

British North America Act

Would the minister tell us whether the inscriptions on those new cars will be bilingual?

[Text]

Hon. J. W. Pickersgill (Minister of Transport): Mr. Speaker, I am afraid I could not answer that question offhand.

BRITISH NORTH AMERICA ACT

ADDRESS REQUESTING AMENDMENT TO PROVIDE FOR SURVIVORS' AND DISABILITY BENEFITS

Right Hon. L. B. Pearson (Prime Minister) moved:

That a humble address be presented to Her Majesty the Queen in the following words:

To the Queen's Most Excellent Majesty:

Most Gracious Sovereign:

We, Your Majesty's most dutiful and loyal subjects, the Commons of Canada in parliament assembled, humbly approach Your Majesty, praying that you may graciously be pleased to cause a measure to be laid before the parliament of the United Kingdom to be expressed as follows:

An act to amend the British North America Act 1867.

Whereas the Senate and House of Commons of Canada in parliament assembled have submitted an address to Her Majesty praying that Her Majesty may graciously be pleased to cause a measure to be laid before the parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, as follows:

Amendment as to legislation respecting old age pensions, 30 & 31 Vict., c. 3; 9 Eliz. II, c. 2.

1. Section ninety four A of the British North America Act, 1867 is hereby repealed and the following substituted therefor:

Legislation respecting old age pensions and supplementary benefits.

"94A. The parliament of Canada may make laws in relation to old age pensions and supplementary benefits, including survivors' and disability benefits irrespective of age, but no such law shall affect the operation of any law present or future of a provincial legislature in relation to any such matter." Short title and citation.

2. This act may be cited as the British North America Act, 1964, and the British North America Acts, 1867 to 1960, and this act may be cited together as the British North America Acts, 1867 to 1964.

He said: Mr. Speaker, it is my privilege to move what I hope will be a joint address of parliament for the amendment of section 94A of the British North America Act. If the resolution is approved by this house, then we shall of course move a motion requesting the concurrence of the other house, which

can be expressed by inserting the words "Senate and" in the resolution.

The purpose of this proposed amendment, Mr. Speaker, is well known to the members of the house. It is a purpose which I believe is supported by all parties in the house. The means for achieving this purpose, survivor benefits in pension legislation, that is by submission of a resolution to the parliament at Westminster, is of course strangely out of date and indeed inappropriate. But at the moment, it is our only means available to this parliament for making this kind of constitutional change. It is, of course, an unhappy situation as we approach the centenary of our confederation and as we approach the 35th anniversary of the passing of the statute of Westminster. It is a situation which I am sure all members of the house and all Canadians would like to see changed. But we have to deal with the situation as it is at present with regard to the procedure to be followed in this matter. If the procedure is anomalous, as it is, and if indeed in a sense it is humiliating to go to another parliament to ask them to do something of this kind for us, it is a self-inflicted humiliation.

The existing section 94A was created by a constitutional amendment in 1951. This 1951 amendment made possible the old age security system under which all Canadians are paid a flat rate monthly pension on reaching age 70. This amendment provided simply that the parliament of Canada, as well as the legislatures of the provinces of Canada, might enact legislation regarding old age pension. This, of course, has led to joint jurisdiction in this matter.

Now, that provision was adequate for the old age security system under which everyone became a beneficiary at a certain age, and no one became a beneficiary before that age. I think we can all agree that this is the foundation of our social security system but that it is not, in itself, enough. I believe it is generally agreed that the time has come to supplement the universal flat rate pension with a broad scheme of social insurance. This is certainly the government's belief, and discussions that have already taken place in the house have shown that it commands general support in the house.

The main benefit under any proposed pension scheme of the kind which I hope will be introduced shortly into the house will, of course, be a retirement pension. For a great majority of people who go on working to the