

Bill No. 14 of 1950.

A BILL TO AMEND THE OLD AGE PENSIONS ACT,
ALBERTA

NOTE.

This Bill amends *The Old Age Pensions Act, Alberta*, being chapter 269 of the Revised Statutes of Alberta, 1942.

Section 7 is amended by striking out clause (a) of subsection (1) and substituting a new clause. Each time the Dominion Government amends the provisions of its *Old Age Pensions Act* a new agreement relating to old age pensions must be executed with each of the provinces. The purpose of this amendment is to enable the Province to enter into any agreement with the Dominion Government which is made necessary by an amendment to *The Old Age Pensions Act*. These agreements may be entered into by the Lieutenant Governor in Council if deemed necessary and proper. Every order in council approving such an agreement is required to be published in *The Alberta Gazette* and to be tabled at the next ensuing session of the Legislature. If the agreement is not disapproved by a resolution of the Legislature it continues in force. This procedure avoids the necessity of making a retroactive amendment to this Act every time there is a variation of the old age pensions agreement.

Section 7a is struck out and a new section 7a substituted in its stead. The new section validates the agreement between the Dominion of Canada and the Province of Alberta relating to old age pensions which was authorized by Order in Council 751-49 dated June 16th, 1949.

Schedule A to the Act is struck out and a new Schedule A is substituted which sets out the terms of the agreement between Canada and Alberta which is approved, ratified and confirmed by this amending Act.

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

KENNETH A. MCKENZIE,
Acting Legislative Counsel.

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

BILL

No. 14 of 1950.

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

(Assented to _____, 1950.)

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 7 by striking out subsection (1), clause (a) and by substituting the following:

“(a) in the event of the Parliament of Canada amending the *Old Age Pensions Act* of the Statutes of Canada or substituting or adding new provisions, enter into any agreement which may be deemed necessary or proper for the purpose of securing to the Province the benefit of such amending, substituted or added provisions, and in the event and for the purpose aforesaid, amend, vary, add to or repeal any of the provisions of this Act in any manner which may be deemed necessary in order to adopt for and make effective in the Province any or all of the provisions which have been amended, substituted or added;”.

2. The said Act is further amended by striking out section 7a and by substituting the following:

“7a. The agreement entered into between the Government of Canada and the Government of the Province of Alberta, dated the 24th day of June, 1949, and authorized by Order in Council No. 751-49, dated the 16th day of June, 1949, and contained in Schedule A hereto, is hereby approved, ratified and confirmed.”.

3. The said Act is further amended by striking out Schedule A and by substituting the following:

“SCHEDULE A

“Memorandum of Agreement made the 24th day of June, 1949.

“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, pursuant to the provisions of the *Old Age Pensions Act*, herein called the Dominion Act, being Chapter 156 of the Revised Statutes of Canada, 1927, as amended by Chapter 67 of the Statutes of 1947, entered into an agreement under date of the 6th day of September, 1947, and which agreement was amended by an agreement made the 12th day of February, 1948;

“And whereas Chapter 19 of the Statutes of Canada for 1949 further amends the Dominion Act, and by reason thereof the parties hereto desire to enter into the agreement hereinafter set forth in replacement of the said agreement, as amended;

“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 19 of the Statutes of Canada, 1949;

“And whereas the Province is not authorized under the provisions of the Provincial Act to enter into a new agreement with Canada under and subject to the provisions of the Dominion Act as amended by Chapter 19 of the Statutes of Canada, 1949, but has by Order in Council No. 751-49 dated June 16th, 1949, 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 therefore, 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 \$480 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 \$120 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 \$120 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 \$600 a year; and
- “(iv) 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 \$240 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 \$720 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 \$240 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 \$440 a year; and
- “(viii) a blind 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 \$240 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 \$720 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 \$360 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 \$840 a year.

- “(b) in accordance with the provisions of sub-section (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 \$2,000. or if the net value does exceed \$2,000. that claim will be made only against the amount of such estate in excess of the sum of \$2,000;
- “(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 centum* 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 will become effective on the 1st day of June, 1949, and the agreement dated the 6th day of

September, 1947, as amended by an agreement dated the 12th day of February, 1948, shall be and it is hereby revoked as of the said 1st day of June, 1949.

“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.	}	“PAUL MARTIN”, Minister of National Health and Welfare of Canada.	
“FRANCES GODSOE”.		}	“W. W. CROSS”, Minister of Public Welfare of the Province of Alberta.”
“A. H. MILLER”.			

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

No. 14

FIRST SESSION
TWELFTH LEGISLATURE

14 GEORGE VI

1950

BILL

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

Received and read the

First time

Second time

Third time

HON. DR. CROSS.
