

Canada Pension Plan

or under a provincial pension plan in respect of any contributor thereunder or an orphan's benefit has become payable to an orphan under this act or under a provincial pension plan in respect of any contributor thereunder, no disabled contributors child's benefit or orphan's benefit is payable to that person under this act in respect of any other such contributor.

No benefit unless child of contributor when contributor disabled.

(4) Except as provided by regulation, no disabled contributor's child's benefit is payable to a child of a disabled contributor unless the child was a child of the contributor at the time the contributor became disabled.

Shall the amendment carry?

Some hon. Members: Agreed.

Amendment agreed to.

Clause as amended agreed to.

On clause 78—*Payment of benefit.*

The Chairman: As moved by the Minister of National Revenue the amendment to this clause will now read:

Payment of benefit.

78. Where a disabled contributor's child's benefit is payable to a child of a disabled contributor or an orphan's benefit is payable to an orphan of a contributor, payment thereof shall, if the child or orphan has not reached 18 years of age, be made to the person or agency having the custody and control of the child or orphan or, where there is no person or agency having such custody and control, to such person or agency as the minister may direct, and for the purposes of this part,

(a) the contributor, in relation to a disabled contributor's child, except where the child is living apart from the contributor, and

(b) the surviving spouse, if any, of the contributor, in relation to an orphan, except where the orphan is living apart from the spouse, shall be presumed, in the absence of any evidence to the contrary, to be the person having such custody and control.

Mr. Knowles: Don't we still have to write "or agency" into the second last line?

Miss LaMarsh: No, "the person" here refers to a contributor or surviving spouse of a contributor.

Mr. Knowles: All right.

Amendment agreed to.

Clause as amended agreed to.

On clause 79—*When benefit ceases to be payable.*

Mr. Benson: I move the following amendment:

When benefit ceases to be payable

79. A disabled contributor's child's benefit or orphan's benefit ceases to be payable with the payment for the month in which the beneficiary ceases to be a child of a disabled contributor to whom a disability pension is payable under this

[The Chairman.]

act or under a provincial pension plan or ceases to be an orphan, as the case may be, within the meaning of this part, or dies.

Mr. Knowles: What happened to the qualification in the previous wording, "ceases to be an unmarried child"?

Miss LaMarsh: The words used are "orphan and disabled contributor's child." In both of these phrases the meaning given earlier is that they include only unmarried people as defined in clause 43.

Amendment agreed to.

Clause as amended agreed to.

On clause 91—*Regulations.*

Miss LaMarsh: Mr. Chairman, subclause (2) of clause 43 provides for the definition of disability and for matters connected with its determination and for the making of certain regulations. After a careful examination of the provisions in the bill, the joint committee made recommendations respecting a number of matters which it felt should be more precisely dealt with by regulation. The purpose of the amendment to clause 91 is therefore to give full effect to these important recommendations of the committee by adding two new subclauses to clause 91 to set these matters out in greater detail.

Although hon. members have before them the recommendations of the committee in both languages, dated February 15, I might say a few words of additional explanation as to the main areas which would be covered by this provision.

An applicant in respect of whom a disability benefit is claimed will be required in the first instance to provide at his own expense the initial report from his physician on the basis of which a determination might be made or further evidence required. If further evidence is required by way of assessment of the individual's condition the cost of this, as I explained some days ago, will be borne not by the applicant but out of the fund. It is considered that the applicant should be responsible for the cost of other than the initial evidence which he should be able to obtain through his own family doctor.

I should also like to say that we would be prepared to give reasonable assistance to an applicant in respect to his initial application where this was required in his interest.

In a number of cases it may be considered that the individual's disability can be reduced and his working capacity improved through suitable rehabilitation procedures. It would