

Bill No. 60 of 1948.

A BILL TO AMEND THE OLD AGE PENSIONS ACT,
ALBERTA

NOTE.

This Bill amends *The Old Age Pensions Act, Alberta*.

Old age pensions are payable pursuant to certain agreements made between the Dominion of Canada and the Province of Alberta under the provisions of the Dominion Act and the Alberta Act.

This Bill approves, ratifies and confirms a new agreement between the Dominion of Canada and the Province of Alberta which is set out in full in section 6 of the Bill under the heading Schedule A.

Under the new agreement the maximum pension is increased from three hundred dollars yearly to three hundred and sixty dollars yearly.

The maximum pension payable to a pensioner is reduced by the amount of income he receives from other sources in excess of a fixed amount depending on the category of the pensioner. These fixed amounts have also been increased by the new agreement which means a pensioner can receive more income from other sources without reducing his maximum pension.

Paragraph (b) of section 6 of the Act has been amended by striking out the reference to *The Public Service Efficiency Act* and by substituting therefor *The Public Service Act, 1947*.

Section 9 of the Act is struck out as this section has never been operative.

All the existing Schedules to the Act are struck out.

Schedule A which contains the sections in the Dominion Act is struck out because these sections have now been amended and the sections as amended are contained in the new agreement. The remaining two Schedules are struck out because they are replaced by the new agreement.

W. S. GRAY,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 60 of 1948.

An Act to amend The Old Age Pensions Act, Alberta.

(Assented to _____, 1948.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Old Age Pensions Act, Alberta*, being chapter 269 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 3 by striking out the words "as set out in the Schedule to this Act" where the same occur therein.

2. The said Act is further amended as to section 6 by striking out the words "*The Public Service Efficiency Act*", where the same occur in paragraph (b) thereof, and by substituting therefor the words "*The Public Service Act, 1947.*"

3. The said Act is further amended as to section 7a by striking out the same and by substituting therefor the following:

"7a. The agreement entered into between the Government of the Province of Alberta and the Government of the Dominion of Canada dated the sixth day of September, 1947, and authorized by Order in Council No. 766-47 dated the twenty-ninth day of July, 1947, as amended by the amending agreement dated the twelfth day of February, 1948, and authorized by Order in Council No. 1351-47 dated the twenty-third day of December, 1947, is hereby approved, ratified and confirmed, and the agreement as amended is set out in Schedule A hereto."

4. The said Act is further amended as to section 7b by striking out the same.

5. The said Act is further amended as to section 9 by striking out the same.

6. The said Act is further amended as to Schedule A by striking out the same and by substituting therefor the following:

"SCHEDULE A.

"Memorandum of Agreement made the sixth day of September, 1947.

"Between:

The Government of Canada, hereinafter called "Canada", represented by the Minister of National Health and Welfare of Canada,

of the First Part

and

The Government of the Province of Alberta, hereinafter called the "Province", represented by the Minister of Public Welfare of Alberta,

of the Second Part

"Whereas Canada and the Province have entered into agreements dated the 22nd day of July, 1929, the 30th day of April, 1932, the 7th day of March, 1938, the 1st day of September, 1943, and the 1st day of April, 1944, respecting the payment of pensions under the terms and the conditions therein provided;

"And whereas by chapter 67 of the Statutes of Canada, 1947, *the Old Age Pensions Act*, being chapter 156 of the Revised Statutes of Canada, 1927, hereinafter called the Dominion Act, was amended and by reason thereof Canada desires to enter into a new agreement with the Province in substitution for the aforementioned agreements and to revoke the said agreements;

"And whereas the Province desires to enter into a new agreement with the Dominion as aforesaid, in substitution for the aforementioned agreements previously entered into and to revoke the said agreements;

"And whereas *The Old Age Pensions Act, Alberta*, being chapter 269 of the Revised Statutes of Alberta, 1942, as amended, hereinafter called the Provincial Act, provides for payment of pensions by the Province under and subject to the provisions of the Dominion Act, before passage of chapter 67 of the Statutes of Canada, 1947;

"And whereas the Province is not authorized under the provisions of the Provincial Act to enter into a new agreement with the Dominion under and subject to the provisions of the Dominion Act as amended by chapter 67 of the Statutes of Canada, 1947, but has by Order in Council No. 766-47 dated July 29th, 1947, authorized the signing of the said new agreement, and has given assurance that an appropriate amendment to the Provincial Act will be introduced by the Government at the next session of the Legislature;

"And whereas the Minister of National Health and Welfare of Canada, and the Minister of Public Welfare for the Province of Alberta have been respectively authorized by the parties hereto, to enter into this agreement and to execute these presents:

"Now therefor, this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements herein contained, the parties hereto, hereby covenant and agree each with the other as follows:

"1. The Province will,—

"(a) in manner prescribed by the Dominion Act and Regulations thereunder, deal with an application for pension made by any person who is resident in the Province of Alberta, and, if satisfied that such person is properly and lawfully entitled to receive pension under the conditions specified in the Dominion Act and Regulations, pay a maximum pension of Three Hundred and Sixty Dollars (\$360.00) yearly, such maximum pension to be reduced in the case of,—

- "(i) an unmarried sighted person by the amount of any income received by such person in excess of Two Hundred and Forty Dollars (\$240.00) a year; and
- "(ii) a sighted person married to and living with a sighted spouse who is in receipt of pension, by one-half the amount of any income received by such person and his spouse in excess of Three Hundred and Sixty Dollars (\$360.00) a year; and
- "(iii) a sighted person married to and living with a sighted spouse not in receipt of pension, by the amount of any income received by such person and his spouse in excess of Seven Hundred and Twenty Dollars (\$720.00) a year; and
- "(vi) a sighted person married to and living with a blind spouse who is in receipt of pension by one-half the amount of any income received by such person and his spouse in excess of Four Hundred and Eighty Dollars (\$480.00) a year; and
- "(v) a sighted person married to and living with a blind spouse who is not in receipt of pension by the amount of any income received by such person and his spouse in excess of Eight Hundred and Forty Dollars (\$840.00) a year; and
- "(vi) an unmarried blind person without a dependent child or children, by the amount of any income received by such person in excess of Three Hundred and Sixty Dollars (\$360.00) a year; and
- "(vii) an unmarried blind person with a dependent child or children, by the amount of any income received by such person in excess of Five Hundred and Sixty Dollars (\$560.00) a year; and
- "(viii) a blind person married to and living with a sighted spouse who is in receipt of a pension by one-half the amount of any income received by such person and his spouse in excess of Four Hundred and Eighty Dollars (\$480.00) a year; and

- “(ix) a blind person married to and living with a sighted spouse who is not in receipt of pension by the amount of any income received by such person and his spouse in excess of Eight Hundred and Forty Dollars (\$840.00) a year; and
- “(x) a blind person married to and living with a blind spouse who is in receipt of pension, by one-half the amount of any income received by such person and his spouse in excess of Six Hundred Dollars (\$600.00) a year; and
- “(xi) a blind person married to and living with a blind spouse who is not in receipt of pension by the amount of any income received by such person and his spouse in excess of Nine Hundred and Sixty Dollars (\$960.00) a year;
- “(b) in accordance with the provisions of subsection (1) of section 9 of the Dominion Act as amended, deal with the calculation and the payment of pension in any case where, in the opinion of the pension authority, the applicant or his spouse has assigned or transferred property for the purpose of qualifying the applicant for pension or for a larger pension than he would otherwise be entitled to receive;
- “(c) in accordance with and subject to the provisions of subsection (2) of section 9 of the Dominion Act, as amended, authorize the pension authority to recover out of the estate of any deceased pensioner the sum of the pension payments made to such pensioner from time to time, provided however, that the pension authority may, in its discretion, decide that no claim shall be made in any case where the net value of the pensioner's estate does not exceed Two Thousand Dollars (\$2,000.00), or if the net value does exceed Two Thousand Dollars (\$2,000.00) that claim will be made only against the amount of such estate in excess of the sum of Two Thousand Dollars (\$2,000.00);
- “(d) in accordance with subsection (3) of section 9 of the Act, report quarterly to Canada all sums recovered from pensioners or from the estates of pensioners;
- “(e) furnish to Canada quarterly a statement showing the gross amounts paid for pensions during the preceding quarter to the persons and under the conditions specified in the Dominion Act and the Regulations thereunder the total of the sums recovered from pensioners or from the estates of pensioners during such preceding quarter and the net amount due to the Province by Canada pursuant to this agreement;
- “(f) in accordance with section 12 of the Dominion Act as amended, pay the amount of pension granted

by any other province to any pensioner who transfers his permanent residence to Alberta;

“(g) in accordance with section 13 of the Dominion Act as amended, reimburse any other province in the amount and upon the conditions therein set out.

“2. Upon production of the statement referred to in paragraph (e) of the preceding section, Canada will pay to the Province an amount equal to seventy-five per cent of the gross amount paid by the Province for pensions, during the preceding quarter, pursuant to a provincial statute, to the persons and under the conditions specified in the Dominion Act and Regulations, less Canada’s share of the amount recovered by the Province from pensioners or from the estates of pensioners, as provided in subsection (3) of section 9 of the Dominion Act as amended.

“3. This agreement shall not take effect until an Act to amend *the Old Age Pensions Act*, being chapter 67 of the Statutes of Canada, 1947, has been brought into force by proclamation and as and from the date of such proclamation this agreement shall be deemed to have come into force the 1st day of May, 1947, and the agreements dated the 22nd day of July, 1929, the 30th day of April, 1932, the 7th day of March, 1938, the 1st day of September, 1943, and the 1st day of April, 1944, shall be and they are hereby revoked as of the said 1st day of May, 1947.

“In witness whereof the Minister of National Health and Welfare of Canada representing the Government of Canada and the Minister of Public Welfare of the Province representing the Government of the Province of Alberta have hereunto set their hands and seals, the day and year first above written.

“Signed, sealed and delivered in the presence of

G. LAUTHIER.

A. H. MILLER.

PAUL MARTIN.
*Minister of National Health
and Welfare of Canada.*

W. W. CROSS.
*Minister of Public Welfare
of the province of
Alberta.*

7. The said Act is further amended as to Schedule B by striking out the same.

8. The said Act is further amended as to the Schedule being a Memorandum of Agreement dated the first day of April, 1944, between the Dominion of Canada and the Province of Alberta, by striking out the same.

9. This Act shall come into force on the day upon which it is assented to.

No. 60

FIFTH SESSION
TENTH LEGISLATURE
12 GEORGE VI
1948

BILL

An Act to amend The Old Age
Pensions Act, Alberta

Received and read the

First time

Second time

Third time

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
1948