

Bill No. 51 of 1952.

A BILL AUTHORIZING THE PAYMENT OF SUPPLEMENTARY ALLOWANCES TO RECIPIENTS OF OLD AGE SECURITY, BLIND PERSONS ALLOWANCES AND OLD AGE ASSISTANCE.

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NOTE.

This is a new Act to be known as "*The Supplementary Allowances Act*."

The Act provides that a supplementary allowance of an amount not in excess of ten dollars may be granted monthly to the following:

- (a) a person who at the end of 1951 was receiving a supplementary allowance under the provisions of "*The Old Age Pensions (Supplementary Allowances) Act*"; and
- (b) a person who or on or after the first of January, 1952, becomes eligible for an allowance under this Act.

A person becomes eligible for an allowance under this Act when he is awarded an old age security pension, old age assistance or blind persons allowance under *The Old Age Security Act*, *The Old Age Assistance Act* or *The Blind Persons Act* of the Statutes of Canada, passes a means test fixed by regulations and has resided in Alberta for the greater portion of the three years immediately preceding the date he qualifies for an old age security pension or blind persons allowance.

The Minister is empowered to enter into agreements with any other province that pays a similar allowance and pays the allowance to residents of that province who have moved to Alberta, providing for the payment of the allowance to Alberta residents who move to such other province. The allowance paid to such recipients will be the same as the allowance paid by the other province to its residents.

The Lieutenant Governor in Council may make regulations establishing a means test and, in general, for administering the payment and matters incidental to the payment of the allowances.

The Lieutenant Governor in Council is empowered to appoint a Board consisting of not less than three persons. The Board will receive applications for allowances, determine eligibility of applicants, determine the amount of the allowance and direct payment where the applicant is eligible.

The Board may nominate a trustee to receive a recipient's allowance where, in its opinion, the recipient is incapable of handling his affairs or likely to use the allowance otherwise than for his own benefit.

It is an offence to knowingly obtain or receive an allowance under this Act to which one is not entitled, or to knowingly assist another to so obtain an allowance to which that person is not entitled. A person who obtains an allowance or aids and abets another to do so in contravention of section 11 is liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not in excess of three months, or both.

Allowances and expenses of the administration of this Act are to be paid out of moneys appropriated for that purpose by the Legislature.

*The Old Age Pensions (Supplementary Allowances) Act* is repealed.

The Minister of Public Welfare administers the Act.

This Bill comes into force upon assent and is retroactive to the first day of January, 1952, except subclause (ii) of clause (a) of subsection (2) of section 3 which is to come into force on April 1st, 1952.

J. W. RYAN,  
*Acting Legislative Counsel.*

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

# BILL

No. 51 of 1952.

An Act Authorizing the Payment of Supplementary Allowances to Recipients of Old Age Security and Blind Persons Allowances.

(Assented to \_\_\_\_\_, 1952.)

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

## Short Title.

1. This Act may be cited as "*The Supplementary Allowances Act*". Short title

## Interpretation.

2. In this Act, unless the context otherwise requires,—
- (a) "allowance" means a supplementary allowance authorized to be paid under this Act and the regulations to a person in receipt of an old age security pension, a blind persons allowance or old age assistance; Interpretation "allowance"
  - (b) "Board" means the Board appointed pursuant to section 6; "Board"
  - (c) "inspector" means an inspector of the Department of Public Welfare; "inspector"
  - (d) "Minister" means the Minister of Public Welfare; "Minister"
  - (e) "recipient" means a person to whom an allowance is granted; "recipient"
  - (f) "regulations" means regulations made under this Act. "regulations"

3. (1) Notwithstanding the provisions of *The Old Age Assistance Act* (Alberta) and *The Blind Persons Act* (Alberta) or any agreement, order or regulation made thereunder, an allowance may be paid to a person,— Allowance authorized

- (a) who was on the thirty-first day of December, 1951, in receipt of a supplementary allowance under *The Old Age Pensions (Supplementary Allowances) Act*; or
  - (b) who, on or after the first day of January, 1952, becomes eligible for an allowance under this Act.
- (2) A person is eligible for an allowance under this Act,—

- (a) who is,—
  - (i) awarded a pension under *The Old Age Security Act* (Canada) or an allowance under *The Blind Persons Act* (Canada); or
  - (ii) awarded assistance under *The Old Age Assistance Act* (Canada); and
- (b) who qualifies in accordance with such test of financial means as may be prescribed by the regulations; and
- (c) who has resided in the Province of Alberta for the greater portion of the three years immediately prior to the date he was awarded a pension under authority of the *Old Age Pensions Act* (Canada) or a pension under *The Old Age Security Act* (Canada) or an allowance under *The Blind Persons Act* (Canada) or assistance under *The Old Age Assistance Act* (Canada).

(3) The allowance granted a recipient shall be paid in the manner and shall be of such amount, not exceeding ten dollars per month, as may be prescribed by the regulations.

Payments  
in other  
provinces

4. The Minister, with the approval of the Lieutenant Governor in Council, may enter into an agreement with the Government of any other province in Canada that,—

- (a) pays an allowance of the nature authorized by this Act; and
- (b) has agreed to and does pay the allowance to persons, residents of that province, who have moved to the Province of Alberta;

providing for the payment to Alberta residents, who move to such other province, of a monthly allowance equivalent to what he would be entitled were he receiving a pension under the *Old Age Pensions Act* (Canada), or a pension under *The Old Age Security Act* (Canada) or an allowance under *The Blind Persons Act* (Canada), or assistance under *The Old Age Assistance Act* (Canada) from such other province.

Regulations

5. The Lieutenant Governor in Council may make regulations,—

- (a) prescribing the test of financial means with which each applicant for an allowance must comply;
- (b) governing the manner of making application for an allowance;
- (c) providing for the suspension or cancellation of an allowance;
- (d) fixing the amount of the allowance which may be paid to a recipient or to a class or group of recipients;
- (e) providing for the making of an investigation by an inspector with respect to each applicant for or recipient of an allowance;

- (f) prescribing the information which each applicant for an allowance shall furnish;
- (g) prescribing the manner in which an applicant is to prove any information submitted in support of an application for an allowance;
- (h) fixing the intervals at which, and the manner in which allowances are to be paid;
- (i) prescribing forms for use under this Act;
- (j) respecting any other matter deemed necessary or advisable to carry out effectively the purposes of this Act.

**6.** (1) The Lieutenant Governor in Council may appoint Board authorized  
a Board.

(2) The Board shall consist of not less than three persons, one of whom shall be designated chairman of the Board.

- 7.** The Board shall,— Duties of Board
- (a) receive applications for allowances;
  - (b) determine the eligibility of each applicant for an allowance;
  - (c) determine the amount of the allowance to be granted, where the applicant is eligible;
  - (d) direct payment of the allowance in the manner prescribed by the regulations.

- 8.** Where a recipient in the opinion of the Board,— Trustee for recipient authorized
- (a) is using or likely to use the allowance otherwise than for his own benefit; or
  - (b) is incapacitated or is incapable of handling his affairs;

the Board may appoint a trustee and direct that the allowance be paid to the trustee for the benefit of the recipient.

**9.** When a recipient dies, the allowance for the month in which his death takes place may be paid to his estate or to the person administering the affairs of the deceased recipient. Payments to estates

**10.** No claim shall be made against a deceased recipient's estate or beneficiaries for any allowance paid the recipient during his lifetime. Claims

**11.** (1) No person shall knowingly obtain or receive an allowance under this Act and the regulations that he is not entitled to obtain or receive. Offences and penalties

(2) No person shall knowingly aid or abet another person to obtain or receive an allowance under this Act and the regulations that such person is not entitled to obtain or receive.

- Idem (3) A person who violates subsections (1) or (2) is guilty of an offence and is liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding three months, or to both fine and imprisonment.
- Power to appoint **12.** Subject to the provisions of *The Public Service Act, 1947*, the Lieutenant Governor in Council may appoint such officers and employees as may be necessary for the proper administration of this Act.
- Appropriation **13.** Allowances and the expenses of the administration of this Act and the regulations shall be paid out of the moneys appropriated for that purpose by the Legislature.
- Repeal **14.** *The Old Age Pensions (Supplementary Allowances) Act*, being chapter 270 of the Revised Statutes of Alberta, 1942, is repealed on the thirty-first day of December, A.D. 1951.
- Coming into force **15.** This Act shall come into force upon assent and upon so coming into force shall be deemed to have been in force at all times on and after the first day of January, 1952, except subclause (ii) of clause (a) of subsection (2) of section 3 which shall be deemed to come into force on the first day of April, 1952.

No. 51.

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FIFTH SESSION  
ELEVENTH LEGISLATURE

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1952

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**BILL**

An Act Authorizing the Payment of  
Supplementary Allowances to Recipi-  
ents of Old Age Security, Blind  
Persons Allowances and Old Age  
Assistance.

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Received and read the

First time .....

Second time.....

Third time.....

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HON. DR. CROSS.

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