and not part of the employee-spouse's income. This means, for example, that when two men are equal partners in a business, and one of them marries his secretary, it is assumed for tax purposes that one-half of the secretary's salary goes to her husband instead of going to her.

Both provisions mentioned above discriminate against married women, farmers, small family businesses and professionals. Salaries paid to children and common law wives do not come under the same restrictions. Neither do salaries and income from incorporated businesses, even if they are partly or fully controlled by the husband. In this situation, the corporation is the "person" who provides the salary or income, not the husband. Professionals such as lawyers, doctors and accountants are also affected since the law generally does not allow them to set themselves up as corporations.

According to Revenue Department officials, any change to remove the present discrimination would lead to a multitude of abuses from husbands who would falsely declare their wives as employees in order to pay less tax. They also add that their Department could not police all cases where one spouse is alleged to work for the other to determine whether the alleged work had in fact been performed.
Since the splitting of income between spouses can sizeably reduce their total tax bill (the husband's marginal tax rate would be reduced and the wife would pay little tax on her relatively small income), it must be conceded that the temptation to cheat would be real. No more real, however, than the temptation that already exists now to split incomes between parents and children. The same husband who cannot deduct a salary paid to his wife is perfectly within the law when he deducts a salary legitimately paid to his son or daughter.

Why is it that when we come to children, the Revenue Department is not so quick to advertise its policing inadequacies? No doubt because the government has no wish to discourage children (especially sons) from entering their fathers' businesses. It is obvious that the government is willing to go to extra trouble when it comes to sons, but not when it comes to wives (who do not belong in business, as everyone knows!)

Another provision discriminates against women who have entered into partnership agreements with their husbands. The Revenue Department may, at its discretion, deem one spouse's share of the partnership income to be the income of the other spouse. As indicated in an article by I.H. Asper that appeared in the Montreal Star on November 20, 1975, this legal fiction can have serious and even bizarre consequences: the attribution of the wife's partnership income to her husband "can just about wipe out the husband's income because he is taxed on his wife's income as well as his own, at higher marginal rates, but he has no legal right to that income. In fact, if she
were to give him the money with which to pay the tax on her income, she might have to pay provincial gift tax."

The discrimination in this case is even more flagrant. So much so that officials of the Revenue Department say they do not intend to ever use this section in the future. The crucial element here is that the spouses have to be true partners for it to apply. If they are not true partners, the ordinary rules relating to all partnerships will be applied. Since this provision cannot even be justified by a fear of abuses, it is hard to understand why it was ever enacted. It should be repealed as soon as possible.

The subject of partnership brings up many other points of interest to women. A recent survey conducted by a Quebec women's group among women who work in their husbands' businesses revealed that 70% of the respondents participated in all important decision-making related to the business, while 87% carried out at least part of their work without any supervision. This would seem to indicate that a majority of these wives were probably partners rather than employees. If that is the case, why don't these couples enter into a more formal type of partnership and save tax by splitting the business proceeds between them?

The main cause seems to be a lack of information. For example, it is still widely believed that a partner must have provided part of the business's capital.
This is not so, according to Revenue Department officials, although capital is an important element in determining the partners' respective shares in the business. It may be sufficient to show that the wife is "actively engaged in the business of the partnership." Other criteria include the power to act with authority in the name of the firm, the joint liability for debts, etc.

These criteria are too vague, and experts have strongly recommended that the Minister of National Revenue clarify his position through a more detailed interpretation bulletin and through the advance ruling procedure. This last procedure is particularly important since couples will be anxious to know in advance of filing their tax returns whether or not their arrangements will qualify as partnerships.

The detailed information bulletins should also include information regarding tax savings available to spouses who are presently partners in all but name. Such an initiative might go a long way toward helping the 85% of respondents in the Quebec survey who reported getting no salary whatsoever for their work in their family businesses.

PART IV - HOUSEWIVES

Most housewives have no personal income and no direct dealings with the Revenue Department. They appear as an item in their husband's income tax return under a title tactfully called "Married Exemption" instead of "Deduction for Dependent Spouse".
Married Exemption

For 1975, the married exemption amounts to $1,644 and the "supported" wife can earn as much as $334 without diminishing her husband’s exemption. Common law couples cannot take advantage of this provision, nor can any other two people of any sex who set up household together.

At first glance, the married exemption may appear justified. After all, the husband whose wife stays at home has two people to support on the salary of one. The wife who gets no salary is a dependent who must be supported.

As logical as this may seem, it is simply not true. As underlined by the ACSW, the married exemption is based on totally erroneous assumptions. Far from being a "dependent", in most cases the wife who works inside the home "performs essential services worth at least as much to her husband as the cost of the food, shelter and clothing that he provides for her."\(^9\)

As a result, the man whose wife works inside the home has a much higher standard of living than a bachelor with the same salary. The bachelor would have to pay a small fortune to provide himself with all the services a wife provides without charge to her husband and family. Furthermore, says the RCSW, the present system grants an unfair advantage to childless couples without a working wife, and no valid reason can be advanced to justify the state's continued subsidization
of the husbands of childless wives who choose to spend all their time in the home.\textsuperscript{10}

The married exemption is a remaining mark of housewives' servitude that should be abolished as soon as possible. As this could cause hardship to older couples, the RCSW noted that elimination could take place gradually over a period of ten or fifteen years depending on the age and employment possibilities of the women concerned.\textsuperscript{11}

As well as being an insult to women, the married exemption is also harmful to them when they want to return to the labour force. This is particularly true for women who wish to take part-time employment. A wife whose new part-time job pays her $2,000 per year will have no tax to pay on her small income. Her husband, however, may have to pay as much as $1,000 in additional taxes as a result of having lost the married exemption. Since the husband's co-operation and encouragement are generally considered key factors in a woman's decision to return to the labour force, it can safely be assumed that the married exemption has caused many married women to renounce their aspirations and decide to stay in their homes.

Some women's organizations have sought to correct this situation and have made proposals to that effect. Unfortunately, most of them have simply tried to have their cake and eat it too, meaning that they seek to abolish women's barrier to outside employment while retaining or even increasing the married exemption. In this last case, the groups involved are actually
recommending that the barrier to women's outside employment be raised even further.

The most acceptable of these proposals recommends a raise in the wife's earnings limit (the amount she can earn without lowering her husband's exemption) with a corresponding reduction in the amount of the exemption. Apart from bringing immediate relief to women who wish to return to part-time employment, this method could also be used to effect a slow phasing out of the married exemption.

Transferable Deductions

Although the official Canadian tax unit is still the unattached individual, this basic principle is being not-so-slowly eroded by the introduction of numerous special tax provisions for married couples. These new forms of recognition are, in the words of a study released by the Law Reform Commission of Canada, "irregular and inconsistent". They all take the form of deductions and benefit most the high-income husbands whose wives do not work outside the home.

Since 1972, a spouse can deduct from his/her taxable income the unused portion of the other spouse's Education and Disability deductions. For 1975, this means that a husband can deduct $50 for each month of the year during which his "wholly dependent" wife attended college or university. Or, if she worked outside the home during part of the year but did not make enough money to take advantage of the full education deduction herself, he can claim the remaining portion of it. (Tuition fees, on the other hand, can only be deducted by the student and are not transferable to the other spouse.)
Transferability of the Disability Deduction, also in force since 1972, works exactly the same way. When a blind or invalid spouse has no personal income, the other spouse can use the full amount of this deduction ($1,174 in 1975).

But 1974 beat all records for introducing new provisions of transferability between spouses. They include the transferable Age Exemption ($1,174 for each person over 65), Interest and Dividend Income Deduction ($1,000 deducted from interest and/or dividends received from Canadian sources) and Pension Income Deduction ($1,000 deducted from payments received from a pension fund).

These transferable deductions are only available to a spouse when the other spouse is eligible for them but cannot take advantage of them because her/his own income is too small. For example, a husband whose "dependent" wife's only income consists of $1,000 of interest or dividend income sees his married exemption reduced by $666 ($1,000 minus $334) but gains his wife's $1,000 interest or dividend deduction. As a result, he actually ends up better off than the husband whose wife has no income of her own. And here, as in the case of the married exemption, the wife has no legal right to any part of the money her husband thereby saves from tax.

Another type of spouse transfer was introduced with respect to Registered Retirement Savings Plans (RRSP). In this case, it is not the deduction itself that is transferable between spouses, but the money which gives rise
to a deduction by being deposited in an RRSP. A taxpayer can now deduct sums deposited in an RRSP in his/her spouse's name as well as in his/her own, provided that the total amount deducted is within the limits of that taxpayer's own deduction ($4,000 maximum depending on income).

A husband with enough money to invest is now given a number of choices. (We are using the example of a husband since an exceedingly small number of wives will use this provision.) He can take his maximum allowable deduction, for example $4,000, and invest it in a retirement savings plan under his own name. If his marginal tax rate is 60%, he has just saved $2,400 in taxes for the current year and can defer paying any tax at all on the $4,000 as long as he keeps it in the plan (usually until his retirement, when his income and therefore his marginal tax rate will be lower). On the other hand, if his wife does not earn enough money to have her own RRSP, and if his income is so high that he knows his marginal tax rate will still be at a high level when he retires, he is better off putting the whole $4,000 in a retirement savings plan under his wife's name rather than his own. His tax saving for the current year remains the same ($2,400) but when the $4,000 is eventually withdrawn from the plan after the husband's retirement, it is taxed in the wife's hands at her much lower tax level. Considering that the couple can repeat this operation every year, it is obvious that the new provisions have introduced an important and legal income-splitting (and tax-reducing) practice for upper-income couples.

Since ownership is the key element to consider, the income-splitting effected in this case is legitimate since the sums deposited in the RRSP under a wife's name
really and truly become her property and contribute to her future economic security. Nonetheless, it is mainly the wives of upper-income taxpayers who are likely to derive any benefit from this provision. And it should be kept in mind that any provision that reduces the tax burden of upper-income taxpayers increases the proportional burden of those at lower income levels.

Moreover, this provision is open to abuse by the husband who is in need of ready cash. He can put $330 in a retirement savings plan under his wife's name and ask her to withdraw it the following day (or at any time during that year). In this case, he does not pay tax on the $330 and neither does his wife if she has no other income to declare. Also, his married exemption is not reduced since his wife's income is under $334. The higher the husband's income and marginal tax rate, the larger the immediate saving: at a 20% tax rate, he saves $66; at a 40% rate he saves $132; and at a 60% rate the saving is $198.

All the other transferability provisions are totally illegitimate. Women get no direct benefit from them because all they do is decrease their husbands' tax liability. They discriminate in favour of high-income people, who profit most from any deduction, and against those who have to support aged or disabled parents without the benefit of tax relief of this kind. In short, they are unjust and discriminatory, some of them further aggravate the barrier to housewives' re-entry into the labour force, and all of them go against the recommendations of the Royal Commission on the Status of Women on the subject of tax benefits for spouses.
PART V - WOMEN WITH CHILDREN

Having stated that the housewife is not a dependent, one must find how taxation deals with a family's really dependent members. On this subject, the RCSW said that:

Children are truly dependent upon their parents. They must have food, clothing, medical care, education, and supervision by at least one adult.... It cannot be denied that a family with dependent children must face higher non-discretionary expenses. The costs, in terms of money, for goods and services increase with the age of the children, while the costs in terms of time devoted to their care and supervision tend to decrease as the children grow up. The true dependents in a family are the children, and therefore the exemption given by the State in our tax system should be for them instead of for the married woman working in the home.

There is no doubt a large number of Canadian women who work outside the home in dull, boring jobs because they cannot afford either to train themselves for better work or to stay at home to take care of their children. The question of training is beyond the scope of this paper, but the taxation system could play an important role in the case of women who cannot afford to work inside their homes.

At the present time, the federal government recognizes the dependent status of children in two main ways: first, it grants all parents a taxable family allowance of $265 per year per child; secondly, it allows
a tax exemption for wholly dependent children in the amounts of $352 for each child aged less than 16, and $646 for children aged 16 or more.

The effect of each of these two benefits depends upon the income of the supporting parent. The value of the taxable allowance decreases as the income increases, while the value of the children's exemption increases with the income. To give an idea of their combined effect, the National Council of Welfare, using a sample family consisting of a sole-earner husband, his wife and their two dependent children aged 10 and 16, came to the following results two years ago: 14

<table>
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<tr>
<th>Income</th>
<th>Family allowance after tax</th>
<th>Benefit from the Children's exemptions</th>
<th>Total Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,000</td>
<td>$480.00</td>
<td>$ 0.00</td>
<td>$480.00</td>
</tr>
<tr>
<td>4,000</td>
<td>460.10</td>
<td>62.50</td>
<td>522.60</td>
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<td>349.38</td>
<td>231.31</td>
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<td>336.94</td>
<td>253.34</td>
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<td>622.90</td>
</tr>
<tr>
<td>25,000</td>
<td>270.70</td>
<td>370.64</td>
<td>641.34</td>
</tr>
</tbody>
</table>

Although family allowances have been increased from $240 to $265 per year since that time, the inequitable effects of the combined benefits have increased as a result of the indexation of the children's exemptions and tax brackets. And they will continue to increase in the coming years unless the tax system is modified to replace exemptions by either refundable tax credits, which benefit all to the same degree, or by universal taxable allowances like the family allowance, which benefit most those who need them most.
Considering the injustice of the present situation, the RCSW recommended that children's exemptions be abolished, and that children's dependent status be recognized through greatly increased taxable family allowances. These allowances should be set at a level realistically related to the cost of maintaining a dependent child, thereby establishing a greater measure of free choice for low-income women who might wish to work inside their homes.

PART VI - SOLE-SUPPORT MOTHERS

Sole-support mothers are single, separated, divorced or widowed. In 1973, only 8.6% of Canadian families were headed by sole-support mothers, but such families comprised 28.7% of all those living in poverty. Preliminary data for 1974 indicate an average annual income of $13,841 for male-headed families, while the average for female-headed families was $5,910.

The tax system makes only two allowances for the difficult position of sole-support parents. The first concerns alimony and support payments, which are deducted from the taxable income of the paying spouse and included in that of the receiving spouse. Although many women complain about having to pay tax on support payments, this provision is actually advantageous to them because their husband's top tax bracket is in most cases higher than theirs. As a result, the total tax to be paid by both spouses is lower and the husband can afford to pay a higher amount for support.
The second provision concerns the "Equivalent to Married Exemption". Regular exemptions for dependent children amount to $352 for each child under 16 and $646 for children aged 16 and more. The "Equivalent to Married Exemption" allows a sole-support parent to claim the same $1,644 amount of the spouse's deduction for any one of her or his children, thereby recognizing that the cost of maintaining a household is at least as high for a one-parent family as for a couple without children.

Another point should be mentioned with respect to divorced women. Presently, ex-husbands can only deduct alimony and maintenance from their incomes when these payments are periodic (i.e. weekly, monthly, etc...). This discourages husbands from making lump sum settlements when a marriage is dissolved. As mentioned by the Law Reform Commission of Canada study, "it is desirable to encourage husbands to make lump sum capital payments to wives so as to allow the wife to be independent after dissolution (of the marriage) rather than tied to the fortunes and purse strings of the husband." The study adds that the most desirable way of allowing such a deduction "would be to treat lump sum payments as analogous to other capital payments in the Act and allow deductibility over a reasonable period of time."

Apart from this, the other taxation problems of sole-support mothers are the same as those of all other low-income women.
PART VII - LOW-INCOME WOMEN

Three and a-half million Canadians are poor. Statistics Canada tells us that there are approximately as many poor families as there are poor unattached individuals. The majority of poor individuals are over 55 years of age, and two-thirds of them are women. The heads of poor families (2/3 male and 1/3 female) have a much lower education level than their non-poor counterparts. Twenty-nine percent of them work full-time, and another 27% work part-time. And many of them pay tax.

Updated poverty lines for 1975 indicate that a family of five living in Montreal, Toronto, Winnipeg or Vancouver must have an income of at least $9,388 to be able to live in other than "straitened circumstances". The salaried father of three children under 16 years of age whose wife works in the home and whose income, including family allowances, comes to $9,388, will pay federal and provincial income taxes of approximately $890 in 1975. Would anyone care to bet on this couple's chances of ever benefitting from a Registered Retirement Savings Plan or an Interest and Dividend Deduction?

The RCSW has stated that "to require a couple whose income is below the poverty level to pay income tax is difficult to justify." This was six years ago, and the federal government has still done nothing to correct this situation. Should it finally decide to act, it must find a better way to proceed than raising the exemption levels, which would provide more benefits to the rich than to the poor.
For those who might wonder where the federal government will find funds to replace this loss of revenue, the Carter Commission, after a five-year intensive study of the Canadian tax system, recommended in 1967 that capital gains, gifts and inheritances be included in the tax base along with income from all other sources.\footnote{25} On capital gains, the Carter Commission suggested exempting only the gains from sales of residences and farms, up to a lifetime limit, and said that equity required that all other capital gains be taxed.\footnote{26} Largely as the result of this recommendation, the government decided in 1971 to start taxing capital gains - but broke down under pressure from big business interests and decided to tax only half of them.\footnote{27} One-half of all capital gains realized in Canada are still totally tax-free to this day.

Compared to this half-victory on capital gains, the Carter Commission recommendations on taxation of gifts and inheritances met a dismal fate. Not that these proposals were very extreme: there would be no tax at all when a man's estate passed to his widow or dependent children, nor would there be tax on gifts made to a wife or a dependent child. The Carter Commission added that the law as it existed in 1967 "was so readily avoided that it was almost useless" and that implementation of its proposals would result in a substantial increase in revenues from that source.\footnote{28}

The federal government's response to these proposals was surprising to say the least. At the same time it announced the new taxation on capital gains, it abolished all federal taxes on gifts and inheritances.\footnote{29} As stated
in the study released last year by the Law Reform Commission of Canada, "the abdication of gift and estate tax by the federal government further distorted the already inequitable Canadian tax base." The net result of that abdication was that five provinces are now occupying this field, establishing a complicated network of hodgepodge tax laws that only rich people, with the assistance of their lawyers and accountants, can manage to understand.

And that is not all. The Carter Commission, having recommended that income from all sources be included in the tax base, recommended that the top marginal rate of tax be no greater than 50% because a higher rate might possibly have a disincentive effect on people’s work effort. The federal government, while deciding to tax only half of capital gains and to abolish all federal gift and estate taxes, announced in 1971 that combined provincial and federal top tax rates would be reduced from 82.4% to 61.1%. The result was to abolish progressivity at the upper end of the income scale, and to considerably reduce taxes on taxable incomes of $90,000 and over. It warms one’s heart to see the government acting so quickly at the minutest hint of a possible work disincentive for the very rich.

PART VIII - TAXATION OF THE MARITAL OR FAMILY UNIT

Under our present tax system each person files his/her own income tax return. After computing his/her gross income, deductions and resultant taxable income,
each turns to the tax schedule to calculate the amount of tax to be paid. The tax schedule is the same for everyone.

The family tax system, as proposed by the Carter Commission, is quite different. While unattached individuals go on filing their tax returns the same way, members of a family (usually but not always including the parents and dependent children) pool together their incomes on one tax return and, after subtracting the appropriate deductions, apply a new and different tax schedule to the resulting taxable income.33

Marital unit taxation, on the other hand, as proposed by the RCSW, the Carter Commission Study Group and the Hartle study, would pool the incomes of spouses only, and not that of their dependent children.34

The basic principle underlying both of these proposals is the belief that the family, or at least the couple, is a full economic partnership. The Carter Commission put it this way:

We believe firmly that the family is today, as it has been for many centuries, the basic economic unit in society. Although few marriages are entered into for purely financial reasons, as soon as a marriage is contracted it is the continued income and financial position of the family which is ordinarily of primary concern, not the income and financial position of the individual member. Thus the married couple itself adopts the economic concept of the family as the income unit from the outset.35
If married couples really do share everything, it appears reasonable to give families with the same total income the same tax treatment. This is not the case today. In 1975, for example, a couple without children and consisting of two working spouses each earning $15,000 will pay approximately $7,006 in tax; another couple without children, with one full-time housewife and one breadwinner earning an income of $30,000, will pay taxes of approximately $9,143. The spreading of incomes between two or more people achieves the same result as income splitting. The smaller the difference between the incomes of the two spouses, the lower the combined tax they will have to pay.

Equality between family units' incomes could also be achieved by requiring couples to file a joint return and then taxing them at the same rate as unattached individuals making the same income. But this would be unfair unless a whole battery of complex exemptions could be devised. It is much simpler to devise a brand new schedule for the use of family units.

Under the "family unit rate schedule" proposed by the Carter Commission, families would pay less tax than an individual with the same income. On the other hand, in recognition of the fact that spouses economize by living together, they would generally pay higher taxes than two individuals each earning half the couple's income. 36

Advantages of the marital or family unit taxation

Far and away the greatest advantage of taxing the family members and spouses jointly is that transfers of
whatever kind between them would no longer affect their tax liability. As their incomes would all be pooled for tax purposes, it would no longer matter who owned what or if a husband had paid a salary to his wife for work in the family business. The present rules of attributing the income from gifts back to the donor spouse,\textsuperscript{37} essential as long as income-splitting means tax-avoidance, could immediately be dropped.

**Disadvantages of the marital or family unit taxation**

It is a shame to have to criticize the family taxation proposal. It solves so many annoying problems and closes so many tax loopholes that one would like it to be perfect.

Unfortunately, it is very far from perfect. The Manitoba Volunteer Committee on the Status of Women, in its brief submitted to the RCSW in March 1968, expressed women's main reservations to the Carter Commission proposals:

The effect of the family unit would be to tax the married woman's income at a rate higher than that of any other member of society, the rate being determined by the income of the husband. This effect occurs since in a case where both husband and wife are working, the husband's income is usually regarded as the primary income and the wife's as the secondary income. This is particularly true when the wife enters the labour force some years later than the husband, as after the raising of children. The apparent effect of the family unit plan would be to tax the wife's income at a much higher rate than the husband's, hers being added to his at a higher place on the taxation scale and without any additional basic exemption.\textsuperscript{38}
The disincentive effect is obvious. The married woman's return to work will bring little additional net income to the family. Not only will she pay tax at a high rate on her modest income, but her husband's tax will be increased as well.

The Manitoba Committee adds that there would be some validity in establishing a family unit for taxation purposes if marriage in Canada automatically created an economic partnership in which a man and his wife contributed equally though differently and in which each was entitled to a fair share of all the earnings and savings acquired by either during the marriage. The Committee found that until such systems of matrimonial property are implemented "the adoption of the family unit for taxation purposes would be an infringement on human rights and would reflect a serious insensitivity to the position of married women in our society."\(^{39}\) The Hon. E.J. Benson, then Minister of Finance, agreed with this position and called the family unit tax "unfair and undesirable".\(^{40}\)

The Carter Commission proposals did provide for spouses who did not want to aggregate their incomes. "In that event they would file separate returns and be taxed separately on the family rate schedule in a way that would usually involve somewhat higher taxes (in total) than if they had aggregated."\(^{41}\) Douglas Hartle points out that in this eventuality if a woman's income were lower than her husband's, she would not suffer the penalty. Her husband would.\(^{42}\) The Manitoba Committee commented that "the penalty for exercising this option is so great as to make the suggestion that it is an alternative a misconception."
It offers not a choice as to the manner of filing, but a penalty for not filing together. To be valid, a choice must be just that and not a penalty."43

As for the Carter Commission proposal that spouses pay more tax because they economize by living together, it discriminates against spouses, as they are not the only ones in our society to save money by living together. If such an extra tax were imposed on spouses, equity requires that it also be imposed on roommates, boarders, members of communes and non-dependent family members living with their relatives or parents, as well as on a number of other people living in similar situations. Since this is quite impossible, there is no reason to single out spouses and subject them to an extraordinary penalty of this kind.

The Law Reform Commission of Canada study on family taxation states that Canada is a noted exception in its adherence to the individual as the only unit of taxation. It adds that domestic support for recognition of the marital unit "can be garnered simply from the activity now taking place in most of the provinces of Canada in the study of marital property regimes and proposals to allow recognition of spouses as economic units and partners."44

On the first point, it should be noted that marital unit taxation in this form occurred quite recently in the United States (1970) and that feminists and many others have been trying to get these provisions repealed ever since because of their discriminatory effect on married people generally (who pay more tax
than two people with the same income who are not married) and on working married women in particular. Martha W. Griffiths, member of the American House of Representatives, estimates that "a wife's earnings that less than double the family income can almost triple its income tax. And because a wife's income is so meager after taxes, she and her family are apt to devalue her work."  

As for the second point, the author of the Law Reform Commission study omits to add that only British Columbia, of all ten provinces, has even considered the adoption of a "full and immediate" community of property between the spouses. The system of "deferred" community of property, which is the legal regime of Quebec and the system that many provinces are now considering, is far from creating a full economic partnership. As the BC Royal Commission on Family and Children's Law reported, deferred community of property (Quebec's partnership of acquists) "creates in the non-titled spouse a 'future interest' in property acquired during marriage, but it does nothing to render more equitable the positions of the spouses during marriage."

In the meantime, the women of nine provinces as well as a good portion of Quebec women are still married under a regime of separation of property, not one of economic partnership.

The Law Reform Commission of Canada, in its Working Paper on Family Property, concluded that "It is true to say that the present law of separate property operating in the majority of Canadian jurisdictions, with its emphasis on ownership based upon who paid for the
property, denies to most married women the ability to share in the financial gains of a marriage.... There is (an)...obligation upon Parliament, flowing from the nature and concept of federalism itself, to lend encouragement to the development of changes in the law of separate property within any given province or territory by providing positive support to such changes through amendments to the taxation laws and other laws dealing with family financial arrangements...."49

From that point of view, the introduction of family or marital unit taxation is totally useless. These systems do not encourage legislative changes toward more sharing by the spouses, they assume that spouses already share everything. On the other hand, the federal government could encourage legislative changes in the provinces by allowing full income splitting (and resulting tax reduction) in the case of spouses married under a "full and immediate" community of property regime. (This need not be a province's legal regime; it could be one of several options available to couples who are getting married.)

The American experience has proved that this type of measure is very effective. After the American Supreme Court decided in 1930 that couples who were married in community of property could split their incomes for taxation purposes "several of the states began to adopt community of property regimes for the sole purpose of allowing the residents of those states to take advantage of the split-income feature which, of course, reduced the amount of tax payable by the unit."50
This proves that the federal tax system really could influence provincial legislative decisions in matters of matrimonial property regimes. There remains the fact that the American practice of splitting incomes of spouses married in community of property did not work and was eventually discarded in the U.S., purportedly because "the tax burdens of unmarried and married persons were unduly disproportionate."\textsuperscript{51} This statement is misleading: it implies that an unmarried person would mind paying more tax than two other people (the spouses) each earning half his/her income. But that was not really the case. What single people probably resented, and rightfully so, was paying considerably more tax than a husband who in fact owned, controlled, administered and could dispose of most of the assets of the European-style sham communities of property that existed in the U.S. and in Quebec until very recently.

Unlike American courts, the Canadian Supreme Court was not fooled. When asked to determine whether Frank Sura and his wife, who were married under Quebec's old and inequitable community of property regime, could split their income (or rather his income) in half for tax purposes, it judged that they could not and held that:

\ldots the tax is determined by the income received by the person who is the legal beneficiary from employment, businesses, property or ownership... we can no more question this proposition than we can have the least hesitation in conceding without reservation that only he must pay income tax who has absolute enjoyment of the income, unfettered by any restriction on his freedom to dispose of the income as he sees fit.
...it is also true that (under Quebec's community of property regime) the wife does not have the exercise of the plenitude of rights which ownership normally confers (406 C.C.). Her right is formless, dismembered, inferior even to the right of one who has bare ownership of property in which another has a life interest. Her right is stagnant, nearly sterile, because it is unproductive for the duration of the life of the husband. It is only at the dissolution of the community that the wife will be vested with the plenitude of her rights of ownership... the result is that the wife receives no income from community property, that she has 'no salary, wages and remuneration', that she 'receives nothing from businesses, property, offices and employments'. Now, this is precisely what is taxable.52

The Law Reform Commission study states that "in the event that a provincial scheme were devised which gave both spouses current and clear rights of administration and disposition over income, rather than a sterile and future right, the (Court's) decision conceivably could be to the contrary."53 In other words, if a province allowed spouses to choose the "full and immediate" community of property as their matrimonial regime, Canadian courts might allow spouses married under it to fully split their incomes for taxation purposes. If this happened, the situation in Canada would not be like the one that existed in the United States before its law was changed.

Spouses who each had a full and immediate right to half of all income generated by the marriage community would be equal and full partners. As such, they should each be able to pay tax on their own half of the proceeds, just as business partners do.
As for spouses married under other matrimonial regimes, it cannot simply be assumed, as the Carter Commission did, that they pool all their incomes and assets. Although most of them probably pool some part of their income (that which is used to pay current household expenses) and use each other's assets to some degree (especially the home and its contents) no evidence exists to suggest that pooling extends to all of their income and assets. In fact, available evidence indicates that couples do not usually pool their business assets, savings, retirement funds and pension credits.

For couples who do not or have deliberately chosen not to share everything, government's introduction of a family or marital unit taxation system would be an unjustifiable intrusion of the state in essentially private affairs. Most of all, it would severely penalize many working wives for their husbands' lack of generosity.

As June Menzies observed in her presentation to the National Social Science Conference last Fall:

The proper focus in establishing policies to achieve economic equity and social security is not the family unit but the individual. To apply a collective security to the family unit disguises the position of the woman in the home and attributes to her a degree of security she does not have. It disguises the fact that the major part of the work done by women makes no contribution to their economic equity or social security, rather actually inhibits it. Too many women, after a lifetime of productive work on behalf of their families and society, find themselves alone and practically or actually destitute. The housewife's protection is dependent on good luck and good will, not on good law or good social policy.
PART IX - TAXATION OF THE IMPUTED INCOME OF HOUSEWIVES

The Carter Commission had considered taxing the imputed income of persons who consume their own products and services. It stated the question as follows:

When an individual who owns productive assets, or who supplies production services, uses them directly to produce goods and services that he consumes himself, it is extremely difficult to value the net gain. The self-sufficient farmer is the obvious example of a man who, in effect, barter's his own time and the use of his own capital for the food he eats. But there is a multitude of less obvious cases. The man who occupies a home that he owns, the carpenter who builds his own furniture, and the handyman who repairs the leaky faucet in his own home all receive a net gain in the sense that had each sold his services or rented his property in the market, the gross gain would be taxable, and few, if any, deductible expenses would be incurred in generating the gain. On the other hand, the expenses of having someone else perform the service or of renting the property from others are general living expenses which would not be deductible.\footnote{55}

After stating the case, however, the Carter Commission decided against recommending the inclusion of any imputed incomes in the tax base because their valuation presented unsurmountable administrative difficulties.

Douglas Hartle, in his study prepared in 1969 for the RCSW, proposed to include in the couple's income the imputed value of the wife's housekeeping services. He argues that these services are valuable and are worth what it would cost the couple to purchase them if the wife worked outside the home.\footnote{56}
Like the Carter Commission, Hartle was aware of the near-impossibility of evaluating imputed incomes. He nevertheless recommended that the value of housewives' services be taxed because:

If the imputed value of the services of housewives were taxed, women would pay the same taxes whether they worked in the house or outside it. The tax barrier against working outside the home would largely be removed. Indeed, because tax liabilities can be satisfied only with cash, adding the imputed value of the services of housewives to the tax base would create a positive pressure for them to work outside the home.57

To solve the valuation problem, Hartle suggests two steps: a) first, adding to the income of all physically and mentally able individuals of working age an arbitrary value (say $4,000) for imputed income attributable to services rendered to him/herself; b) second, excluding from the tax base the actual employment income of each individual, up to the value of the imputed income arbitrarily included, on the grounds that this part of employment income is a substitute for imputed income and represents no addition to the tax base.58

To illustrate these steps, let's take examples of persons earning $10,000, $2,000 and zero incomes. The person earning $10,000 will add $4,000 to his/her income, for a total of $14,000. He/she will then subtract $4,000, for a total taxable income of $10,000, the same he/she started with. The individual making $2,000 per year, on the other hand, will add $4,000 to his/her income, for a total of $6,000; he/she then deducts only $2,000, since that is the actual employment income.
Result: $4,000, half employment income and half imputed income. Finally, the person with no earned income will have an imputed income of $4,000, from which nothing will be deducted.

If this were done, argues Hartle, a woman choosing between an hour of work in the home and an hour of work outside the home would no longer be faced with a zero tax on the former and a significant tax on the latter (taking the husband's loss of the married exemption into account). "The only change would be that the couple would substitute cash income for income in kind."59

Some people have welcomed Hartle's proposals. It has been said that it "certainly would solve the problems faced by part-time workers (usually wives). There would be no tax 'penalties' if the wife decided to substitute work outside the home for work inside the home."60 Also: "To place an imputed value on homemaking services and tax the balance of this value, after the basic deduction for necessary living expenses, could go a long way towards driving home (to husbands and wives) the fact that homemaking is an important contribution, not to be taken for granted as if it were a free good."61

On the other hand, the RCSW found that:

Although the concept of imputed income is theoretically sound, we feel that its implementation would pose great difficulties. The proposed system requires that "every physically and mentally able individual of working age" should be deemed to have an imputed income. Inevitably there would be
a number of cases for which the system would have to provide an exemption. For example, those who were too young or too old to work would have to produce proof of their age, while individuals who were physically or mentally unable to work would have to produce a medical certificate to claim exemption. For most taxpayers, this would be straightforward. But how would the Department of National Revenue deal with borderline cases? What about those who are physically fit to work but are involuntarily unemployed? Imputing income might be unfair to some individuals, in addition to the administrative difficulties involved in its application. Furthermore, we found it undesirable that a married woman who stays at home keeping house for her family and having no income of her own should be liable for a tax which her husband would have to pay. 62

The RCSW comes closer to the point, but does not quite spell it out. There is indeed something undesirable about taxing housewives, and the reason for it, as in another previous case, is camouflaged by definitions. Hartle states and repeats that spouses save money because of the wife's provision of housekeeping services. In fact, it is the husband who saves, not the housewife who more than likely owns nothing. To require the housewife, who only has a right to basic support, to pay tax on an arbitrarily-determined imputed income, would be adding insult to injury.

Hartle himself has recognized this when he said that "because tax liabilities can be satisfied only with cash, adding the imputed value of the services of housewives to the tax base would create a positive pressure for them to work outside the home." 63 Indeed, wives whose husbands give them no money will be forced to get outside jobs to earn the $500 or so tax they would have to pay to the Revenue Department. What a wonderful way to recognize homemakers' contribution!
The position of the Law Reform Commission study is more commendable. It states that: "Ideally, the solution would be for the government to recognize the provision of household services by housewives as contributing to the Gross National Product; as being valuable; and as being the contribution of these persons to the welfare of the country which in turn deserves consideration by way of remuneration. The idea of payment for the household services of women is not new and is likely to be more at the forefront of the feminist movement as time goes on.... In terms of the perfection of the income tax system, it would be an ideal solution in that such transfer payments would presumably be taxable and therefore would be recognized as part of the income of the tax units.... Furthermore, since payment would be received either for providing services in the home or out of the home the principle of neutrality would be observed."64

Until such measures are introduced, the best way in which the federal government could establish some balance between couples with housewives and couples with wives who work outside the home is certainly not by taxing the imputed income of housewives, but rather by abolishing the married exemption, by allocating more funds to the provision of day care services and by providing adequate and indexed child care credits to help cover their cost.
CONCLUSION

Our current tax system fails to take into account the changes that have occurred in our society in the last fifty years. It still assumes that men work and support their families, that women stay home from the time they get married, that all couples have children and that marriages last forever.

The only allowance made to the latter half of the twentieth century has been in the field of child care costs, which can now be partly deducted from working mothers' salaries. Unfortunately, in its present form this allowance grants most benefits to women with the highest incomes. The present child care deduction should be replaced by a tax credit, which would benefit all taxpayers equally whatever their incomes. Also, since many women cannot obtain receipts for child care costs and since all two-earner families with young children have additional expenses, this child care credit should be granted without receipts to all two-earner couples with young children.

Apart from the child care allowance, it might as well be the turn of the century. Men are given tax exemptions and other benefits as soon as they marry, on the assumption that a "dependent" wife is a financial burden. In reality, she is anything but a "dependent": the woman who stays in the home provides services to her family that greatly outweigh the cost of supporting her. Moreover, as the husband loses these benefits if the wife works outside the home, their effect is to discourage wives from seeking paid employment.
The married exemption should be abolished, as well as all the new provisions for allowing the transferability of some deductions between the spouses, and the revenue thereby saved should more logically be applied to children, who are truly dependent on their parents. Present provisions for children are inadequate and unfair. The tax exemption benefits most those with high incomes while the family allowance payment is so low that many mothers are forced to work outside the home against their will. The children's exemption should be abolished and absorbed into greatly increased taxable family allowances.

Tax laws are also unfair to married women who work in their husband's unincorporated businesses. Not only are these husbands discouraged from paying salaries to their wives, they are often precluded from doing so because the tax system makes it too expensive. These discriminatory provisions as well as the attribution rules for spouses who are each other's partners, are unjustified and should be repealed.

Other provisions of the Tax Act have undesirable effects on women's lives. For instance, a wife who is about to be granted a divorce might prefer to receive a lump sum payment from her husband rather than periodic maintenance payments. A single payment would make her less dependent and better equipped to reorganize her life. The Tax Act presently discourages husbands from making such settlements by allowing only the deduction of periodic maintenance payments. This should be changed.

Poor women are in the least enviable situation. Because of the way in which our tax system is designed, they or their husbands often have to pay tax on incomes below the
poverty level. This injustice should be ended, and in a manner other than by increases in exemption levels, which provide the rich with benefits many times as great as those received by the poor.

Generally, we need to re-examine the assumptions that underlie our taxation system. This means a re-evaluation of the respective roles of men and women in marriage, a greater consideration of women's financial needs and changing life choices, and a closer look at the government's responsibility in the care and support of dependent children.
RECOMMENDATIONS FOR CONSIDERATION BY THE ACSW

1) The present child care deduction should be replaced by a flat-rate child care credit to be granted without receipts to all two-earner couples with young children. This credit should be given to the spouse with the lower income, regardless of sex. It should also be granted to single parents in the labour force as well as to income-earning wives or husbands whose spouses are disabled or institutionalized.

2) The Income Tax Act provisions that forbid an employer to deduct from his/her income a salary paid to his/her spouse should be repealed.

3) The section of the Income Tax Act which entitles the Revenue Department, at its discretion, to deem one spouse's share of the partnership income to be the income of the other spouse should be repealed.

4) The Revenue Department should launch an education campaign to inform small unincorporated businessmen of the tax advantages of spouse partnerships, and it should clarify its position on partnerships through a more detailed interpretation bulletin and through the advance ruling procedure.

5) The married exemption for able-bodied spouses of less than 50 years should be eliminated over a period of ten years by gradually increasing the wife's earnings limit while correspondingly reducing the amount of the exemption.
6) The federal government should repeal the Income Tax Act provisions that allow the transferability between spouses of the following deductions: the Education Deduction, the Disability Deduction, the Age Exemption, the Interest and Dividend Income Deduction and the Pension Income Deduction. To the extent that any indirect benefits may have been derived from these provisions by the aged or disabled, these benefits should be provided, on an income-tested basis, in the form of direct payments through transfer programs.

7) Tax exemptions for children should be abolished and absorbed into greatly increased taxable family allowances.

8) The Income Tax Act should be amended to allow the deduction over a reasonable period of time of lump sum payments made by husbands to their wives upon marriage breakdown.

9) The federal government should study ways of ending the taxation of incomes below the poverty level, and should consider doing it in a manner other than by raising the present exemption levels.
FOOTNOTES


2. Ibid., pp. 32-33.

3. This example, as well as all other examples given in this paper, are calculated on the basis of 1975 federal and provincial tax rates for residents of Ontario. No provision was made for C.P.P. and U.I.C. contributions.


5. Ibid., section 74(4).

6. Ibid., section 74(5).


10. Ibid., p. 299.

11. Ibid., p. 300.


20. Statistics Canada estimates that 3.4 million Canadians were poor in 1973. Of all poor family units, approximately 48% were families and 52% were unattached individuals.


23. Ibid., p. 7.


25. Royal Commission on Taxation, press releases no. 4 (Capital Gains) and no. 6 (Gifts and Bequests), 1967.

26. Royal Commission on Taxation, press release no. 4 (Capital Gains), pp. 4-1 and 4-2, 1967.

27. In his 1969 Proposals for Tax Reform, the Hon. E.J. Benson, then Minister of Finance, stated that "The government proposes that capital gains be taxed. We recognize that this would be a major and controversial step, but we have concluded that the step must be taken if Canada's tax system is to be fair, and if it is to be effective.... Depending on the nature of the asset, all or part of the gain would be included in income and taxed at the taxpayer's marginal rate."
Two years later, in his *Summary of 1971 Tax Reform Legislation*, Mr. Benson said "The Commons committee said it was the view of the private sector and provincial governments that 'capital gains should not suffer the same weight of tax as other income', and the committee recommended taxing one-half of realized gains as a general rule."

28. Royal Commission on Taxation, press release no. 6 (Gifts and Bequests), 1967, pp. 6-1 and 6-2.

29. In the *Summary of 1971 Tax Reform Legislation*, Mr. Benson wrote: "In general, accrued gains on capital assets will be taxable at death... The Commons committee recommended that the impact be lessened by a substantial reduction of estate taxes. The Senate committee recommended that the estate tax field should be vacated in favour of the provinces."


36. Ibid., p. 176.

37. Income Tax Act, section 74(1), (see above note 4).


39. Ibid., p. 90.

41. Royal Commission on Taxation, Report, (see above note 31) p. 145.

42. Hartle, Douglas G., op. cit., p. 82.

43. Manitoba Volunteer Committee on the Status of Women, op. cit., p. 89-90.


47. Rioux, Marcia H., Background Notes on Matrimonial Property Rights, discussion paper prepared for the ACSW, December 1974.


51. Ibid., p. 22.


55. Royal Commission on Taxation, Report, (see above note 31), p. 47.

57. Ibid., p. 41.
58. Ibid., pp. 43-44.
59. Ibid., p. 42.
60. Holme, Dorothy, op. cit., p. 8.
63. Hartle, Douglas C., op. cit., p. 86.
62. P. 298.
60. Home, Dorothy, op. cit., p. 5.
59. Ibid., p. 42.
58. Ibid., pp. 43-44.