

Mrs. FAIRCLOUGH: Or where there is evidence that the so-called invalid, by accepting employment moved out of the invalid class. There is still a possibility that any former invalid is able to accept some employment but not able to be self-sustaining. Some procedure should be available to assist in establishing capacity to earn and it should be understood what authority has jurisdiction over the decision.

Mr. DAVIS: They are either unable to or are not. Beyond that date I would not think there would be any question of jurisdiction. Either they would be completely invalid, or would not.

Mrs. FAIRCLOUGH: I cannot agree there. Of course, all of us know of cases where persons are in an invalid condition and are able to earn a small amount, but certainly not enough to be self-sustaining. You say that the criterion will be whether they are able to earn?

Mr. DAVIS: The definition means physically or mentally incapable of earning. If they earn a small amount I think that the board is not bound to a strict legal precedent. If the invalid were to earn a small amount the board would have to take that into consideration. But the board is not bound to a strict, legal precedent.

Mrs. FAIRCLOUGH: I think it is important that you do not discourage people from earning, because even if they earn a very small amount it keeps their interest alive. To give an example that I know of where a person was disabled and in a wheel chair, he was able to carry on a very small magazine business, through using the telephone and calling people. Actually, he was completely physically incapable of doing anything else.

Mr. DAVIS: I think the board would take it into consideration. This follows the wording of all the acts. The wording of the acts of provincial boards have a leeway because they do not have to be bound by strict legal precedent.

Mr. BROWN: I think we can very well quiet any doubts in this way. We might put in that paragraph containing a new subsection 6 at line 28 after the word "until" the words "in the opinion of the board". That would cover it.

The ACTING CHAIRMAN: Will you move that, Mrs. Fairclough.

Mrs. FAIRCLOUGH: Yes.

The ACTING CHAIRMAN: That after the word "until" there be added "in the opinion of the board".

Mrs. FAIRCLOUGH: Yes.

The ACTING CHAIRMAN: All in favour of that change in the subsection.

Agreed.

Hon. Mr. GREGG: I am sure that it would be the duty of the board to establish contact for the rehabilitation of the child, and so on, if the dependant child has some physical incapacity that should be taken into consideration for rehabilitation under the provincial act or the federal act.

Mr. HAHN: It will have to be in the opinion of the board, would it not?

Hon. Mr. GREGG: I think it might just as well be set out as it was in the old act.

The ACTING CHAIRMAN: Is there any further discussion?

Clause 1, as amended, agreed to.

Clauses 2 to 9 inclusive agreed to.

Title agreed to.

The ACTING CHAIRMAN: Shall I report the bill?

Agreed to.

The committee adjourned.