

Senator Marshall: And it arises out of a discrepancy in Bill C-29? I probably should not say discrepancy, but an oversight?

Mr. Fortier: The issue was with Bill C-280. It did not contain a Royal Recommendation, and it was ruled out of order by the Senate.

Senator Marshall: I am well aware of that. But at the committee proceedings when Bill C-29 came before us, we were advised that the bill originated in 1987. Am I right? I think one of the witnesses here was at that meeting.

Senator Murray: What was Bill C-29, Senator?

Senator Marshall: Bill C-29 is the original bill on the Canada Pension Plan.

Senator Murray: From the 1960's?

Senator Marshall: Wasn't Bill C-29 to deal with the CPP for these disability pensions?

Mr. Fortier: No.

Senator Marshall: What was that bill?

Mr. Fortier: I am sorry, I do not know. But there was a C-39, and this one came through the House of Commons and the Senate just before Christmas, and came into force as of January 1992. There were no difficulties at all.

Senator Marshall: When was the bill thought of? When was it prepared? Did you say in committee that it started in 1987, and you had consultation with your study advisory boards and consultation with the provinces?

Mr. Fortier: The children's benefits that were contained in C-39 were part of the proposal that had been discussed with the provinces following a consultation paper that had been put out by Mr. Epp in 1987, yes.

Senator Marshall: But these disabled people whose situations are dealt with in Bill C-57, they were not covered by that Bill C-39?

Mr. Fortier: They were partially included. There was a provision that allowed people who were incapacitated to be recognized by the Canada Pension Plan, even though they had not applied on time. And basically, this provision here is an expansion to all of the people who failed to apply on time.

Senator Marshall: Did you confirm that the bill was originally planned in 1987? I think you said that in committee. What I am trying to get at is: Why were they overlooked? The minister says that there are several thousand included now who were not included before.

Mr. Fortier: They were not overlooked. There was some consideration given to this particular group as well. However, this issue had been referred to the CPP Advisory Board, and their recommendation at that time was that, given that the Canada Pension Plan is relatively generous in terms of providing delayed coverage compared to private pension plans, recognition be given to late applicants who were incapacitated, as opposed to any late applicants.

Basically the government had gone along with that recommendation. During the debate on Bill C-39, of course, there was a lot of interest expressed about the other categories, and this particular bill is in response to that interest.

Senator Marshall: In response to the interest by a private member in introducing Bill C-280?

Mr. Fortier: Yes.

Senator Marshall: And it was never thought of prior to that time, despite all the consultations with the provinces?

Mr. Fortier: As I indicated, it had been discussed at the level of the CPP Advisory Board and the government had taken the advice of the CPP Advisory Board not to proceed further on that issue.

Senator Marshall: I am glad there is a man like Alan Redway, M.P. around. This is something that has been done by an M.P., and that does not happen too often. Therefore, Mr. Chairman, I am pleased with what has happened here. I only regret the fact that that consideration could not be extended to take into account the plight of another 3,500 citizens who are being neglected, and for whom we could have provided similar benefits if my Bill S-5 had been given the same consideration as Bill C-280 and now Bill C-57. I congratulate the government on, at least, admitting their mistake and providing for these handicapped people.

The Chairman: Thank you, Senator Marshall. Senator Molgat, you had another question?

Senator Molgat: Yes, thank you, Mr. Chairman.

[Translation]

Senator Molgat: Madam Minister, I would like to clarify a procedural question. I think that the Senate may have been put in a bad position by news reports. For example, here is what the *Ottawa Citizen* of February 14 said.

[English]

A similar bill stickhandled past reluctant government members in the Commons before Christmas by Toronto MP Alan Redway was rejected by the Senate this week because it did not conform to Senate rules.

[Translation]

In his letter, the minister told him:

This bill received the unanimous support of the House, although the Senate ruled it out of order because it did not have the royal recommendation which is required for legislation involving taxes or public spending.

It seems to me that the impression is given that the Senate objected for its own procedural reasons. The same objection should have been raised in the House, should it not?

This bill should not have passed the House without this same royal recommendation. Is that not so, Madam Minister?

Mrs. Vézina: But the House passed it unanimously.

Senator Molgat: It is surely against the Standing Orders of the House.