

their older sisters or their mothers. However, the labour force participation rate of women even in middle age and higher is still not as high as that of younger women, or indeed of men in general. Many women over the age of 50 and older are highly vulnerable to old age poverty.

● (1430)

The situation is exacerbated by the fact that, while CPP credits may be split upon divorce, this is not automatic and it must be requested at Health and Welfare Canada. Until 1987 one could only request the splitting of pension credits for three years after divorce. In 1987 the situation was improved so that there is no longer a time limit on the application. However, as with so many other benefits, especially for people in poverty, it is not good enough to make the benefit available. People have to be aware of it. Then they have to follow through and ensure they get it. This is one of the concerns we all had with respect to the GST rebates. It is not good enough that they are there; you also have to do the paper work to get them.

The experience in Canada has been that many lawyers do not counsel their clients upon divorce to request a splitting of the CPP credit or, even worse, they encourage the wife to trade off CPP credits for the future against immediate benefits that may be more important to them at that time, such as funds for looking after children or some kind of property settlement on a house. In the case of people who are not married under the law but who are co-habiting, this situation may even be exacerbated. That is because divorce is a provincial jurisdiction and the information does not flow to authorities issuing CPP credits. There is a Central Divorce Registry but there is no such registry for common law or co-habitation situations.

We know that the take-up rate for CPP pension credit-splitting is low. Between 1978 and 1990, there were half a million divorces in Canada but only 22,572 pension credit-splitting cases recorded by Health and Welfare Canada, and that only includes those people who were legally married. It does not include the many relations that were common law.

This situation of the difficulties with CPP pension credit-splitting has been known for a very long time. People have been making representations on this for a very long time. The Canadian Advisory Council on the Status of Women continuously makes representations. The National Council of Welfare, women's groups and other groups concerned with poverty across the country are always talking to the government about the pension credit-splitting issue. After all, either all citizens should have the right to pay into a pension fund such as CPP or, if there is a wage-earning spouse responsible for the family, then those years in which such an arrangement is agreed to should be reflected in the benefits of old age.

What makes one so angry about Bill C-39 is that this was precisely an opportunity to put into effect an automatic credit-splitting provision. I quote from a report of the National Council of Welfare called "Women in Poverty Revisited" published in the summer of 1990. They say:

Splitting of CPP credits could be made automatic by using the information collected by the Central Divorce Registry of the federal Justice Department. The Quebec Pension Plan already has such a system. QPP administrators get copies of divorce judgments and automatically split the credits of ex-spouses. This is much better than under the Canada Pension Plan, but it is not perfect. Quebec couples, like those in Saskatchewan, can still decide not to have their credits split.

This bill, which does quite a few things to improve split credits, does not put in any kind of automatic or easy registration system. While the bill amends subsection 55 in a variety of ways, it does not ensure that credit-splitting is automatically done. It improves and clarifies the situation with respect to credit-splitting but does virtually nothing for the majority of the women who are not pension-wise and who, especially because divorce is likely to occur at a much younger age than one normally contemplates retirement, are not thinking about the consequence to their old age.

Honourable senators, to put it in simple terms, I must say I think it is disgusting that this bill has received such speedy passage through both chambers of Parliament. The practice of putting together in a single piece of legislation a "sweetener", such as an additional benefit for children with parents with disabilities, with a great many other changes that are inadequate or less palatable is an unfortunate one. In fact, if we were reasonable people, we would divide this bill; pass the section dealing with children of the disabled; and retain the sections dealing with subsection 55 until we had brought some backbone to those provisions.

● (1440)

I am quite surprised at the lack of concern shown, especially in the Senate. Surely, everyone is aware of women living in poverty in old age, and particularly of the poverty of those who have divorced, especially those who have divorced at an age over 50 or 55. Such divorces are no longer uncommon. While they may be a relief to the individuals involved, they lead to an extraordinary degree of poverty among single women of advanced years who must be supported from the public purse in other ways. Since the Senate cannot escape its reputation as being a chamber of older people, perhaps it behooves us to look especially at the interests of older people.

If we give passage to Bill C-39 this afternoon, we will have allowed an important opportunity to slip by. The bill was sent to our committee only last Friday. It was dealt with in this chamber only last Thursday. Because the schedule was changed on short notice, many of us were prevented from attending sessions which we might otherwise have attended. This is not a partisan criticism because Senator Kinsella and others on the Social Affairs committee and, indeed, I am sure, the chairman of the Social Affairs committee share concerns about the rapidity with which this bill had to go through.

In my view, this is simply not good enough. The bill is not good enough. Its insensitivity and lack of concern about a matter that has been public knowledge for years is not good enough. The often-discussed concern about poverty will only