

Adjournment Debate

justify my representative role in this House by engaging with the minister in partisan bickering while any of my constituents, and possibly thousands of other veterans, are being denied the pensions they deserve.

On behalf of my constituents I implore the minister to do two things. On behalf of every member of this House I implore the minister to do two things. On behalf of every veteran of this country I demand that the minister do two things. First, rescind the decision of his Victoria office denying my constituent the pension he deserves; and, second, issue immediately a directive to every one of his regional offices clearly spelling out the rights of the veterans.

Hon. Marc Lalonde (Minister of National Health and Welfare): Mr. Speaker, I assure the hon. member, first, that it was not lack of sympathy for the case of his constituent that brought forward the answer that was given the other day. If I had any discretion, obviously I would choose to do exactly what the hon. member has suggested. Unfortunately, I am required to act within the limits of the law, and I am sure the hon. member would not want me to act in an arbitrary way or, even worse, in an illegal way.

The case that has been brought to my attention, and I thank the hon. member for it, is obviously an unfortunate one. However, it results in particular from an amendment that was made to the Old Age Security Act in November, 1957, by the government of the day. I must say that the amendment was an improvement on the previous situation with regard to the length of time required before eligibility was established to receive the old age pension.

Although the government of the day passed that particular amendment, and although it was possible, on behalf of the government of Canada, to consider absence from Canada with regard to residents, or with regard to qualification for residence purposes, there was another qualification. The amendment could not be considered as applying to the other possible qualification which is based exclusively on physical presence in Canada.

I am advised by the legal officers of the government at present that we could only consider physical absence from Canada, even in the case of the armed forces, as amounting to physical presence in Canada if there were an amendment to the Old Age Security Act. Despite all my willingness and desire to help in this particular case, I am afraid I have not been given power by parliament to remedy the situation. However, let me assure the hon. member that I am indeed looking at this particular matter and I have asked for even the legal opinion to be reviewed. If this can be done without any amendment to the act, I would certainly try to do it if the appropriate regulations could be amended. However, I am afraid that the advice I will get is that the legal opinion which was given to the government must be maintained and I will have to come before parliament with an amendment to the legislation in order to provide for cases such as this one.

I also want to assure the hon. member that there are not thousands of cases like the one he mentioned. In this particular case, as he knows, the man has been absent from Canada for very extended periods over his life. There are few cases which would fall under that particular qualification.

Motion agreed to and the House adjourned at 11.31 p.m.