

an unfeeling government to squeeze the veterans a little more but it happened to be brought in in 1957. If my recollection is correct, the right hon. member for Prince Albert (Mr. Diefenbaker) was prime minister at that time. So if it was an insensitive measure, he would be blaming his own party. But that amendment was an improvement on the legislation as it then existed.

We deal with a small number of cases, and when there is an inequity it is cleared up. However, at the same time we as legislators have a responsibility to see that our legislation is not totally open ended so that anybody can come to Canada from anywhere in the world and enjoy all the benefits of our society. Frankly, I hope that day comes; I really do. I think we are living in such a favoured position in the world today—and we are terribly selfish about it at times—that we must think, not in terms of how much more we can get for ourselves but how we will share it with the less favoured people in the world.

Some people do not like that. They are to be found among members opposite as well as in my own party, I am sure, and even in my own constituency. But we have a long way to go, and when I hear complaints that we are overtaxed and we have such immense problems in our own country that we should forget about people overseas, that charity begins at home, it does not go down very well with me. In fact, it goes the opposite way.

I am a businessman in private life. People say that businessmen are being squeezed out of business. Businessmen have a responsibility to be efficient and to make profits. They also have the responsibility to use those profits to help reduce costs, and this is important. That which is not used to reduce prices must go back into society. Our first obligation, of course, is to our own people. We have to keep our own house in order. But we cannot sit in our own pristine white purity in this country and think that the rest of the world does not exist. If we continue in that way, I suggest that the world will continue to exist but we will not, and what exists will not be white. I am sorry to get off on this track when dealing with a fine point of law.

● (1750)

I think it is a ridiculous point of law that we are discussing tonight. The important thing is that the hon. member has moved his motion, asking the minister to give consideration to it. The minister himself so indicated in the House on January 10. We have had reassurances, in which I have every confidence, that legislation will be brought forward. Of course, if I were in the hon. member's position I would be inclined to introduce the same sort of motion. This is what makes our system work. This is what prods government. This is what brings inequities which affect small, ordinary Canadians to the fore. I think it is a good question to be debated by us this evening.

Mr. Norman A. Cafik (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, the hon. member for Okanagan Boundary (Mr. Whittaker) suggested that the question involved in this point revolved on a matter of interpretation. I think the point has already been made that that really is not so. The minister does not have power, under the act passed by parliament, to interpret that act in a way other than it is being interpreted at

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the present time. The real question concerns what is involved in "presence" in Canada. Presence, according to the legal advisers to the Crown, means that you have to be in Canada. That is the issue.

What we must do if we are to solve this problem is amend the Old Age Security Act in such a way as to give power to the governor in council to define in fact what is presence in Canada. If that amendment were made, it would be possible for the minister to make recommendations to the governor in council to interpret "presence" in the way that he sees fit, to accommodate the kind of question that has been raised this evening. When replying to a question respecting this matter in the House of Commons on January 10, 1974, as reported at page 9270 of *Hansard*, the minister indicated that he was very sensitive to the question and that in due course he would be introducing an amendment to solve the problem. I think that is really the long and the short of the matter. That is what we intend to do, and we will do it.

I would now like to turn for a moment to the specific wording of the motion. It contains two elements. The first element talks about the Old Age Security Act being amended to ensure that Canadian veterans with overseas service have such service counted for time in Canada. I think all of us know what the hon. member means, but I think there is a bit of difference with respect to what is said in the motion because the law at present provides for overseas service to be counted as time in Canada in respect of residency. That is "time in Canada" under the law, but not in terms of "presence" in Canada. I think the wording ought to be changed to "presence in Canada."

The second element has not been alluded to in the discussion this evening. At the conclusion of his motion the hon. member indicates that the proposed amendment would cover veterans whether or not they had resided full-time in Canada after their discharge. That is a new element. Even if the period spent overseas as a veteran, or indeed as an employee of the government of Canada, were considered as presence in Canada, this would solve part of the problem but not all of the problem raised by the hon. member because, according to the relevant section of the act, a person has to be in Canada for one year immediately preceding approval of an application for pension. I do not think that aspect of the matter has really been discussed by any of the members who have taken part in this debate, and it should be considered. I am not aware of any decision that the government has made with respect to this question in forthcoming legislation, so I intend to bring it to the minister's attention.

I congratulate the hon. member for Thunder Bay (Mr. Penner) on his contribution to this debate. He contributed substantially by reviewing the background of the act and the technicalities involved in this legal problem which affects a small number of individual citizens. Those who take time to read his explanation will understand how these matters have arisen.

At the beginning of his remarks, the hon. member for York North (Mr. Danson) referred to the importance of parliament giving consideration to the consequences of legislation affecting individual citizens. I concur wholeheartedly in his remarks. A matter that has upset me for years, even before I became a parliamentarian, is that