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Chair

Mr. Dean Allison

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• (1535)

[English]

Mr. Graeme Truelove (Procedural Clerk): Good afternoon, honourable members. I see a quorum.

As Mr. Allison is absent and as the two vice-chairs have declined to take the chair today, if it is the will of the committee to elect an acting chair, I'm ready to receive motions to that effect.

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): Mr. Chair, I would like to nominate Mr. Savage.

Mr. Graeme Truelove: Mr. Lake nominates Mr. Savage. Are there any other motions?

(Motion agreed to)

The Acting Chair (Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.)): Pursuant to the order of reference of Tuesday, January 30, 2007, Bill C-36, An Act to amend the Canada Pension Plan and the Old Age Security Act, I call the meeting to order.

Welcome. I want to thank the witnesses who have taken time to join us here today by teleconference. Thank you very much.

We will begin by asking for presentations by the witnesses who've taken time to be with us, and then we will go to questions.

We will begin with Monsieur Salembier. You have seven minutes, sir, *sept minutes*.

[Translation]

Mr. Henri Salembier (National President, Association québécoise de défense des droits des personnes retraitées et préretraitées): We would like to thank you for inviting us to participate in these committee hearings. We are pleased to be here today.

I am the National President of the Association québécoise de défense des droits des personnes retraitées et préretraitées, i.e. seniors. We have 45 chapters in Quebec and 25,000 members, in addition to partners, for a total of 150,000 members.

As our name indicates, the association advocates on behalf of seniors in Quebec. For some years now, we have been defending the Guaranteed Income Supplement.

Without further delay, I'm going to hand things over to Mr. Claude Major, our Director General, who will present our brief.

Thank you.

Mr. Claude Major (Director General, Association québécoise de défense des droits des personnes retraitées et préretraitées): Hello everyone. This is my first time before a committee. I'm told you just have to jump right in, so here goes.

As the president said a few moments ago, we deal with a whole range of issues facing seniors: ageism, abuse, exploitation, violence, home support and home care, health, economic and social rights, transportation, taxation, etc. The bill before the committee is of great interest to us, and we wanted to share our comments and reactions with you.

For years, our organization has lobbied government to simplify access to the programs in question. We therefore agree with your desire through this bill to facilitate the application process and make it easier to access the Guaranteed Income Supplement benefit.

We have also denounced the fact that a majority of seniors are unaware of existing assistance programs. In Quebec alone, for years, seniors lost out on hundreds of millions of dollars intended for them. We therefore view your desire to raise public awareness about these programs and to make them accessible to as many eligible seniors as possible in a positive light.

More specifically with regard to the Old Age Security Program, the provision to waive the requirement that Guaranteed Income Supplement and Allowance recipients reapply for these benefits once an initial application has been made is also an excellent initiative.

The simplification of the income tax return for seniors speaks to another one of our concerns.

As part of the broader struggle against poverty, we have deplored the lack of harmonization among the various programs, measures, departments and levels of government. We look favourably on your desire to work more closely with provincial governments to harmonize the assistance programs for seniors, particularly those addressed by this bill.

We only saw the actual wording of the bill a few days ago and are, therefore, unable to comment on the more specific and technical aspects of its provisions. We are therefore addressing considerations of a more general nature.

We appreciate the aspects we have just mentioned, but would nonetheless like to point out to the committee how important it is to implement the bill in a way that reflects its intentions.

We thank you for your invitation to appear before this committee and for your attention to our comments.

Thank you, Mr. Chair.

• (1540)

[English]

The Acting Chair (Mr. Michael Savage): *Merci, monsieur Major.*

Mr. Bajwa, can you hear us in Mississauga? I think we'll let you go next, since you've been waiting patiently. Please go ahead. You have seven minutes.

Mr. Balkar Bajwa (Principal, Old Age Benefits Forum): Hello. Good afternoon.

Mr. Chair, members, ladies and gentlemen, my topic is equitable treatment of all Canadian seniors in the granting of old age benefits.

We, the members of Old Age Benefits Forum, Ontario chapter, under the leadership of the Old Age Benefits Forum of Canada (Registered), which is based in Vancouver, are struggling to amend the Old Age Security Act to remove the unfair 10-year residency clause for certain immigrants who come from China, South Asia, Arabia, South America, Eastern Europe, Africa, and others.

The Old Age Security Act lays a condition of 10 years' residency on certain Canadians who are from areas of the world that have no so-called reciprocal social agreement with Canada. This condition was imposed by an amendment of the OAS Act in 1977. Thus, it splits the plus-65 Canadians into two categories: beneficiaries and non-beneficiaries of old age benefits.

Once, in the year 1977, the Canadian government tried to rectify this unfairness by bringing in section 40 of the act. Effective July 1, 1977, the Canadian government was empowered to enter into social agreements with the countries of the immigrants, and sponsored immigrants from those countries that would be portable to Canada, towards the fulfillment of the grant of OAS benefits.

Up to March 6, 1996, senior immigrants coming from social agreement countries could receive benefits after as little as one year of residency in Canada at one-fortieth the flat rate of full OAS benefits, GIS, and SPA. Against this, immigrants from non-social agreement countries have to wait 10 years, and thereafter are paid OAS benefits at 10/40 the flat rate of full benefits, plus GIS and SPA. In both cases, the total sum of OAS plus GIS is the same. Thus, evidently there is a glaring unfairness in the matter of OAS benefits. This unfairness has continued right from July 1, 1977.

• (1545)

The Acting Chair (Mr. Michael Savage): Mr. Bajwa, just one second. We're having some trouble with translation. You're speaking too fast.

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Chair, the difficulty the interpreters are having stems from the sound and the accent, and is preventing us from grasping what the witness is saying. Maybe he could speak more slowly.

[English]

The Acting Chair (Mr. Michael Savage): Okay.

I would ask you, Mr. Bajwa, if you could, to speak a little bit slower so the translation can catch up. We're translating here. So if you could speak just a little bit slower, we'll allow you a little extra time.

Please continue.

Mr. Balkar Bajwa: Okay. It would be opportune to give a brief glimpse of the story of our struggle for the amendment of this section of the OAS Act.

The Right Honourable Paul Martin, in a number of meetings with the OABF in Ottawa, Toronto, and Vancouver, expressed his unequivocal support and commitment—and also publicly announced this on certain occasions—to resolve this genuine issue. After a cabinet meeting in Kelowna, when this point was raised by a prominent Liberal leader of B.C., J. Minhas, the Right Honourable Prime Minister informed him that a high-ranking committee of four ministers had been asked to look into the matter and make a positive decision. Nothing came out of that promise.

The government changed in the beginning of 2006. Our campaign for this genuine cause continued. Throughout the last year, we e-mailed petitions in this connection to all the MPs, irrespective of their party affiliation. Also, a campaign of personal meetings with MPs of the GTA continued. We presented a petition to them by handouts.

The campaign bore significant fruit when Ms. Colleen Beaumier, MP for Brampton West, moved a private amendment, Bill C-362, in this connection on October 25, 2006. Its first reading is due, so we were told, in this session of the House Commons.

We personally lobbied MPs Ruby Dhalla, Gurbax Malhi, Navdeep Bains, Roy Cullen, Omar Alghabra, Jack Layton, Olivia Chow, and others. Agreeing with and supporting our cause, MPs Gurbax Malhi and Ruby Dhalla have given statements on the floor of the House of Commons in support of this issue.

To make our struggle wide-based, we have joined with the Immigrant Seniors Advocacy Network of Toronto, comprised of the Chinese Canadian National Council's Toronto chapter, the Hispanic Development Council, the African Canadian Social Development Council, the Council of Agencies Serving South Asians, and other seniors groups. After deliberations, the network's steering committee passed an all-party resolution for immigrant seniors' income security in order to help improve the living conditions of immigrant seniors in Canada irrespective of their country of origin.

It reads:

Whereas the maintenance of strong, healthy, and vibrant families with the full knowledge of each individual that he/she enjoys an equal status in the eyes of the law of the land is a core Canadian value;

Whereas the unification and reunification of older adults and seniors with their families in Canada through immigration forms a core aspect of the promotion and attainment of strong, healthy, vibrant families in Canada;

Whereas newcomer seniors suffer unfairly from the 10-year residency requirement under Canada's income security programs;

Whereas Canada's Old Age Security, Guaranteed Income Supplement, and social assistance programs are in fact age, capacity, and need-based benefit programs, not individual contribution-based income security plans;

and so on.

Therefore, we resolved to recommend that the government amend the Old Age Security Act, the regulations and policies, to eliminate the 10-year residency requirement for OAS and GIS; waive the enforcement of sponsorship obligations through government cost recovery schemes as a condition of financial support in situations of genuine immigration sponsorship breakdown; establish a nominal public transit card for all seniors in Canada that costs just \$45, as it does in British Columbia, so that all seniors will be able to overcome the isolation they suffer because of the cost of using public transit.

These measures are jointly recommended—

• (1550)

The Acting Chair (Mr. Michael Savage): You have one minute left, please, one minute to wrap up.

Mr. Balkar Bajwa: I'm concluding.

These measures are jointly recommended so as to reiterate our joint commitment to the principle of respect for human dignity.

The seniors network has also drafted a public petition, which is based on the all-party resolution, in order to demonstrate public support for the issue. Apart from English, this petition was translated into various ethnic languages. So far, we have received petitions signed by a cross-section of about 15,000 people from the GTA. These signed petitions are in the process of being presented to the government and MPs.

A parliament that can impose a condition also has the power and authority to remove it through an amendment. This is so much so that even when one becomes a citizen of Canada, this condition continues to hang like a sword of Damocles.

It is submitted that there should not be two classes of Canadian citizens in matters of OAB. This is highly painful. It is a common cause of your senior voters. Action on behalf of the genuine demand of seniors will be in honour, respect and recognition of the seniors. Hence it is requested that you act, and act determinedly, for the amendment of this act.

Thank you very much for hearing me.

The Acting Chair (Mr. Michael Savage): Thank you very much, Mr. Bajwa. In case the translation didn't work completely, our staff will be contacting you to get your notes to give to committee members. Please stay with us for questions, if you would.

We will go to Mr. Richard Shillington, who is appearing as an individual. You've taken the time to give us some notes. I'll give you seven minutes, and I'll hold my finger up when there's a minute left.

Then we will go to Mr. Dussault of the FSNA, who has now joined us.

Mr. Shillington, seven minutes.

Mr. Richard Shillington (As an Individual): Thank you for this opportunity to speak to you about Bill C-36, which seeks to make

some changes to the legislation for old age security, the guaranteed income supplement, and the Canada Pension Plan.

I would like to begin by emphasizing the critical importance of these programs to the financial health of seniors, particularly those who retire without an employer pension plan. Without these programs, these seniors would be destitute. Even with these programs, the circumstances of low-income seniors are not comfortable.

For a single senior without a pension plan, the average income is \$15,000, and 82% of single seniors who don't have an employer pension plan live on less than \$20,000 a year. So you can imagine the circumstances that they would live on if they weren't getting OAS, GIS, or CPP.

The purpose of these programs is income security. It was said to me very well by a friend the other day: income security, the security of their income. We want income security, so that seniors aren't destitute and so that working-age Canadians can work knowing that these programs will be in place when they retire.

This income security is only achieved if seniors receive the benefits that are provided for them in the legislation. The ultimate purpose of the legislation is to place money into the hands of seniors. I'd like people to remember that.

Some of you will know that I became involved in this issue in the fall of 2001, when it was discovered that some 300,000 seniors who were eligible for the guaranteed income supplement were not receiving it. We've made some progress in this area, and this committee's report at that time was called "The Guaranteed Income Supplement: the Duty to Reach All". But I do not think we have achieved the objective of reaching all. We're some distance from it for each of the programs: OAS, GIS, and CPP.

Bill C-36 is the first legislation in the last six years that I recall actually addressing the procedures for applying for these benefits. It's the first legislation since the realization in 2001 that hundreds of thousands of seniors were not getting the benefits they were entitled to. To my mind, Bill C-36 makes some minor improvements, but it is some distance from addressing the major remaining problems with the administration and legislation of these programs.

The remaining problems are discussed in my brief. They include take-up, which is the policy wonk's term for people getting the benefits they're entitled to.

Retroactivity is the provision to provide benefits to people who, either because of an error on the department's part or their own, are not receiving the benefits they were entitled to.

Interest and retroactivity is an issue I would like people to discuss for a minute, and it's dealt with in Bill C-36. We could talk about the current practice, what the legislation provides for, and what it should provide for.

Application for early CPP is discussed in my brief very quickly.

Regarding the determination of administrative error, the current legislation provides full retroactive benefits when there is an administrative error. But I think there are problems in what we mean by administrative error and who decides when an administrative error has been made.

Regarding the design of the GIS clawback, some of you know that this is RRSP season, and my name appears in the press regularly advising low-income senior who will be on GIS when they retire that the last thing they want is an RRSP. Also if you're a low-income senior, working will not primarily benefit you. You'll face an effective tax rate of well over 75%. So presently the design of the GIS, in terms of the clawback, is dysfunctional.

In the first piece of legislation that we've seen in some years, I would have liked to see some provision to address all of these issues in Bill C-36.

Thank you very much for your time.

• (1555)

The Acting Chair (Mr. Michael Savage): Thank you very much, Mr. Shillington.

We'll go to Mr. Dussault, who is with the Federal Superannuates National Association. Mr. Dussault, you have seven minutes.

[Translation]

Mr. Bernard Dussault (Senior Research and Communications Officer, Federal Superannuates National Association): Good day. Thank you for inviting the Federal Superannuates National Association to appear as a witness.

We represent the Public Services, Canadian Forces and Royal Canadian Mounted Police pensioners and pensioned federally appointed judges. All these people, once they reach the age of 65, receive the Old Age Security pension and they also receive a pension from the Canada Pension Plan or the Quebec Pension Plan, sometimes before the age of 65. Even though our mandate primarily concerns Public Service or public sector pensions, we are also concerned about everything that is happening with respect to the Old Age Security pension and the Canada Pension Plan.

Clearly, we can only be pleased with the amendments proposed under Bill C-36. There is only one aspect that I would like to bring to your attention, as a result of comments I've been getting from members of our association when problems arise. In 99% of the cases, everything is fine, but one of the things that irritate our members the most is when there is an administrative error resulting in an overpayment. Not only do they have to reimburse the overpayment, but also pay interest.

We agree that the overpayment and interest should be paid in the case of fraud, but these plans are so complicated that in many cases, when errors occur, people can't tell. I don't know if anything can be done in this regard, but I just wanted you to know that it is an

important issue, not only for the less well-off, but also especially for the less well-off who do not understand what is going on.

Thank you very much.

[English]

The Acting Chair (Mr. Michael Savage): *Merci, monsieur Dussault.*

Thank you to all the witnesses for taking the time. We will go to some rounds of questions, beginning with the Liberal Party.

Mr. Silva, seven minutes.

Mr. Mario Silva (Davenport, Lib.): Thank you, Mr. Chair.

I want to begin by first thanking all the witnesses for their very fine presentations. This is obviously an issue that we are all very much concerned about here on the committee. This particular bill is something that also interests the vast majority of members, because it affects a very large percentage of our population. It's something that will affect probably all of us at one time or another.

The whole issue of access to information was certainly something we discussed here at the committee—how we can make sure the different cultural groups, also those who are illiterate, and of course the most marginal people in our society get the information that is needed so that they're aware of the programs that are in place. Mr. Shillington talked at length about the fact that so many of these individuals who are entitled to benefits are not receiving their benefits, probably because a good chunk of them don't know.

Certainly as a member of Parliament I get many constituents coming to see me in my office who have no idea what's out there, not just in terms of the supplement they can get for their pensions, but also in terms of housing and how to apply for these programs. There's a great need for us to assist in educating and providing resources to agencies to do outreach for these people. It's something that greatly concerns me, because if we aren't getting that information out, these people are not fully benefiting from the programs we have out there.

I'd like to see if somebody has any comment on how we can better do outreach to get this information to people.

• (1600)

Mr. Richard Shillington: I'll start with an example comparing the Canada Pension Plan to the Quebec Pension Plan. The latest data I have is that there are 55,000 Canadians who haven't applied for their CPP retirement benefits. On the whole, we know who they are and where they live. There is an unknown number who haven't applied for their survivor benefits, which I gather is a relatively unknown program. Many people I talk to have not heard that there's something called survivor benefits, let alone orphans' benefits.

Through friends, I'm told that in Quebec there is actually a much better way of reaching out to the Quebec Pension Plan beneficiaries. Through the offices of the leader of the Bloc, a researcher phoned me one time and asked me for some information. I asked them to do me a favour and to phone the Quebec Pension Plan office and ask: if there are 55,000 people not receiving their eligible CPP benefits, how many in Quebec are not getting their QPP benefits? The call came back in a couple of days—there were virtually none, because they know where they are; they know where they live. They use computer systems to identify them. So when you renew your driver's licence or your health card, the computer will say that you should be signed up for your QPP. I have no direct knowledge of this, but I'm told they will phone. They will, I am told, knock on your door.

For those 55,000 who are not getting retirement benefits and an unknown number, likely hundreds of thousands, not getting survivor benefits, that is unnecessary.

Mr. Mario Silva: Thank you very much for that comment. I was not aware of that.

We had the departmental staff here last week. That would have been a good question to ask them. Of course they will argue that there are certain things that cannot be done because of the fact that certain rules—I'm not sure what all the rules are, because I'm always reluctant to accept the system as is. There are a lot of things that can always improve it, but the system, as is, tells us that basically you can't share information for reasons of confidentiality. I'm not sure how that is handled at the Quebec level. I certainly would like to know more about it.

Is there anybody here from the department who would like to comment on that? None of the witnesses here is from the department, so we'll have to leave it for another day, but it's certainly something I'd like to have more information about.

Thank you.

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Chair, I would like to make a point that we should have the department here when we are having witnesses, because I think it would be good to have that on the record.

Thank you.

The Acting Chair (Mr. Michael Savage): Thank you, Ms. Yelich. We know that the officials will be here for clause-by-clause next Tuesday.

You have a couple of minutes left, Mr. Silva, if you have anything else. No.? Okay, thank you very much.

We'll go to the Bloc, to Monsieur Lessard, for seven minutes.

[*Translation*]

Mr. Yves Lessard: Thank you, Mr. Chair.

I would be pleased to use the time not used by my colleague.

I also want to thank our friends who are here today. I call them our friends because they are people who are very concerned about the situation of seniors, in particular, and I know that they are doing a lot to help them.

Thank you for being here as witnesses.

My colleague, Mr. Silva, raised a question regarding public servants. Mr. Dussault's intervention makes me want to ask for an interpretation of Bill C-36. It was my understanding—maybe the officials can confirm it for us—that Bill C-36 had addressed this problem, i.e. in the case of an administrative error, but not fraud, no interest has to be paid. However, we should check that this is indeed the case. If not, maybe an amendment should be brought to address the issue. However, I thought I had read that in Bill C-36. It will be up to us, along with the officials, to determine what is what.

I will start by addressing a few comments to the AQDR, the Association québécoise de défense des droits des personnes retraitées et préretraitées, and to Mr. Salembier, but perhaps there are others who would also like to respond.

I was somewhat surprised by the issue of retroactivity. None of you mentioned that benefits should be retroactive more than for the eleven-month period provided for in the bill. In fact, many seniors were entitled to the Guaranteed Income Supplement and didn't get it for the reasons raised by my colleague, Mr. Silva. They didn't know they were entitled, or given their civil status, they weren't in a position to know, whether it was for reasons of language, disability, illiteracy, etc.

So why didn't you bring it up? We were, in fact, considering whether we should go for a period longer than eleven months, because of how unfair the situation was for people who were entitled to the benefits.

I would like to hear what you have to say.

• (1605)

Mr. Henri Salembier: It is very important because, if I remember correctly, the potential amount due to seniors in Quebec who had not been informed... We worked on this issue for quite some time with some members of Parliament. In Quebec alone, it represented an enormous amount of money for seniors, and that was at least five years ago now. I couldn't tell you the exact amount, but I think it was around 5 million or \$5 billion for Canada, and \$1 million or \$1 billion for Quebec seniors.

Mr. Yves Lessard: As was mentioned earlier, there were some 320,000 people who were entitled to the benefit and didn't receive it. In Quebec, there were 68,000 people. Out of these 68,000 people, there were 42,000 who obtained it thanks to the work done by individuals such as our then colleague, Mr. Gagnon. This amounted to \$195 million in Quebec alone. Not a negligible amount by any means, and that doesn't include the millions of dollars for people elsewhere in the country.

However, my question remains. Is there a specific reason why you haven't raised this issue? Does it mean you have given up?

Mr. Bernard Dussault: When I spoke of retroactivity, I was only referring to errors relating to pensions, the amounts to be paid by federal pensioners. But if you mean someone who applied for Canada Pension Plan benefits late, say at 68 years of age, when he should have done it three years earlier, I agree with you that the benefits should be retroactive for more than one year. In fact, benefits should be retroactive for the entire three-year period for the good reason that the individual in question was really entitled to them. In order to be consistent, when administrative errors occur, retroactivity should cover the entire period.

Where I think it could be difficult not to apply retroactivity would be in cases of disability pensions. Sometimes, the one-year period should be used for reference only, and not as the absolute rule. There are situations where it is obvious the individual has been eligible for over a year.

Mr. Yves Lessard: I seem to be in the position of making suggestions to you as I go along. I confess that I'm surprised that none of you raised the questions of making benefits retroactive for more than eleven months.

Are we missing something here? If so, I would like to know what it is, because we will be debating this topic when developing our recommendations to the House of Commons.

• (1610)

Mr. Bernard Dussault: I only started to read the bill late yesterday. Unless I missed something, the only thing I saw about retroactivity concerned payments pensioners owed to the government.

So I don't know if there are provisions in the bill for people who apply for their benefits late. If there is anything, I didn't notice it. That is why I didn't mention it.

Mr. Yves Lessard: Do you have anything to add?

Mr. Henri Salembier: I would simply like to add that in Quebec alone, 13% of the people receive the Guaranteed Income Supplement in addition to their Canada Pension Plan benefits. Some do not receive benefits from the Quebec Pension Plan, especially women. Those are the poor in the population, if you will.

I think it is very important to that these people receive their benefits. We're talking 13% but there is also another 37%, which means 50% of the people in Quebec have absolutely no pension plan. They are living on their Canada Pension Plan or Guaranteed Income Supplement benefits. 37% are getting Quebec Pension Plan, Canada Pension Plan and Guaranteed Income Supplement benefits. This means that 50% of seniors have incomes that are not very high.
[English]

The Acting Chair (Mr. Michael Savage): Monsieur Lessard, that's time. That's seven minutes.

I would like bring to the attention of members, just because of the point that Mr. Dussault raised about overpayments being charged interest, that when the department was here on Tuesday, Ms. Scotti mentioned in one of her slides that neither OAS nor the CPP collects interest on overpayments. The officials will be back on Tuesday, and that's something we can follow up on.

Thank you, Mr. Lessard.

Ms. Charlton.

Ms. Chris Charlton (Hamilton Mountain, NDP): Thank you, Chair.

I'll have a few questions for Mr. Bajwa later on.

Let me start, though, by following up on the questions on retroactivity. It's my understanding that if I were to introduce amendments to this bill that would significantly expand the retroactivity periods, those amendments would all be ruled out of order. That's a bit troubling. This is an opportunity for us to actually

have a serious look at what happens to OAS, GIS, and CPP. I'm particularly concerned about CPP because, as you know, it's employers and employees who pay into that program and in essence it's their money. In my view, they have a right to their money, no matter what the retroactivity period is. Nonetheless, I'm told that those amendments can't be moved in this committee.

Let me try to flip the question around and see if you, as experts, have some advice for us, because the reality is that if take-up were 100%, nobody would have to worry about retroactivity. So if I can't deal with the question of retroactivity in this legislation, is there a way we can move this legislation forward by enhancing opportunities to create 100% take-up through either legislation or regulation?

I wonder if you have some advice on that, to start with.

The Acting Chair (Mr. Michael Savage): You may respond, Mr. Shillington.

Mr. Richard Shillington: There are many things we could do to improve take-up, and I want to underline what you've said: the debate about retroactivity is there because of the take-up problem. If we could make the take-up problem go away, the retroactivity debate would be irrelevant.

One of the disturbing provisions in Bill C-36 is the provision to exclude estates from pursuing retroactive benefits. It's disturbing because it assumes that we're going to have this take-up problem for some time; otherwise, why would you have a provision that would reduce the burden of dealing with estates? It's disturbing in that we seem to be planning for more take-up problems in the future, rather than ensuring, as this committee said some years ago, that we fulfill the duty to reach all.

Can you do things in this legislation? I'm not sure you need the legislation, quite frankly. Can you make CPP take-up problems go away? For retirement benefits, I would say it's administrative practice, and Quebec has proved it. You don't need legislation to do that; you simply need practice to do it. In fact, it can't take that many people to make 50,000 phone calls. We do know—and I hear this from seniors and from the press all the time—that if you owed the government \$10,000, they would phone eventually. They would find a way to phone you, and they would probably have the multilingual people who would do that.

Can we muster the resources in the size of this federal government to find some people to phone the seniors on CPP? I have in my files seniors who are 90 years old before they apply for CPP. I dug out some statistics. Last year there were about 900 seniors who applied for CPP retirement benefits for the first time when they were over the age of 80. Now those people are in the files. We know who they are and where they live.

With regard to GIS, there are similarly some real problems in finding those who don't file tax returns, but virtually all of these people are getting old age security. We know you just need two computer files: who is getting old age security, and who we know is eligible for CPP and hasn't applied. You don't need legislation to do that.

• (1615)

Ms. Chris Charlton: I appreciate that, and I would love to share the optimism of this legislation, which would like us to believe we can achieve 100% take-up. I'm just a little concerned, because in my community of Hamilton we used to have dedicated Service Canada staff whose job it was to advise people on CPP and to advise them of their benefits—that was their sole job—and those job descriptions have now changed. People are asked to give advice on everything from boat licences to EI to CPP, and we're actually losing the very hands-on service that was designed to increase take-up. So I'm not optimistic that we're going to make progress without some significant changes.

Let me move on to another question, though. We do know that once you apply for GIS, this bill now contemplates that you do not need to reapply in years after the first application. This still assumes, though, that seniors have the ability—literacy, language, whatever abilities you want to talk about—to fill out the application in the first place. In your experience, do you think the application is necessary at all? I ask because, as you pointed out, we have the tax information and we know what people's incomes are; therefore, would you be advocating that it just be an automatic right, based on tax returns, or do we need that initial application?

The Acting Chair (Mr. Michael Savage): Does anybody want to answer that one?

Mr. Richard Shillington: I will if nobody else wants to.

The Acting Chair (Mr. Michael Savage): Well, go, Mr. Shillington. It's yours again.

Mr. Richard Shillington: My understanding is that the OAS application form collects information about residency, and the GIS application needs information about your income and also about who you're living with, so the vast majority of the information is on the income tax return. There may be a small modification needed for the income tax return so that it can trigger the GIS, but my understanding is—and I'm no expert on this—that you don't even need legislative change, because the act does not prescribe the application form, which is why the department now can mail prefilled letters to people to apply for the GIS. You don't need the legislation to do this based on the income tax return.

I want to make one comment about computer files and linking of computer files. When you apply for old age security, you give HRDC the right to see your income tax return, so the provision is there. For those who've applied for old age security, that's how they can claw back your OAS.

An example that comes to my mind is that if you cross the border and fill in one of those customs forms, and you're collecting EI, you could be in some serious problems because HRDC people, who run EI, will see your customs forms. We can compare files, and certainly HRDC uses income tax returns to make sure you've reported your income properly for the GIS and for the OAS clawback. All we have

to do is ask if we can now use this computer linkage to find people and give them money, rather than use the computer linkage to find ways to deny benefits to people.

The Acting Chair (Mr. Michael Savage): Thank you very much.

Thank you, Ms. Charlton.

Mr. Dussault.

Mr. Bernard Dussault: I have a quick clarification. Maybe I misled you when I talked about interest. You're right that no interest is charged presently, but in Bill C-36 there are two paragraphs to the effect that interest would be charged on overpayments. That was my concern.

• (1620)

The Acting Chair (Mr. Michael Savage): Okay, we'll follow that up. Thank you, Monsieur Dussault.

Mr. Lake.

Mr. Mike Lake: I want to thank you all for coming today. It's nice to be having a discussion about issues that I think we all agree are very important, like fairness in the system, efficiency, making sure we have less administration and more benefit, and making sure it's a simpler program for seniors.

Mr. Dussault commented on administrative errors before, and I think we got some correction on that, but I don't believe this bill actually changes anything in that respect. The Auditor General has said that the fact that we don't charge interest on overpayments due to administrative errors is in contravention of the Financial Administration Act. On page 3 of the bill it says:

Section 66 of the Act is amended by adding the following after subsection (5):

(6) Section 155.1 of the *Financial Administration Act* does not apply in relation to amounts owing to Her Majesty under this Part.

We've basically removed the fact that it's in contravention of the FAA to not charge interest, so my understanding is that interest would not be charged on overpayments due to administrative errors.

Mr. Bajwa talked about some of the sponsorship agreements with other countries. I believe that in Canada we have 50 social security agreements with other countries, which is more than any other country has. When someone's here for one year from a country with a social security agreement, the Government of Canada picks up a very small portion of that and the source country picks up the rest.

My first question is for all of you. We've talked about ways that we can go further in this, or things you would add. I've heard some good suggestions there, but let's take a look at the bill we have right now. I want to make sure that the things in this bill are going to improve the system. Are there any changes in the bill that you don't agree with—not that they don't go far enough, but where you don't agree with the direction in which they're going?

We'll start with Mr. Shillington because he has his hand up.

Mr. Richard Shillington: I already mentioned the provision that would exempt the state from pursuing retroactive benefits, only because it would reduce the administrative burden of dealing with take-up issues. That is another provision that would go away if there were no take-up problem.

There's a flip side to this interest issue, and I want to talk about a woman. I'll use her name because it's been in the press. Her name is Marie Baxter, and she came to my attention when she contacted me. She had missed out on 15 years of Canada Pension Plan benefits. The department lost her application form. She applied for her retirement benefits and survivor benefits at the same time because her husband died just when she was turning 65.

When you get the cheque, there's no way of telling what it's for. You know it's CPP but it doesn't tell you how much is for what, so she didn't know. So 15 years later she discovered that she had been getting the wrong amount. Eventually, after my intervention and with the help of *The Globe and Mail*, she got her full retroactive cheque. She had made not one error whatsoever.

The legislation for CPP says that when you make a retroactive payment because of administrative error, the payment should put the person in the place they would have been in if the error had not been made.

Is there a lawyer in the room? Does that imply interest?

Mr. Mike Lake: I just want to clarify that this isn't really addressing the bill at hand. This is something you'd like to see improved in the system.

Mr. Richard Shillington: I think that when the department makes an error, and the recipient of the payment has made no error whatsoever, and it involves 15 years of benefits, if you want to make restitution for the error you pay interest.

Mr. Mike Lake: Mr. Shillington, you have lots of great ideas. What I'm looking for right now is, specifically in reference to this bill before us, whether there are any—

Mr. Richard Shillington: I would drop that provision. I would rather have the Financial Administration Act myself, frankly.

Mr. Mike Lake: Mr. Major, do you have any comments in regards to the bill?

Mr. Claude Major: No.

Mr. Mike Lake: So you pretty much agree with each of the things in the bill?

Mr. Claude Major: Yes.

• (1625)

Mr. Mike Lake: Okay.

Mr. Salembier, would you agree with that as well then?

[*Translation*]

Mr. Henri Salembier: Yes. I agree with the bill. However, like Mr. Shillington, I am still wondering why we get our blue card at 65, but have no way of knowing if we are eligible for Guaranteed Income Supplement benefits. There's a problem somewhere.

[*English*]

Mr. Mike Lake: Right.

And further to my question then, Mr. Dussault, did you want to make any comments about the provisions that are actually in the bill?

Mr. Bernard Dussault: No, that's fine. And thanks for the clarification about the interest, because what I saw was not complete, and this lady explained to me that this is overridden by the regulations. So no problem, and thanks for the clarification.

Mr. Mike Lake: Mr. Bajwa, did you have anything to add?

Mr. Balkar Bajwa: Yes, I like that GIS is assured to me without any condition on years of residency, because it is an income supplement to provide minimum income security, so it should not be tied or tagged to 10 years of residency.

Mr. Mike Lake: Okay, thank you.

This is my last comment, because I think my time is almost up. I guess the comment and where I'm going with it is to suggest that we do have one of the most generous programs of this type—for the treatment of seniors—in the world, and I agree, having listened to Mr. Shillington, with some of the comments he made. There are things that all of you have said and that a lot of other people have said, ways that we might be able to improve it, but I think what we need to do is pass this bill that we have, which is going to improve the system, and continue. It's a process of continuous improvement.

We can always do better with all of our social programs in this country and keep listening to ideas. I think that's where we need to go. We need to take this step forward to make sure there are no backward steps in here. We definitely don't want that. It doesn't sound as though there are too many concerns about that. We'll take this step forward, and then we'll look at ways in which we can continue to improve.

Thank you, Mr. Chair.

The Acting Chair (Mr. Michael Savage): Thank you, Mr. Lake.

I would remind members and remind Mr. Bajwa that with the video conference, there's a little bit of a delay in the sound, so just be patient with that.

We're going to go to second-round questions, at five minutes. Could we have the Honourable Geoff Regan, please.

Hon. Geoff Regan (Halifax West, Lib.): Thank you, Mr. Chairman.

Mr. Bajwa, I'm just going over your testimony. As you heard, there were some problems early on with some of the translation, and I hope that was worked out later. Could you go over the number one, two, and perhaps three things you think need to be changed in this bill? What are the most important things to change here?

Mr. Balkar Bajwa: I estimate that the first one is the most significant and important, because it concerns income security for seniors. The others were just general resolutions by all the communities of the GTA, which I have mentioned—that is, Africans, Chinese, Hispanic, South Asians. All the rest of the points can be taken up by respective governments, but the first one, which is concerned with the federal government, is the condition of 10 years of residency for old age security income.

Hon. Geoff Regan: So the issue of the 10 years' residency is the one you are concerned with. You would have no residency requirement whatsoever. Is that correct?

Mr. Balkar Bajwa: Yes. I think it should be the same as it is for others who get these benefits after one year of their residency here. I'd like it to go to the extent that the moment he becomes a citizen, after three years, no condition of residency should be tagged on his back because he is coming from a particular country. I'd like to stress the point that when he has become a Canadian citizen, then the stamp of the previous country should not be on his back anymore, and he should not be discriminated against because of that. Now he is a Canadian citizen and a resident of Canada.

Why discriminate between two citizens, with one getting the whole array of old age security benefits and the others not getting them? What is the sense? Suppose I get citizenship now after completing all the formalities. Why should I wait for another five or six years? I'm a Canadian citizen. There should not be two classes of Canadian citizens. This is my submission.

• (1630)

Hon. Geoff Regan: Thank you very much, Mr. Bajwa.

Do any of the other witnesses have a comment or view on this question? I welcome their comments.

They're suddenly very shy and reticent to comment on that question.

Mr. Shillington, you heard Ms. Charlton comment, but she's talking about the challenge we have if you propose amendments that would cause the treasury to expend money. The Speaker has ruled in the past that this requires what's called a royal recommendation, which means a minister must recommend the bill or the provisions in the bill. That's what limits the ability of members on a committee like to this to make amendments. They can make them and they can overrule the chair, but when it gets back to the House, it ends up being ruled out of order.

With that in mind, what would you say are the key elements, aside from things that would cost additional dollars—significant dollars, I'd say—that ought to be changed?

Mr. Richard Shillington: I don't know enough about the procedures here, but any changes to the regulations around CPP

wouldn't affect the consolidated revenue fund. They would only affect the CPP fund. When you say only the minister can talk about revenue spending, I don't know if that distinction is important or not, but perhaps it is.

When I look at the legislation, my question is what we can do with the legislation to provide incentives to address the take-up question. That means that you build in penalties.

Right now, actually, if the government were a business, you would make money by not paying benefits. Particularly, you make money by not paying benefits when you don't pay interest on retroactive benefits. In fact, when somebody shows up at age 90 to claim their CPP, you've given their money away to somebody else, especially when you don't.... You pay 11 months, and even when you acknowledge that you've made an administrative error, you don't pay interest, so you make money.

If it was a business, you'd say, well, we don't want those types of incentives; we would actually have an incentive that would say we had better make sure everybody is signed up or we're going to pay down the road. The part of the legislation that would exempt the state from pursuing retroactive benefits reduces the burden. It actually makes it easier to have a take-up problem. So I would say no.

On the provision with interest, I said I'd rather have the Financial Administration Act, not because I want to be pursuing interest when there's an overpayment, but because I want to have an incentive in place to address the take-up problem. As long as they're not paying interest when they make retroactive benefits, you're actually putting in place an incentive to not address the take-up problem. If you really wanted to take that to heart, you'd say that when there has been a retroactive benefit, you will pay this plus you will pay a penalty—if you really wanted to create an incentive for the system to sign people up.

The Acting Chair (Mr. Michael Savage): Mr. Shillington, that's time. Thank you very much.

We'll move to the Bloc.

[*Translation*]

Mr. Yves Lessard: Thank you, Mr. Chair.

First of all, I want to clarify one thing about the disclosure of seniors' information. In the early 1980s, the Privacy Commissioner at the time, Mr. George Radwanski, came to testify before this committee. He said that section 241 of the Income Tax Act specifically authorized Department of Human Resources Development officials to disclose taxpayer information for the purposes of administering the Old Age Security Act.

He also spoke of section 33 of the Act. According to him, there was a reciprocal provision based on the fact that the Guaranteed Income Supplement was simply a component of Old Age Security. Furthermore, he said that the Canadian government had known that since 1993 and that it also knew that many people were excluded. They knew exactly how many people were excluded, which meant they also knew who was excluded.

In 2002, when we started working on this issue with Mr. Gagnon, we knew there were 68,000 people in this position in Quebec, because of cross-referencing of data. This brings us back to what Mr. Shillington said earlier. Did officials voluntarily avoid processing this information and consequently giving these people the money owed to them? In my opinion, the question is a serious one, although I'm not accusing anyone. It's a matter of fact. I want this to be clear, even for my colleagues who are present here. I have all the information about this.

Mr. Bajwa, you have on several occasions raised the matter of residency and the reciprocity agreements with various countries, including India. If I remember correctly, government officials said no such agreement exists at this time, making it difficult to implement what you are proposing with regard to the processing of Old Age Security, Guaranteed Income Supplement and Canada Pension Plan benefits.

Were you aware of this? Has your organization lobbied the Department of Foreign Affairs for such agreements?

• (1635)

[English]

Mr. Balkar Bajwa: I'd like to say the simple thing, and my point is very straight. You know that GIS is a guaranteed income supplement—guaranteed. If it is a guaranteed one, a citizen of Canada should not be deprived of his guaranteed income supplement. Is it a reasonable justice to a man who is a citizen of Canada but is not getting any guaranteed income supplement? Why do you put a five-year attachment on old age security benefits, or a ten-year one? What is the logic?

Be human. Take the condition off the 65-plus citizens who are Canadian citizens. They have forgone their Indian, Arab, African, or Chinese citizenship and they are now honourable, proud Canadian citizens. Why is their guaranteed income supplement zero because they have not completed ten years of residency? This is unjust and unfair.

[Translation]

Mr. Yves Lessard: Mr. Bajwa, I want to be clear about this. The word "guaranteed" does not mean automatic.

[English]

Mr. Balkar Bajwa: Yes.

[Translation]

Mr. Yves Lessard: The income supplement can only be said to be guaranteed when people meet the following two conditions: they are receiving Old Age Security benefits and their income is low enough for them to be eligible.

Is that what the issue is?

[English]

Mr. Balkar Bajwa: It is my contention that old age security income still is old age income security. If you are attaching residency, then where is the income security? It is the residency that is secure, not the income. My point here is that if one becomes a Canadian citizen, then no such condition should apply if other Canadians, after one year, start getting it even if they are not citizens of Canada.

• (1640)

The Acting Chair (Mr. Michael Savage): Thank you, Mr. Bajwa.

We're going to go to the NDP for five minutes. Ms. Charlton.

Ms. Chris Charlton: Thank you, Chair.

I certainly agree with Mr. Bajwa that we don't want to be in a position where we create two classes of Canadian citizens. I do believe we do that in some ways already. When you think about the benefits that are being paid under CPP and the entitlements under CPP, we have an 11-month retroactivity period everywhere except in Quebec, where you actually have retroactivity for five years. I wish we were treating pensioners equally right across the country with respect to their entitlements.

Mr. Bajwa, I also want to follow up with you, if I could. I may have misunderstood. You said you're speaking on behalf of the Old Age Benefits Forum, so let me ask you this, first of all. Did I hear correctly that you're speaking for pensioners in the GTA only?

Mr. Balkar Bajwa: No, the Old Age Benefits Forum is a Canadian-registered body, but we joined with the other organizations in objecting. They joined with us to strengthen this case because they too are suffering. The Chinese are suffering. The Africans are suffering. People from Arabic countries are suffering.

Ms. Chris Charlton: Absolutely.

Mr. Balkar Bajwa: This is a fight. They have joined with us.

Ms. Chris Charlton: Thank you, Mr. Bajwa.

I was just wondering whether you were in a position to tell us how many people you think are adversely affected by the current provisions in Canada.

Mr. Balkar Bajwa: Common people, ordinary people are being affected because they are deprived of this benefit, I should say. I should not say "pension". It's a benefit. A sector of the people should not be deprived of the benefit. Canada is a great country because the medical facilities are provided after three months, and on them there's no residency condition. So why is there a residency condition on other benefits?

The seniors are excellent storytellers. They're excellent babysitters. They are essential to a family, and the family unification and reunification has a great value to Canada's workforce. It is a completeness of the family. The family is not complete without its elders. When the elders come here, it is perfect that they have come. Their children sometimes find it hard to support them. I'm talking of 65-plus men. Those who are less than 65 are working hard. They are going to factories. They are going to farms. They are going to nurseries. But the point here is that those people who are 65-plus should not be forced to suffer on the condition of ten years. At least, I would submit that the moment they become Canadian citizens, there should be no residency conditions, because they are Canadian citizens. They have taken the oath to Canada. They have abandoned their citizenship from their original country.

Thank you very much.

Ms. Chris Charlton: Thank you, Mr. Bajwa.

I certainly appreciate the point you're making about the need to treat Canadians equitably. I'm the first to bash the government whenever I can. I do know, though, that this issue has been around for a very long time.

So I wonder whether you could give me a sense of how many seniors from the South Asian community, from the Chinese community, from the communities that you listed, are currently being affected by the policy that's now in place. Conversely, how many people would benefit if we changed that policy?

• (1645)

Mr. Balkar Bajwa: The head office in Vancouver of the Old Age Benefits Forum has researched it and come up with the figure, which is that only 5% of the over-65 citizens are not getting this benefit because of residency conditions—only 5% of the seniors population; 95% are getting this benefit. If you like, I can send this information to you. They researched it, and from the papers of the government it has come out that in the year 2006, perhaps.... They have come out with the figure that among over-65 citizens only 5% are deprived of this benefit because of residency conditions.

The Acting Chair (Mr. Michael Savage): Thank you, Mr. Bajwa.

Thank you, Ms. Charlton.

We'll go to the last questioner in this round. Ms. Yelich, for five minutes.

Mrs. Lynne Yelich: Thank you.

Mr. Shillington, I want to make a comment and see if you agree. You made the analogy about the mistakes in this area that would not have happened if it had been a business. We have to admit that mistakes can be made in business. To make that analogy almost seemed a little unfair.

This will bring me to my question. This legislation is here because mistakes have been made and people want to correct these mistakes. There have been problems with trying to identify those who qualify for some of these benefits. Would it be a mistake not to make sure this goes through? This is a technical bill. It will be a very good bill to move forward on.

You brought up the difficulties with CPP, and you made comments that there should be changes. The difficulty would be that there can't be any changes to the CPP without two-thirds of the provinces being in agreement. No changes can be made to the CPP without that. In fact, this proposed legislation has to go back to those orders in council. It is not in our purview. We're not able to make those changes.

I'm trying to make this brief. I really want this to go through. It is important. I'm hoping people like you will help us to streamline it and make it more efficient so that we don't have these mistakes of the past. You have cited these as mistakes that could only happen in the public service, yet I think that was a little unfair.

Mr. Richard Shillington: I'm looking to the chair.

The Acting Chair (Mr. Michael Savage): Go ahead.

Mr. Richard Shillington: I don't think I said this would not happen in business. I think what I said was, with the incentives that are in place now, there's not a great financial penalty to the Canada Pension Plan or to the federal treasury when people are not paid. So the incentive is to not address the take-up issue. So I don't think I said it would not happen in business. I'm quite sure these things happen in businesses all the time, as well. All I was really saying was that the financial incentive in place now is to not address the issue.

The best part of the bill is not having to reapply for GIS, and that in the long run will help immensely with the GIS issue. But the bill does nothing about CPP.

The thing I was trying to encourage was to say that I don't believe you need any legislation for the officials to actually do what Quebec does and contact people and make sure they're signed up. Are you telling me that they need approval from the provinces to actually become proactive and contact people? I don't know. Perhaps. There's nothing in the legislation.

The comments I made were partly out of the fact that you have to realize that this started seven years ago with the GIS story, and it has now been seven years of talking about take-up and retroactivity. We have this piece of legislation, which is the first piece of legislation in seven years, that will address the issue of take-up and retroactivity, and to my mind, it doesn't address the issue of the Canada Pension Plan at all.

I'm being told this is one step forward and we'll wait for another. When's the next opportunity going to be? Is it in another seven years? Most of the people I've helped to get their benefits are dead. I'm telling you absolutely the truth. Most of the people I've helped get their benefits are dead. Most of them are in their late eighties and nineties. So when I look at this, it is a small step forward, I'll acknowledge exactly, on the reapplication for GIS—absolutely—but to my mind, it's so minimal.

We found out that two-thirds of the people who get GIS are women, and 80% of the people who were not getting their GIS because they were unaware of it were women. The vast majority of these people are women and the vast majority are very old.

• (1650)

Mrs. Lynne Yelich: I do think there are some concerns about privacy. I will give you an example that I was surprised about in my own province.

A year ago, there were notices sent out to women who were over 55, I believe, that if they didn't have their regular checkups, this was necessary. So many people were livid over that. It was in the best interest of the women, but it was an example of how some people value their privacy and really don't want governments knowing their business or using their databases for other areas.

I know it sounds silly, but I do have that example, and if you do any research on that, I think privacy is something that this bill has had to be concerned about, especially in the area of a couple of clauses.

There are quite a few clauses in this bill that will indeed improve things for seniors. One of them is being able to go online and apply to have a third party assigned as a trustee to help fill out forms. But most of all, if it's passed, will it make a significant difference and ensure that seniors who are eligible for GIS do receive it? Do you agree that this is what will make the significant difference?

The Acting Chair (Mr. Michael Savage): That's more a comment than a question.

We're well over the time. We've completed two rounds. On the third round, we're going to go to the Conservatives first.

Mr. Lake, you have five minutes.

Mr. Mike Lake: I just want to make a couple of comments after listening to Mr. Bajwa a little bit. I'll make my comments, and then he can comment on them if he wants to.

What you're talking about is an issue that would be of importance to folks in my community too. I have a community with a significant Indo-Canadian population.

The comment I want to make is that our social programs have been established and have been invested in for many years by Canadians, and I guess for all Canadians, in a sense. The rules that are in place allow us to continue, to some extent.... We have a fairly generous immigration policy in this country, probably the most generous in the world.

Now, in line with Ms. Charlton's comments in terms of the numbers, I would imagine that if you were to calculate the number of people in Canada right now who are over 65 and who have been here for fewer than 10 years, it would be a very significant number of people who would qualify for this benefit if we were to change those rules. To this point, every single one of those people has chosen to come here because Canada, in my mind, and I would say in the minds of everybody in this room, is the greatest country in the world. It really is. There are lots of reasons for people to come to Canada.

In this global community we're living in, we're trying very hard, the government's trying very hard, to establish these agreements—I touched before on the 50 social security agreements, more than any other country—with more and more countries. And it's incumbent, as we talked about yesterday, on the governments in countries like India and China to bring their rules in line so we can actually establish agreements with those countries as well. I think it is important.

I want to talk about the concept of sponsored immigration, in that it's something that actually allows seniors who have never paid a cent in Canadian tax to come here and join their families who agree to support them. I mean, the whole concept of sponsored immigration is about balance and fairness and, at the same time, our goals. Something that's incredibly important to me and the people in my community is to bring families together and allow families to be together. Obviously I know that in the Indo-Canadian community it's very important, and I see lots of situations with grandparents and several generations of family living within the same household, and I see the tightness of those families. That is enormously important, and I have a tremendous amount of respect for that.

I think that with the numbers we're talking about, the costs we're talking about, it would be a tremendously expensive venture to go down a road of changing the system on the GIS side to make the changes you're discussing here. I'd be interested in meeting with your organization at some point to discuss it one on one, for sure.

Those are my comments. I don't want to go down a road that would ever see us impact on the ability to bring those families together because of costs or anything like that. So I'd like to get your comments on that, if I could.

• (1655)

The Acting Chair (Mr. Michael Savage): Mr. Bajwa, did you want to respond to that? You have one minute.

Mr. Balkar Bajwa: Yes, my friend Michael has made my point, that only a very insignificant population of people past 65 are deprived of this payment.

In the family, in the reunification, they are indispensable members. They have wisdom, they have experience, they have knowledge. Some of them are retired people who have a lot of knowledge in a technical and professional background, which is highly useful to the younger generation.

For example, if you'll permit me to gloat, my grandchildren come to me and ask me to help them with mathematics, help them with science, and help them with English. And you would be surprised to know that they are convinced...and one of my grandsons says that I am a living resource in the family. He has told his teacher that he has a living resource in the family.

I am a citizen, but I've been waiting for 10 years. It's just for the sake of a decision. Such is the case that the number of people who come are under 5% of the population.

The Acting Chair (Mr. Michael Savage): I don't want to break up a conversation between friends, but—

Mr. Mike Lake: No, I just wanted to say thank you very much. I know it's tough when you're on video conference to take part in something like this, and I want to say thank you for your input to this.

Thank you.

The Acting Chair (Mr. Michael Savage): Thank you, Mr. Bajwa.

Thank you, Mr. Lake.

I think we'll go to Mr. Lessard. This may be the last set of questions.

[*Translation*]

Mr. Yves Lessard: Thank you, Mr. Chair.

I am going to go back to an intervention by Mr. Shillington, which in my mind is very important. We are looking forward to adopting Bill C-36 because it will make things better. We are going to make amendments to it and vote for it. Mr. Shillington pointed out that we were delighted with initiatives that should, of course, have been taken much sooner. We are facilitating access to the Guaranteed Income Supplement, to the forms, etc.

The fact that we have to set government machinery in motion to correct a situation that should have been resolved is rather sad. It bothers and saddens me. Another thing that saddens me is the fact that my colleague, Ms. Yelich—and I am not blaming you for this, Ms. Yelich—gave what was an inappropriate example in my opinion.

People who absolutely do not want to provide basic information as to whether they are alive or not would not want to be receiving Old Age Security benefits either. In fact, to get the benefits, they have to provide exactly the same information as is required for the Guaranteed Income Supplement. In the latter case, the only difference is that they also have to indicate whether their level of income makes them eligible.

If people have income they do not want to reveal, it's their choice. If this is the case, they won't be applying for Guaranteed Income Supplement benefits. They'll tell department officials not to pay out the supplement because their income is sufficient. They don't have to reveal that they are hiding income. Other people are responsible for checking into these things. So with all due respect, I don't think we can use this example to penalize a whole group of people.

A certain number of people are entitled to some income under Canadian legislation. The question is: do we allow them to access it or not? We know that in 2002, 340,000 people were deprived of benefits to which they were entitled. Today, there are still about 100,000 people in this situation in Canada. That is a very serious. I don't think we can invoke the Access to Information Act in this case. Even the privacy commissioner told us that it didn't apply. Otherwise, it would apply to all the other benefits related to income security, including employment insurance. There is a minimum amount of information that has to be submitted to the government. Given the discussions that will be taking place with respect to the recommendations and amendments to be made regarding Bill C-36, I think this is an important point.

I will thank you now because I won't have the opportunity to do it later. I would appreciate your comments on what I just said.

• (1700)

[*English*]

The Acting Chair (Mr. Michael Savage): You have one minute, Mr. Shillington, or less.

Mr. Richard Shillington: The privacy discussion brings back memories. When I first discovered there were the 300,000—it was my discovery—I phoned officials whom I knew personally and said, "Is this right?" They said yes, and I asked why they didn't tell people about their benefits. They said it was because it would violate their privacy.

When, about nine months later, I finally got the story in the newspaper and the newspapers told about the 300,000, the very first lines that were given by the bureaucracy for why they don't tell these seniors is that it would violate their privacy.

There's a section of the Privacy Act that says it is not a violation of someone's privacy to tell them things about themselves that are to their benefit. In 2002 the Privacy Commissioner appeared before this committee and said, do not use privacy as an excuse to deny benefits to people.

The Acting Chair (Mr. Michael Savage): Thank you very much.

Thank you, Mr. Lessard.

Those are the questions for today. I'd like to thank the witnesses for coming in person, and also Mr. Bajwa for appearing from Mississauga. Thank you very much.

I will remind committee members that amendments for Bill C-36 are due tomorrow at noon.

I thank the witnesses, and I thank the members for their indulgence.

We are adjourned.

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