

ever, should the disability intensify, it might very well prevent them from continuing their employment. Would that person then be entitled to a disability pension? This is not a new disability. It has occurred while they are already employed, which would be the case under the normal circumstances.

Senator Murray: Mr. Fortier will take the question.

Mr. Pierre Fortier, Director General, Income Security, Policy and Legislation: There are currently provisions that allow CCP disability recipients to go back to work on a trial basis and retain benefits for up to three months. If during that period the person finds that he or she cannot continue working the provisions will not be affected at all. On the other hand, there are rehabilitation provisions where a person can undergo some rehabilitation for extended periods of time, and during that period of time the benefits are continued. If for one reason or another the person cannot re-integrate into the labour force, the person's disability benefit will not be affected.

Senator Marsden: Through the minister, I do not think that quite covers the circumstances I am thinking of. Perhaps I could ask for a little more on this point. Assume we hire someone at the age of 18 with a disability, who then works to the age of, say, 55 when that disability overcomes the person and they have to ask for a disability pension. Will that person be so entitled?

Mr. Fortier: Yes, that person would have worked and contributed to the Canada Pension Plan, and if the person becomes disabled later on that person would qualify for a disability benefit.

Senator Marsden: If that disabled person becomes further disabled later on, they would be entitled. Is that it?

Mr. Fortier: Yes.

Senator Marsden: Thank you.

[Translation]

Senator David: I wonder if the hon. minister could tell us if, in theory, there is still in the Act a 15 month delay for an individual to apply for a disability pension. From what I understand, only in very special cases will this period extend over 15 months. A patient or recipient will not be penalized only if he has very good reasons for not submitting his application in time. Only then will his application be studied. Is that correct?

Mr. Fortier: According to the current provisions, an individual has 15 months to prove he is eligible to a pension. Not long ago, with Bill C-39, it was established that anyone incapable of making an application was still eligible even if that person had become disabled only later. At that time, the person could be recognized as disabled.

This bill extends this concept to anyone who was incapable, for some reason, to make an application to the Canada Pension Plan.

Senator David: Mr. Speaker, I imagine the definition of disability stays the same. It is still the impossibility, based upon diagnosis or prognosis, to go back to work.

Mr. Fortier: That does not change.

Senator David: Is it not true that before a Canadian act can apply to every citizen in all of the provinces, each province has to amend its pension law in order to make it if not similar to, at least compatible with the decision that has already been made, at least unofficially?

Mr. Fortier: Each province will have to pass an order-in-council in order to ratify this Bill.

Senator David: For my information, does it require unanimity, two thirds or half, something like that?

Mr. Fortier: Two thirds of the provinces representing two thirds of the population. But we do need unanimity to eliminate some provisions which normally requires a three-year notice. We usually have to give a notice of up to three years before implementing a provision or an amendment to the Canada Pension Plan.

Senator David: So that the principle is accepted by both parties but implementation will take place in a couple of months.

Mr. Fortier: You are correct. We had discussions with the provinces and since they agree with those changes already, I do not foresee any problem.

Senator Molgat: Thank you, Mr. Chairman. Like the government leader I wish to thank the minister for coming to the Senate and welcome her.

In your short initial statement, you explained how important this bill is. We agree. But one thought comes to mind. If that bill is so important, how come the government did not do anything sooner? Why did it have to wait for Mr. Redway's bill? I congratulate Mr. Redway on his initiative, but how come this bill, which is admittedly so important, was not presented sooner by this government?

Ms. Vézina: I tend to look forward instead of going back on what is behind us, because the past cannot be changed. The important thing is that we have before us a bill that will be useful for many Canadian citizens. This bill is quite important and contains measures that are fair and just. Our colleague deserves credit for presenting this private member's bill and gaining unanimous support for it in the House of Commons. Better late than never. It is all the better if today, with the consensus of provinces, finance ministers and social services ministers, we can enact a bill that I think is quite fair.

Senator Molgat: I thank the minister and agree with her that we should always look forward, even in matters that may not be quite new to us. I have the feeling that Mr. Redway and other people made representations in the past. The issue had been raised, but nothing was done about it. Why was it so? Did somebody need a good shake? The issue came to fruition only when a backbencher made a move.

Ms. Vézina: I am told that this issue has already been discussed and sent to an advisory committee. Perhaps we have to follow the procedures of both Houses. What matters is that