

1973 Bill 90

Second Session, 17th Legislature, 22 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 90

The Senior Citizens Benefits Act

THE MINISTER OF HEALTH AND SOCIAL DEVELOPMENT

First Reading

Second Reading

Third Reading

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1973

THE SENIOR CITIZENS BENEFITS ACT

(Assented to _____, 1973)

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

1. In this Act,

- (a) "benefit" means a monthly allowance authorized to be paid under this Act;
- (b) "beneficiary" means a person in receipt of a pension and a supplement under the *Old Age Security Act* (Canada) and of a benefit under this Act;
- (c) "Minister" means the Minister of Health and Social Development;
- (d) "pension" means the monthly pension authorized to be paid under the *Old Age Security Act* (Canada);
- (e) "resident of Alberta" means a person who makes his home and is ordinarily in Alberta, but does not include a tourist, transient or visitor to Alberta;
- (f) "supplement" means the monthly Guaranteed Income Supplement authorized to be paid under the *Old Age Security Act* (Canada).

2. In accordance with the regulations the Minister may, out of moneys appropriated by the Legislature for the purpose, pay a benefit in an amount prescribed by the regulations to every person who

- (a) is receiving a pension and a supplement, and
- (b) is a resident of Alberta.

3. Payment of a benefit under this Act shall be made in respect of each month that the beneficiary receives a supplement.

4. Payment of a benefit under this Act shall cease

- (a) upon the Minister being notified of the termination of payment of a supplement, or

Explanatory Notes

1. Definitions.

2. Eligibility for benefits.

3. Commencement of payment of benefits.

4. Termination of payment of benefits.

- (b) upon the payment of the benefit for the month in which the beneficiary dies, or
- (c) upon the Minister being notified that payment of a supplement to a beneficiary is being effected in another province.

5. The Lieutenant Governor in Council may make regulations

- (a) prescribing the manner of paying the benefits under this Act;
- (b) fixing the amount of the benefit that may be paid to beneficiaries;
- (c) prescribing forms for use under this Act;
- (d) prescribing the manner of deducting payment pursuant to section 7, subsection (2);
- (e) generally, respecting any matter required for the proper administration of this Act and the regulations.

6. Any person who knowingly receives a benefit that he is not entitled to receive under this Act and the regulations is guilty of an offence and liable on summary conviction to a fine of not more than \$500 and in default of payment to imprisonment of not more than three months.

7. (1) Any person who has received a benefit to which he is not entitled shall forthwith return the benefit or the amount thereof to the Minister.

(2) Where a person has received a benefit to which he is not entitled, the amount of that benefit may be recovered as a debt due to Her Majesty in proceedings commenced

- (a) at any time, where that person made a wilful misrepresentation or committed fraud for the purpose of receiving the benefit, or
- (b) where clause (a) does not apply, within one year of the receipt of the benefit,

and where that person subsequently becomes a beneficiary, the amount of any such indebtedness may be deducted and retained out of any benefit payable to him.

8. A benefit under this Act shall not be assigned, charged, attached, anticipated or given as security, and any transaction purporting to assign, charge, attach, anticipate or give as security a benefit is void.

9. This Act comes into force on the day upon which it is assented to, and upon so coming into force shall be deemed to have been in force at all times on and after October 1, 1973.

5. Regulations.

6. Offence.

7. Recovery of benefits.

8. No alienation of benefits allowed.