

British North America Act

usual age of retirement, the plan will provide an earnings related pension which, in combination with the old age security benefits, will I believe assure that people continue to have at least a modestly adequate income on retirement. But such a plan is not complete unless it provides assurance also to people who unfortunately are not able to go on working to the usual age of retirement. This is the purpose of supplementary benefits in a contributory pension scheme.

In the documents which I tabled in the house last week, I think it was, the supplementary benefits that we propose, which would be covered by this kind of amendment if it were adopted, were described in some detail. They were of four kinds and I will outline them briefly. First, there would be the pension for widows of contributors; second, there would be the benefits to dependant children of contributors who die; third, there would be pensions for contributors who became disabled before reaching retirement age; and fourth, there would be a modest death benefit payable to the estate of any contributor.

These benefits are supplementary to the pension plan but they are not themselves old age pensions. The beneficiaries are not necessarily aged. An important group of them, indeed, are children whose father is dead, or whose mother is dead in a case where it was the mother who supported the family.

The constitutional amendment is necessary to make it clear that this parliament has the power to legislate such supplementary benefits of the kind I have mentioned. The amendment, as proposed in this resolution, would be simply an adaptation of section 94A of the British North America Act to cover this broader purpose. It adds to old age pensions, and I quote from the proposed amendment, "supplementary benefits, including survivors and disability benefits irrespective of age". This, Mr. Speaker, is the only change, though it is an important change. It is the only change of substance.

The amendment also takes advantage of the opportunity to tidy up the wording of section 94A by deleting an unnecessary "it is declared" and an unnecessary phrase "from time to time". These are deletions from the original 94A. There are also certain consequential changes in the latter half of the section, that part of the section which safeguards the continuing jurisdiction of the provinces in relation to pensions and related

matters. The present wording of the section refers only to pensions. In order that the safeguard will apply equally to the supplementary benefits proposed, the amendment refers more broadly to "such law" and "any such matter"—that is, the supplementary benefits as well as the pensions themselves. These are the changes that are proposed in the resolution, Mr. Speaker—one of substance, the other of wording and a consequential amendment.

I should like to make it quite clear that the rights of the provinces are unaffected by this amendment. Indeed, I feel that goes without saying or the provinces would not have unanimously agreed to the wording of this formula. The existing section 94A provides that no federal legislation shall affect the operation of any federal law, present or future, in relation to old age pensions. The proposed amendment retains the same provision in relation to both pensions and supplementary benefits. As the house is aware, the wording of the amendment has been submitted to the provinces. As I have just said, this resolution is being brought before the house only after all the provinces have officially expressed their concurrence in the proposed wording.

In conclusion, I should like to express my appreciation of the co-operative spirit in which the premiers of the provinces have considered this matter with the federal government. As a result of that co-operation, we can now make a most important social advance in this parliament. I am sure all hon. members will wish to participate in that advance for the good of the people of Canada. I believe, therefore, that this amendment which is before the house will receive the approval of this house.

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, it is one of the unique ironies of Canadian history that parliament should halt consideration of the question of national flags in order to make an application, by way of an address to the British parliament, to ask that house to amend the Canadian constitution.

In these days of discussion regarding Canada's position as a nation, the panegyrics one has heard in the last few days as to the steps being taken by the government, make the application for the present address before the house rather ridiculous. During the period we were in office we tried to bring about, through the initiation of action within our country, the repatriation of the Canadian

[Mr. Pearson.]