

No. 5440

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
CANADA**

**Exchange of letters constituting an agreement on social
security. Ottawa, 8 and 10 December 1959**

Official text : English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on 7 November
1960.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
CANADA**

**Échange de lettres constituant un accord de sécurité sociale.
Ottawa, 8 et 10 décembre 1959**

Texte officiel anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 7 novembre
1960.*

No. 5440. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF CANADA ON SOCIAL SECURITY. OTTAWA, 8 AND 10 DECEMBER 1959

I

Letter from the United Kingdom High Commissioner to the Minister of National Health and Welfare

OFFICE OF THE HIGH COMMISSIONER FOR THE UNITED KINGDOM
EARNSCLIFFE, OTTAWA

8th December, 1959

My dear Minister,

As you know our officials have had informal talks with yours about the social security of people who migrate from the United Kingdom to Canada or from Canada to the United Kingdom. As a result, the Government of the United Kingdom of Great Britain and Northern Ireland would like to make certain proposals which it hopes will be acceptable to the Government of Canada.

2. The United Kingdom Government has studied the provisions of the social security legislation passed by the Parliament of Canada which affect people who migrate from the United Kingdom to Canada. It understands that these provisions are as described in paragraphs 3 to 11 below.

3. *Family Allowances and Family Assistance*—By an amendment to the Family Allowances Act, passed in 1949, the Parliament of Canada has reduced from three years to one year the period of residence in Canada required before payment of family allowance benefits may begin in respect of each child under sixteen, born outside of Canada, and migrating with his parents to settle in Canada. During the waiting period of one year, while newly-arrived families are not eligible to receive family allowances, a slightly smaller benefit, known as the family assistance benefit (\$5 monthly instead of \$6 to \$8 depending on the child's age) is payable out of a special Parliamentary appropriation at present included in the Annual Estimates of the Department of Citizenship and Immigration.

¹ Came into force on 1 January 1960, in accordance with the provisions of the said letters.

4. *Old Age Security*—By an amendment to the Old Age Security Act, passed in 1957, the Parliament of Canada has reduced from twenty years to ten years the basic period of residence required for the establishment of eligibility for benefit. This benefit, amounting to \$55 a month, is now payable to all persons who have reached the age of seventy and who have resided in Canada continuously during the ten-year period immediately before the proposed benefit begins. The benefit is payable also to those who have interrupted their residence in Canada but who have resided there during the year immediately before the proposed benefit begins and also during earlier periods which in the aggregate are at least twice as long as any parts of that ten-years period during which they have not resided in Canada.

5. *Unemployment Insurance*—Eligibility for benefits under the Unemployment Insurance Act is not based on any residence requirement, but rather on a record of prior contributions in respect of periods of insured employment. Newly-arrived migrants, like all other persons in Canada who are entering insured employment for the first time, acquire rights to benefit after making contributions in respect of at least thirty weeks of insurable employment. During the period 1st December to 15th May each year, special seasonal benefits are payable to unemployed insured persons who lack the full record of prior contributions required in the case of regular benefits, but have made contributions in respect of fifteen weeks of insurable employment since the previous 31st March.

6. In addition to these provisions contained in legislation of the Parliament of Canada in respect of social security programmes administered directly by the Dominion Government, there are the following provisions contained in legislation passed by the Parliament of Canada, but provincially administered. It is understood that, wherever necessary, enabling legislation has been passed by the Provincial legislatures and agreements have been entered into between the Provincial and Dominion Governments.

7. *Old Age Assistance*—Under the Old Age Assistance Act, the Dominion and Provincial Governments share the cost of provincially-administered old age assistance payments made to needy persons sixty-five years of age or over. In 1957, by amendment to the legislation, the residence requirement of twenty years was reduced to ten. The provisions respecting residence in this and the two next following enactments are now the same as those set out in the Old Age Security Act. (See paragraph 4 above.)

8. *Blindness Allowances*—The Blind Persons Act, first passed in 1951, contains provisions similar to those described in the preceding paragraph for the payment of blindness allowances to needy blind persons eighteen years of age or over. Domin-

ion and Provincial Governments share the cost of these provincially-administered allowances. The residence requirement since 1951 has been ten years.

9. *Disability Allowances*—The Disabled Persons Act of 1954 provides allowances for totally and permanently disabled persons who are in need on approximately the same basis as in the case of old age assistance and blindness allowances. A recent amendment, passed by the Parliament of Canada in 1957, has reduced the residence requirement from twenty to ten years in order to bring it into conformity with the provisions of the Old Age Security Act, the Old Age Assistance Act and the Blind Persons Act.

10. *Unemployment Assistance*—Under the Unemployment Assistance Act of 1956, provision is made for the Government of Canada to share with provincial and municipal governments in the costs of general assistance provided to needy persons, both employable and unemployable, who are not covered by the provisions of other legislation, or whose needs are not adequately met by the benefits made available under other enactments. Determination of need and of eligibility is left entirely in the hands of provincial and municipal authorities, except that the agreement now in effect with all ten Provinces of Canada provides that "length of residence shall not be made a condition for the receipt of assistance if the applicant has come from a province whose government has entered into an agreement respecting unemployment assistance". The Dominion Government has endeavoured in this way to assure, so far as it lies within its power, that no needy individual will be denied assistance which he needs solely because he lacks a sufficient period of residence in any province to enable him to qualify. This provision now applies in all the Provinces of Canada, since all ten provinces have now entered into agreements with the Dominion under the Unemployment Assistance Act.

11. *Hospital Insurance and Diagnostic Services*—Under the Hospital Insurance and Diagnostic Services Act, the Government of Canada makes contributions to Provincial hospital insurance programmes in respect of the operating costs of hospital and diagnostic services specified in the Act. Hospital Insurance programmes are now in operation in the Provinces of Newfoundland, Nova Scotia, New Brunswick, Prince Edward Island, Ontario, Manitoba, Saskatchewan, Alberta and British Columbia. The Federal legislation requires participating Provinces to make "insured services" available to all residents upon uniform terms and conditions. All Provinces receiving Federal hospital insurance grants provide the full range of "in-patient services" set out in the Federal Act, while the extent of "out-patient services" provided varies from Province to Province. "Residents of a Province" means persons legally entitled to remain in Canada who make their home and are ordinarily present in that Province, but does not include tourists, transients, or visitors to the Province. A waiting period not exceeding three months is permitted as a requirement for a