Section 10.—Old Age Pensions.

The Old Age Pensions Act, 1927.—Legislation respecting Old Age Pensions (R.S.C., 1927, c. 156) was adopted by the Dominion Parliament in 1927. Under the provisions of this statute the Dominion Government reimbursed each province participating in the Dominion scheme to the extent of one-half of the provincial expenditure for old age pensions. An amendment passed at the 1931 session of Parliament (c. 42, Statutes of 1931) provided that the Dominion contribution to the provinces be increased from 50 p.c. to 75 p.c. of the provincial disbursements for old age pensions pursuant to a provincial statute authorizing and providing for the payment of such pensions to the persons and under the conditions specified in the Act and the regulations made thereunder. Following the enactment of the amendment to the Dominion Act, the Dominion Old Age Pensions Regulations were revised and agreements negotiated with the provinces whereby the Dominion contribution of 75 p.c. of provincial disbursements was made effective from Nov. 1, 1931; the provinces have since been reimbursed on this basis.

Sec. 5 of the Act provides that before any such agreement is made with the province, the scheme for the administration of pensions proposed to be adopted by the province shall be approved by the Governor in Council, and that no change in such scheme shall be made without the consent of the Governor in Council.

Sec. 8 reads as follows:—

(1) Provision shall be made for the payment of a pension to every person who, at the date of the roposed commencement of the pension:—
(*a*) is a British subject, or, being a widow, was such before her marriage;
(*b*) has attained the age of seventy years;
(*c*) has resided in Canada for the twenty years immediately preceding the date aforesaid;
(*d*) has resided in the province in which the application for pension is made for the five years immediately preceding the said date;
(*e*) is not an Indian as defined by the Indian Act;
(*f*) is not in receipt of an income of as much as three hundred and sixty-five dollars ($365) a year, and
(*g*) has not made any voluntary assignment or transfer of property for the purpose of qualifying for a pension.
(2) The receipt of a pension shall not by itself constitute a disqualification from voting at any provincial or municipal election.

Sec. 9 provides that the maximum pension payable shall be $240 yearly, subject to reduction by the amount of the income of the pensioner in excess of $125 a year. The pension authority may accept a transfer of the pensioner's interest in a dwelling house in which he resides, in which case the value of the dwelling will not be computed in calculating the amount of pension payable. The pension authority is entitled to recover out of the estate of any deceased pensioner the amount of pension payments with interest at 5 p.c., subject to the limitation that no claims shall be made for such recovery out of any part of the estate which passes by will or intestacy to any other pensioner or to any other person who has contributed, since the grant of the pension or for the last three years during which the pension has been paid, to the pensioner's support.

Secs. 10, 12, 13 and 14 provide for the distribution of the pension burden among the provinces where the pensioner has resided during the 20 years immediately preceding the grant of the pension. Sec. 11 provides for a reduction of pension where a pensioner has resided for a portion of the 20 years in a province with which no agreement is in force. Sec. 15 provides for a suspension of the pension where a pensioner has transferred his residence to some place out of Canada. It is provided by Sec. 16 that a pension shall not be subject to alienation or transfer by the pensioner or to seizure in satisfaction of any claim against him.

The Governor in Council was empowered by Sec. 19 of the Act to make regulations pursuant to this section. Existing regulations were revised and approved by an Order in Council dated Feb. 1, 1932.