

Canada Pension Plan

live without a woman in that part of the world when he is living on the land. I do not mean this in the romantic sense of, "I cannot live without you", but in the economic sense.

I am sure the hon. lady is familiar with this situation because it is a constant problem facing her department when they remove an Indian or Eskimo patient to hospital in the south. Invariably there is an extra wife or husband at home when the person returns from his medical care. He finds in many cases that his family has been increasing while he has been gone, both in terms of children and additional wives or husbands. Similarly I would hope that where children are eligible ordinarily—I know I am speaking on the wrong clause but I think it is pertinent—that the children of this kind of liaison will be eligible when they would have been otherwise entitled.

I can foresee a problem here if the existence of what we call a marriage—"we" meaning the people in the south—would be the criterion in determining the status of the children. I, for one, cannot accept the idea that in order to establish eligibility you would have to have been living together in this way for a number of years. In that kind of country, we cannot afford to do this for a number of years. I hope that in these cases the minister can assure me she is going to be rather flexible because in that part of the country we do not have the same standards as we have in the south.

Miss LaMarsh: My hon. friend knows that I am as soft hearted as mush, but this plan is not a means of providing for all the ladies of the night in the north. This plan is intended to be for a continuing union, whether or not it has been blessed by a licence or banns. It is not intended for the case where a man works in one part of the north, lives with a woman there and perhaps his children and then moves to another part, leaving her and picking up two or three others over a period of years. This plan is intended for the woman he holds out as his wife. He may or may not have a wife. If he has a wife and cannot therefore marry the woman with whom he is living, he falls within the terms of paragraph (a). If he does not have a wife and is living with this woman without being married to her, he falls within the terms of paragraph (b). But it is intended to be his permanent partner who shall benefit from his pension; this is what the plan is intended to do. It is not intended to provide a supple-

[Mr. Rhéaume.]

mentary benefit to make up for the necessity, perhaps, of staying warmer in the north than in the south.

Mr. Rhéaume: I mention this point because it has tremendous implications. I am not asking that anyone who spends the time of an evening with a woman should be eligible for these benefits. However, I am asking the hon. lady to accept the same kind of guidance in these delicate problems as the judge of the territorial court in the Northwest Territories has found it necessary to take when called upon to decide questions of eligibility for death benefits in the case of those covered by insurance, the custody of children and so on. I am not asking the hon. lady to underwrite licentiousness or polygamy. I am merely suggesting it would be wise if she were to be guided in these matters by the experience of the courts in the Northwest Territories, because it does appear to me that in this legislation unless there is the old wedding certificate available no pension will be paid out, unless the hon. lady gives permission. All I wanted was an assurance from her that she would be guided in the application of this somewhat harsh criterion by the factors which the judge of the Northwest Territories court weighs when giving consideration to similar matters.

Mr. Herridge: I have been listening to this discussion for some few minutes. Would it be right to say that the minister intends to administer this section of the act, as the Secretary of State for External Affairs might say, justly in the light of all the circumstances?

Miss LaMarsh: It would be fair to say that. Clause agreed to.

Clause 64 agreed to.

On clause 65—*Return of benefit where recipient not entitled.*

Mr. Monteith: This clause indicates that a person who has received or obtained a benefit payment to which he is not entitled, or benefit payment in excess of the amount to which he is entitled shall forthwith return the cheque or the amount thereof, or the excess amount, as the case may be. I have no quarrel whatsoever with that.

Subclause (2) indicates that these amounts may be recovered at any time as a debt due to Her Majesty and that where the person involved is or subsequently becomes a beneficiary the amount of any such indebtedness may be deducted from any benefit payable to