

Pension Acts

● (3:20 p.m.)

I do not wish to speak again at length on this bill, but I do want to say it has been extremely well received by all concerned, including the House of Commons, the standing committee, veterans associations and the veterans themselves. On many occasions I have explained the subject matter, and it has been thoroughly examined and debated. The first step was the tabling of the government white paper, and this was followed by a thorough examination by the committee. There was a full discussion of the matter in this House during the second reading stage of the bill. Apart from these studies, the debates in this House and in the committee, this bill has been the focus of extensive and favourable discussion at many meetings of veterans and veterans organizations across the country. Therefore, it is not necessary for me to again explain the provisions of the bill.

I should like to underline very quickly five of the most important improvements contained in the bill. The first is, of course, the modernization and streamlining of the entire process of pension applications, and the establishment of an independent pension review board. The second is the establishment of a bureau of pensions advocates reporting directly to the minister. The third is a completely new allowance payable, as of right, to those who are exceptionally disabled and entitled to 100 per cent pensions. The fourth, which I should like to underline as being a very important improvement, is special pension provisions for Hong Kong veterans and others who were prisoners of war under the Japanese for at least one year. The fifth improvement to be brought about by the adoption of this bill, and perhaps the most important in the minds of many, is a new, broader and more generous definition of the "benefit of doubt" provision which applies to all provisions of the act.

In conclusion, I should like to state again that the veterans of Canada have hailed this measure as providing "the most extensive improvements in half a century". I am confident that hon. members of this House will also wish to give it their warm and swift approval.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, as I indicated when I was on my feet a few minutes ago, all that was before us procedurally at that point was an amendment which has now been passed and incorporated in the bill. I also indicated there were a number of things on which I wished to say a few words, and I avail myself of this third reading stage in order to do so.

I should like to join with the minister and the hon. member for Norfolk-Haldimand (Mr. Knowles), as well as others, in paying well deserved tribute to the two chairmen of the committee, the former and present, to the officials of the department who sat with us for many hours during many days, and particularly the representatives of the veterans organizations who were really a tremendous help to us in arriving at the final version of this bill.

[Mr. Dubé.]

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): I must also pay tribute to the members of the committee. We in this institution, and I do not think we should, never completely forget our differences. We belong to different parties and we have differing ideas. That is why we are here; to try to resolve these differences. But this is one of the committees in which the differences fade into the background, because of our desire to do a job on behalf of the people of Canada for the veterans of this nation.

I agree that this bill we are now passing is an important milestone in the field of veterans legislation and that it makes many improvements which we in this party warmly welcome. I suggest at the same time this does not deny us the right to point out that it does have some very real shortcomings. We have not reached a Utopia. We have not seen the end of complaints, grievances or disappointments of veterans who will continue to write to their Members of Parliament as well as to the Department of Veterans Affairs.

As the minister has just pointed out, one of the major things to be done is a restructuring of the handling of disability pensions. We have been over the details in this regard many times and there is no point in my going over them at this stage.

There is also a major improvement in the recasting of the "benefit of the doubt" provision. As a matter of fact, in the Standing Committee on Veterans Affairs I suggested that one or two versions of that "benefit of the doubt" provision, which have been put in the bill, should appear in 24 point type. They are extremely important and they should underline every decision made in the cases of veterans, particularly those in doubtful areas.

In all fairness I think we should at the same time issue a word of warning. There has been so much said about this new "benefit of the doubt" clause I suspect there are many veterans in this country, particularly the older ones from World War I, who feel that now is their chance to reopen their cases under this new legislation and obtain favourable decisions, although they have not been able to obtain such decisions over the past 50 years. A warning must be issued. Some of them will obtain favourable decisions, but I am sure some will be disappointed.

This bill writes into the act a new clause 1A which I read into the record on a previous occasion and will not repeat. It calls for a liberal construction of this legislation in order that the recognized obligation of the people and the government of Canada to veterans will be implemented. Nevertheless, there are still clauses in this bill which will result in decisions in borderline cases being made against veterans.

I rise on this occasion to say that the committee in my view did make one improvement in this respect. At page 10 of the bill, as originally introduced, there was a clause which provided that the presumption of physical fitness at the time of enlistment might be rebutted by medical evidence that the disability must have existed prior to enlistment. We had a long discussion in the committee about that wording. Some of us felt that even though we