

Government Administration

or otherwise, where a person has derived a substantial benefit either at one time or over a period of time, even if this is attributable to administrative error.

Mr. Speaker, the Department of National Health and Welfare considers very carefully whether the recovery of an overpayment is likely to cause hardship, and this circumstance is taken into account in the recovery process. If the overpayment is large, so that its repayment results in an onerous financial burden on the person concerned, arrangements are worked out whereby the repayment is made over a period of time by small instalments, so as to minimize as much as possible the hardship to the individual making the repayments.

Of course, for such a procedure to be effective the administration must either be aware of the person's circumstances or it must be able to determine this from other information available. For example, in the case of overpayments which are recovered from recipients of the guaranteed income supplement, the administration would be aware that people in this group have low incomes. In respect of recovery this would be taken into account and reimbursement would be in very small amounts. Therefore, in situations where overpayments arise for whatever reason, barring fraud, it is incumbent on the individual to communicate with the administration and arrange a scheme for recovery which would minimize hardship.

• (5:40 p.m.)

I should like to mention that some consideration has already been given, in legislation passed in this House, to a situation whereby hardship may arise in respect of the recovery of overpayment. I refer to the recent amendment to the Old Age Security Act which was passed on December 17 and received royal assent on the following day. Under this legislation, the period in which overpayment has been made and for which recovery can be effected has been limited to two years, comprising the current benefit year and the year preceding the current benefit year. This provision will apply to all senior citizens who are eligible to receive the guaranteed income supplement.

The intent behind this legislative change is to recognize that pensioners eligible for the guaranteed income supplement fall into low income categories and that recoveries of overpayments incurred over a longer period could result in considerable hardship. I should mention, however, that while this legislation limits to two years the period in which overpayments occur, it is not applicable where the pensioner has made a wilful misrepresentation or has committed fraud for the purpose of obtaining a benefit.

It is my belief that departure from the established recovery procedures would at least be unwise, if not outright folly. Moreover, the concessions which have been made to our senior citizens who are in receipt of the guaranteed income supplement recognize the special circumstances of this group. Furthermore, I am convinced this House would not be acting in the public interest were legislation passed that forgave indebtedness to the

[Mr. Isabelle.]

Crown regardless of the cause, and especially where large sums of money are involved.

[Translation]

And finally, Mr. Speaker, I am satisfied with the way in which the government passed the legislation mentioned by the hon. member for Victoria-Haliburton in his motion and which, as he himself admitted, was to set a two-year recovery limit for low-income people who would have received overpayments. This, I think, is a question of justice and as this was a marginal group for income purposes, the government agreed to amend the Old Age Security Act on December 17.

Mr. Speaker, if we look at the hon. member's motion, we can see that he wished to tell the House that this might be very beneficial for those who have been paid benefits over and above their regular allowance, but it seems to me it would be grossly unfair with regard to the administration of public funds for which the government is responsible.

Mr. Speaker, in concluding, I wish to congratulate the hon. member for having introduced this motion and I know that he had probably forgotten that on or about December 17 a bill was introduced for the purpose of providing for what seemed to have caused some hardship to those who fortunately had been paid more than what they were entitled to. He will agree that in its capacity as guardian of public funds in Canada, the government must provide efficient administration.

Perhaps also I could say that the federal administration is assuredly the best government administration in all the country for never have I seen here in Ottawa so many dedicated civil servants working not for money, but for the sake of work well done. They are highly conscientious. In fact, because I know them, I admire them. I have had occasion to talk to them, to ask them for statistics. Even when their work was most demanding, they always showed me remarkable kindness and courtesy, for which I am grateful. These faithful public servants are unknown to most. I hope there will be some public recognition of Canada's debt to them, and a reward of some sort. They are entitled to our attention, our courtesy and our appreciation and I hope they will continue to carry out the functions to which they are dedicated, the service of the world's most beautiful country, Canada.

[English]

Mr. J. A. Jerome (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, before becoming involved in a discussion of the merits of the resolution itself, there are two or three observations I feel compelled to make concerning the language of the notice of motion. First, the motion reads in part:

—the government should consider the advisability of introducing legislation to provide that where, due to error or negligence of a public servant, a member of the public becomes indebted to the government—

Further on in the motion we see a recurrence of that type of language where it reads:

—then the government should, by insurance scheme or otherwise—