

News Release

On March 21st, 2023, the Manitoba Law Reform Commission releases a final report entitled *The Parents' Maintenance Act*.

In addition to the well-known obligation of parents to financially support their children, in Manitoba, children may have a statutory duty to provide financially for their dependent parents in certain situations. *The Parents' Maintenance Act*, an old, brief, and little-known statute obligates financially-able children to provide support to their parents if, due to age, disease or infirmity, a parent is unable to maintain themselves financially. The Act enables both dependent parents and, in certain circumstances, other persons and entities, on a dependent parent's behalf, to commence support proceedings, and caps the amount that can be ordered to a parent to a weekly sum not exceeding \$20.00.

The Parents' Maintenance Act has changed very little since it was first introduced in Manitoba in 1933 and has very rarely been used in the past 90 years. Additionally, other Canadian provinces have repealed their parents' maintenance laws in recent years. For these reasons, the Commission has decided to review the statute and consider whether the law ought to be modernized to better meet the needs of older Manitobans living in poverty, or whether the Act ought to be repealed.

Ultimately, the Commission has concluded that the disproportionate cost of obtaining relief through the court process and changes to social welfare and the familial unit in Manitoba since the Act was first enacted have rendered the *PMA* irrelevant, obsolete, and unsuitable for modern use. The Commission is of the opinion that these fundamental flaws cannot be remedied by revisions to the Act, and thus recommends the repeal of *The Parents' Maintenance Act* in its entirety.

The Manitoba Law Reform Commission is Manitoba's independent voice on law reform. The Commission makes recommendations to the provincial Minister of Justice and Attorney General to improve, modernize and reform the laws of Manitoba. It has been operating since 1970.

The full report can be found at: www.manitobalawreform.ca

For further information, please contact:

Kristal Bayes-McDonald

Director and Legal Counsel, Manitoba Law Reform Commission

Kristal.bayes@gov.mb.ca