

**Senator Croll:** There are two questions in there: what the provinces provide and how much they pay.

**The Deputy Chairman:** Is it agreed that this information, when provided, form part of the record?

**Hon. Senators:** Agreed.

**Senator Croll:** One other point. Under the War Veterans Act—and I may stand correction here—we do make provision for a younger spouse. That is a matter of principle, and having recognized it for the War Veterans Act, all we are suggesting now is that, since the principle has been recognized, it might very well be applied here.

**Mr. Cafik:** You are talking about spouses who are not pensionable becoming pensionable by virtue of the fact that their spouse is pensionable?

**Senator Croll:** That is right.

**Mr. Cafik:** Just to clarify the matter, do you mean that this would apply to certain age limits, such as 60 to 65, or 55 to 65, or would it be right down the scale—anyone who is married to a pensioner?

**Senator Croll:** I think that in dealing with war veterans it provided for anyone, did it not? We dealt with that problem after the war when veterans were marrying young women and we had a serious problem.

**The Deputy Chairman:** There is no age limit with regard to the war veterans allowance, except for widows at age 55.

**Mr. Cafik:** I think there is quite a distinction between these two situations. If we make it universal, regardless of age, I think it is conceivable there could be some abuses. One does not have to stretch his imagination very much to know how this could occur. There could be a motive for doing this; and it may not be very responsible for the government to come forward with this legislation without having some kind of age limit.

The provinces, in previous negotiations with the minister, have discussed this whole question with regard to spouses and what should be done, as well as to whether the age limit should be reduced to 60. They have asked us to await further deliberations with them before making any decisions.

**Senator Fournier (De Lanaudière):** If we follow Senator Argue's reasoning, we will enter the field of provincial jurisdiction in social matters. A province can appeal to the Supreme Court of Canada for a decision such as an *ultra vires* decision, if that is the case. So everything will begin all over again because it will be defeated by the Supreme Court.

So, since it is within the jurisdiction of the provinces, I would suggest that someone suggest to the provinces at their next meeting that they come together at some level in order to avoid discrimination. It is nonsense that in one province a person receives \$10 and that another receives \$40. So I would ask the provinces to

come to a common decision and have the same amount for all Canadians, and then we will pay half of it. I am not prepared to expose myself to being defeated by the Supreme Court of Canada on this matter. So I will vote against this.

**Mr. Cafik:** Basically, I think I agree with you, although I cannot make a legal judgment. It seems to me that we are endeavouring to put some pressure on the provinces and then to leave it as their responsibility.

**Senator Denis:** This relates to other matters as well, such as the handicapped and deserted mothers; other people in need are in the same situation. So, if we do this for the old age pensioner and we do not do it for the disabled and handicapped it could be discrimination. As you said, it has to be studied as a global measure at the next conference.

Senator Croll talked about younger spouses having no pension. Spouses are no different from bachelors or spinsters who are 64 years of age; they are going to receive the minimum, and that is all. We would have to add spinsters and bachelors as well as younger spouses.

**Mr. Cafik:** There is one point I wish to make in relation to your first comment, and I intended to say this in response to Senator Argue. Inasmuch as I am personally sympathetic, and I think the department is sympathetic, with respect to the comfort allowance problem, I would like to point out something that may be useful to you. A person within a provincial institution who receives a comfort allowance has some amount of money that might be called disposable income for non-essentials. For those who are on old age security and GIS, who are living in their own little apartment and who are not in institutions, I do not know that anybody has determined what amount of disposable income they have available to them. They came forward with \$50 disposable income for personal comfort for someone within an institution. I think you might find that the person who is not in an institution does not fare as well. We have not looked into this matter, but I think we have to look at that relationship as well.

**Senator Argue:** I would argue for board and room. You can do this for \$120 a month, although I understand it depends where you are living. I was intrigued by your suggestion, and I wish you would define this more clearly so I can understand it. Your definition was that this increase would not be considered income for the purpose of something else, is that correct?

**Mr. Cafik:** That is a personal view.

**Senator Argue:** Would you give it to me again? I will not do anything with it; I am just curious.

**Mr. Cafik:** The only view I have with respect to this, and I do not say it is the right thing to do, but in terms of this particular act—and I have thought about this on numerous occasions—is that it seems to me that if there is an increase of \$18 a month, or whatever the figure may be, it is not deemed as income for any other calculation. That is with respect to rental increases or whatever; you do not have that to pay for it.