

I shall have something to say about that in a minute.

—assume a portion of the liability for repayment of the public funds paid out without authority by government error or negligence—

So we are talking about payments made without authority by the government, due to the error of a public servant. The basic difficulty involved is that although we all know, or suspect, that a good many people in all their dealings with government welfare schemes try to put one over on the government or on the public, as it were, in an effort to cut corners and play all the angles, the fact is that while this suspicion exists, most people in the category of having been overpaid in respect of their pension scheme or individual welfare program act in good faith and with good intentions and very little blame should be attributed to them.

• (5:50 p.m.)

What makes it difficult is that the recipient being honest and acting in good faith does not necessarily mean the mistake rests with some malfunction in the government. I refer to the numerous cases that have arisen where a welfare recipient happens to be at the same time a recipient of another benefit from a totally different source. One can imagine the situation that might arise with a veteran who has a disability, who is over 65 years of age and who perhaps has a small income-producing property or an interest-bearing investment.

The qualifications for receiving some of these benefits are dependent upon the source of income and the financial position of the recipient. Indeed, when a recipient is a beneficiary under several plans the situation is extremely complicated for him or her, and often entirely without any ill-intention by the recipient and without any error by the government it can turn out that after several months, and in some cases several years, an applicant who has in good faith filled out a form is rendered ineligible for a certain type of welfare payment. Often the reason is that he is receiving a disability pension, a private pension or income from interest on an investment which he has not declared and which makes him ineligible for the welfare payment he has been receiving for several months. He would have required the aid of a very competent solicitor to understand all the intricacies in the first place, and surely we should not expect people who apply for welfare to seek the advice of a solicitor before doing so.

The information filed with an application has to come primarily from the applicant, so there can be no possibility of error by the government. People may think the government should assume liability for these overpayments, but I do not think it should. I suggest even more important and to the point is that much of the difficulty which applicants experience in making separate applications for welfare schemes is that they run into a mass of red tape. I think we all know, as Members of Parliament, that if we are to help people in their relationship with the Department of National Health and Welfare, it is not in attempting to persuade them they are not entitled to benefit but, rather, in helping to cut through the red tape

they have to endure in order to get their applications processed.

Let us bear in mind that consideration of the application is based on the presumption that the facts are supplied by the applicant. The government must proceed on that basis, because any other assumption would require a team of investigators that would in total match the existing staff in the department. Therefore it is imperative that the applicant supply the information. That being the case, the matter is already sufficiently complicated without superimposing stringent, independent insurance coverage or some kind of insurance scheme so that if an overpayment occurs the application has to be subject to an insurance claim to determine whether everybody has taken the proper steps. The way in which insurance is now handled has become a standing joke on television. People have had many laughs about red tape encountered in dealing with the government, but they get as many laughs out of insurance schemes which tend to drop people who make the slightest error in reporting their situation.

I suggest that the way we proceed at present is the most efficient, and that the applicant must provide the correct information. There are times when the situations of applicants are extremely complex. These situations have to be faced by both parties. When this occurs, I submit that the approach now adopted by the government is the best possible. First of all, unless deviation from the norm has been most flagrant it is rarely suggested that people should be prosecuted for knowingly receiving an overpayment. No doubt some people who received overpayments knew they were getting more than they were entitled to, yet prosecution is not mentioned. That, in my opinion, is as it should be.

Mr. Kaplan: Mr. Speaker, would the hon. member permit a question?

Mr. Jerome: I prefer not to be interrupted while making my remarks. I would prefer to wait until six o'clock.

Mr. Kaplan: My question is brief. Is the hon. member aware of the extent to which overpayments occur in a given period? For example, how much has been paid out in overpayments this year?

Mr. Jerome: No, Mr. Speaker, I am not. I can answer a brief question briefly, for once in my parliamentary career. Frankly, I am not sure that it would change my view in any case.

In conclusion, I submit that the words used in the motion imputing error or negligence to the government, and the words in its final sentence indicating that at any time the exactment of repayment is by arbitrary process of law or by government decree, suggest an authoritarian approach which in my experience does not exist. In any case, I submit that to change the approach taken at present would require applicants to assume the legal significance of an application for insurance or an application for a pension scheme, and would increase existing