

**THE ROYAL
CANADIAN
LEGION**

**LA LÉGION
ROYALE
CANADIENNE**


LEGION

**COMMENTS ON RESOLUTIONS
40TH DOMINION CONVENTION
2004**

**ISSUED BY
DOMINION COMMAND OF
THE ROYAL CANADIAN LEGION
2005**



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31 August 2005

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Comrades:

This booklet contains the resolutions emanating from the 40th Dominion Convention. It is significant that the comments from Veterans Affairs Canada are again very detailed and you will note that a large number of resolution objectives have now been achieved. We can expect continuing consultation as regulatory and policy changes are introduced. The adoption of the Veterans Charter and Bill C-45 mark a transition from the traditional to the modern veterans.

The resolutions and responses will now be brought forward for consideration by the appropriate Dominion Command committees and Dominion Executive Council. Decisions will be made as to what further action is warranted and how best to achieve progress on outstanding issues.

Members wishing to raise issues to the attention of Dominion Command should do so by resolutions submitted in accordance with the Legion channel of communications as set forth in General By-law 110; that is, from a member to his branch, to Provincial Command and then on to Dominion Command. Resolutions may also be developed and submitted by Dominion Command committees.

Duane Daly
Dominion Secretary

cc: All Branches

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GENERAL

203. Gun Control Legislation SUB-EXECUTIVE / ONT 9/C

WHEREAS we Legionnaires, Veterans and Auxiliary personnel request that the Federal Government cease any further action regarding arrest and detainment of Canadian citizens as a result of current Gun Control Legislation; and

WHEREAS this government has spent in excess of 800 million dollars, and has been unable to finalize the legislation, and now intends to prematurely prosecute Canadian citizens as a result; and

WHEREAS these methods are unacceptable and need to be withdrawn publicly to establish the democratic free country that so many of us fought for, and so many others gave their life for between 1939 and 1945:

THEREFORE BE IT RESOLVED that the Zone Command, District Command, Provincial Command and Dominion Command endorse this resolution and petition the political parties to drop the Firearm Registration Program.

FROM THE DEPUTY PRIME MINISTER AND MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

The Government of Canada continuously focuses on ways to improve the Canadian Firearms Program. Following a series of consultations conducted by the Canada Firearms Centre (CAFC) in the fall of 2003 and a ministerial review earlier this year conducted by the Associate Minister of National Defence and Minister of State (Civil Preparedness), which involved organizations representing firearms owners, firearm-related businesses and groups with interest in and responsibilities for public health and safety, steps have been taken to ensure that the CAFC continues to meet its important public safety objectives in a fiscally responsible and operationally sound manner.

As part of measures put in place to ensure a high degree of transparency and accountability for public funds, CAFC has become a separate agency within the portfolio of Public Safety and Emergency Preparedness Canada. It has its own budget. Currently, information concerning the allocation of funds for the Canadian Firearms Program is available in the CAFC publication, Departmental Performance Report of 2003-2004, which provides financial and performance information about the Program. This document is available on the CAFC Web site at www.cfc-cafg.gc.ca or www.cfc.gc.ca.

On May, 2004, the Government of Canada implemented a comprehensive

package of improvements aimed at controlling Canadian Firearms Program costs and enhancing the capacity of law enforcement agencies to combat gun crime. Among these improvements, the Government will cap funding for firearms registration activities at \$25 million per year, starting next fiscal year. Efforts to combat gun crime and smuggling will be improved by expanding the use of new technologies for more effective crime scene investigation and through other measures to support coordinated law enforcement. In addition, the Government is committed to consult provincial Attorneys General on proposed Criminal Code amendments to establish tougher measures when firearms are used in a crime.

Further, in recognition of the firearms community's concerns, the Government has committed to streamline the firearms licence renewal process. Also, fees for the registration and transfer of firearms were repealed. In the long term, the elimination of registration and transfer fees will benefit all firearm owners who wish to acquire a firearm or transfer a firearm to someone else. By encouraging continued compliance with the registration requirement, it will also help ensure that the Canadian Firearms Information System (CFIS) remains an effective tracking tool for helping the police and other public safety officials to prevent crime and injuries.

Recent changes to the Firearms Act and Firearms Fees Regulations will extend the term of firearms licences issued to Legion branches from one to three years. There is no change to the \$25 fee. The new licence terms are expected to come into effect in 2005.

The CAFC continues to accept firearms licence and firearms registration applications and it will continue to help people comply. While the Canadian Firearms Program provides important support to police officers and other law enforcement agencies, it is not a law enforcement agency. In this regard, I would underscore that the application of the law, as in so many other areas, relies on the appropriate exercise of discretion by the police, prosecutors and the courts. Having said this, the issue of prosecution falls under the responsibilities of the provincial Attorney General.

The Government of Canada recognizes the important, legitimate role that firearms play in the lives of many Canadian target shooters, hunters, farmers, collectors and others. The intent of the law is not to curtail such activities by responsible, law-abiding citizens. In fact, the law has been developed to allow individuals to hunt and sport shoot in Canada in the safest manner possible.

Compliance rates are high. About 90% of firearm owners have complied with

licensing requirements, which counts for almost two million licensed firearm owners to date. There are an estimated 7.9 million firearms in Canada, close to seven million of which are registered with the CAFC

Working with federal and provincial partners, the Canadian Firearms Program also develops and oversees safety education and awareness for firearm owners, businesses and the public, licenses firearm owners, supports firearm users in ensuring the safe storage and handling of firearms and assists in the recovery of lost or stolen firearms. In addition, the Program helps to ensure certain import controls are in place to combat firearms smuggling and to assist in meeting Canada's international commitments, with the involvement of the Canada Border Services Agency and other federal departments.

The National Weapons Enforcement Support Team (NWEST) – a National Police Service managed by the RCMP – assists police investigations and helps to track stolen and illegal guns to their source across the country and internationally. Since it was established in January 2001, NWEST has helped with over 10,000 police investigations, conducted over 4,000 firearm traces, assisted with over 600 search warrants, and provided over 900 technical information sessions to the policing community on investigation techniques including the appropriate use of databases such as: the Canadian Police Information Centre, the Canadian Firearms Information System, the Canadian Firearms Registry Online, and the Integrated Ballistic Identification System.

The Canadian Firearms Registry is one part of the Firearms Program responsible for the registration of firearms, including when a firearm is transferred to a new owner and upon import or manufacture. Police have direct on-line access to the licensing and registration database and they use it daily through the Canadian Firearms Registry Online (CFRO) service. With the help of this essential tool, police make approximately 14,000 queries to the on-line system each week to support their efforts to prevent and investigate crime. Over three million queries have been made on the CFRO by police and other public safety officials since the Program was first implemented in December 1998. In addition, more than 1,000 affidavits are produced each year by the CAFC to support prosecutions of gun-related crimes across the country. For these reasons and others, both the Canadian Association of Chiefs of Police and the Canadian Professional Police Association (CPPA) independently support the Firearms Program including the registration of all firearms. In fact, at its most recent Annual General Meeting, the CPPA passed a resolution to this effect.

Statistics over the last 30 years have shown a clear general downward trend

in firearm crimes and misuse. Nevertheless, more than one thousand firearm deaths per year in Canada over the last decade remind us of the need for firearms control. With more than 12,000 firearms licence applications refused or revoked on public safety ground since December 1, 1998, when the Firearms Act came into effect, it is clear that the Firearms Program has contributed, and will continue to contribute, to safe communities.

The Government of Canada remains committed to the Firearms Program, which is designed to enhance public safety by reducing the number of firearms-related injuries and deaths while allowing licensed firearm owners to safely own and use a firearm for legitimate purposes.

LEGION'S POSITION

Notwithstanding the very comprehensive response from the Minister, it is apparent that costs for this program have spiralled out of control. A recent external audit indicated that there are still substantial financial risks and a lack of transparency in the governance of this program. The real costs of this legislative program have continued to escalate and are now estimated at \$2 Billion. The Legion will continue to advocate for dropping the Firearms Registration Program.

3. The Obligation of Canadian Citizens to Veterans VSS 1

WHEREAS the Royal Canadian Legion since its inception in 1926 has advocated programs and benefits for those who serve or who have served in the Armed Forces of Canada; and

WHEREAS the nature of military conflict and the organization and operation of forces has changed; and

WHEREAS this would address Peacekeeping, a common theme; and

WHEREAS the government of Canada primarily through Veterans Affairs Canada has built up a system of programs and benefits over the years; and

WHEREAS these well intended programs and benefits have evolved apart from other social programs in such a way that many gaps and inconsistencies have been introduced into the system; and

WHEREAS the needs of those who serve or who have served Canada and their dependants can no longer be efficiently met:

THEREFORE BE IT RESOLVED that the Canadian Forces, the Department of National Defence, Veterans Affairs Canada, The Royal Canadian Legion and other major veterans organizations work together to develop a modern vision

that will encompass the obligation of Canadians to those who serve or have served in the Canadian Forces; and

BE IT FURTHER RESOLVED that this vision address an integrated approach to the diverse aspects of this obligation now covered by legislation, plans or programs such as the Pension Act and related statutes and regulations, the Service Income Security Insurance Plan, the Canadian Forces Superannuation Act, Canada Pension Plan, Employment Insurance legislation and the like; and

BE IT FURTHER RESOLVED that the requirements which flow from the obligation identified in the determination of the vision be addressed by a comprehensive, integrated plan modelled on the elements of the Veterans Charter to the extent they are still relevant; and

BE IT FURTHER RESOLVED that the solutions proposed be analysed to determine whether the proposed integrated system would be cost effective in comparison to the program and infrastructure costs under the current systems.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Canada has a proud history of honouring its veterans and is considered a world leader with respect to their care and treatment. As this Resolution states, however, the face of Canada's veterans is changing, and so must the programs and services designed to support them. Veterans Affairs Canada's (VAC's) Service and Program Modernization Task Force is doing just that. The result of their work, including extensive research and consultations with Department of National Defence (DND), veterans' organizations, other federal departments and agencies, and other stakeholders, will culminate in proposals for a new suite of programs, modelled where applicable on elements of the original Veterans' Charter, for Canadian Forces (CF) veterans and their families. Key program components will include: disability awards and wellness programs to replace today's disability pension system for new applicants; physical and psychological rehabilitation services, including vocational training and education; earnings loss support for veterans undergoing rehabilitation, as well as longer-term support for veterans who can no longer work because of a service-related illness or injury; job placement assistance; and more extensive health benefits to meet the needs of veterans and their families, all supported by coordinated case management.

In designing the proposed new suite of CF programs, extensive consultation is occurring with other jurisdictions involved in the provision of programs and services to CF veterans and their families, to explore any opportunities for program interface. For example, discussions have taken place with those

involved in the Service Income Security Insurance Plan Long-term Disability program, including their Vocational Rehabilitation and Major Medical programs; the Department of National Defence programs that help members prepare for second career, and proposed changes to the Canadian Forces Superannuation Act; Canada Pension Plan (CPP) including the CPP Vocational Rehabilitation Program; employment programs provided by Human Resources and Skills Development Canada and the six major veterans' organizations. Through VAC's Client Centred Service Approach, CF veterans and their families will be provided with a one-stop integrated approach to the provision of these and other programs. Government approval of VAC's proposed programs will require that they be shown to be cost-effective and affordable.

LEGION'S POSITION

The Legion fully supports the initiative to implement all the components of Bill C-45. It will, however, closely monitor the implementation of this package of benefits.

4. Eligibility for Veterans Affairs Assistance VSS 2

WHEREAS Veterans Affairs Canada has traditionally provided programs to veterans based on service eligibility criteria; and

WHEREAS criteria specified in Regulations and Policy have become increasingly complex; and

WHEREAS with the aging of the veteran population the overriding factor has become the necessity to meet the needs of the veterans and their spouses:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada in consultation with veterans organizations shift from a program-based to a needs-based system for the purpose of meeting the needs of veterans and their spouses.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

To respond to the demographic and health changes in our client population, Veterans Affairs Canada (VAC) has adopted a service philosophy built on best practices in Client Services already in place across the Department, one that identifies individual client's needs and then determines how best to provide assistance. The implementation of the Client Centred Service Approach (CCSA) helps VAC in meeting the diverse and complex needs of aging veterans as well as other clients.

VAC's Client Service Approach helps ensure that clients with complex needs receive the right service at the right time by the right person. As a result of CCSA, VAC's Client Services have shifted from a program-centred to a client centred focus to improve service to all our clients.

The Veterans Health Care Regulations govern the provision of health care benefits for both those whose needs are related to medical conditions for which they have been awarded a disability pension under the Pension Act, and those who are least able to obtain the care they need due to limited resources. In addition, the programs and services available from VAC complement those provided as insured and extended health services by provincial authorities, who have primary responsibility for the administration and delivery of health care to Canadians.

VAC is currently designing a comprehensive and improved range of programs and services to facilitate one-stop client-centred service and to encourage wellness and re-establishment for CF veterans and their families. This needs-based approach, based on principles of disability management and international models, would mean that more people who need help would get it (along with their families).

LEGION'S POSITION

The Legion is encouraged that Veterans Affairs Canada is moving towards a needs-based approach which should be more focussed on improved services to all veterans and their families. The Legion will continue to monitor the delivery of these services.

PENSION

5. Study in Survivor Pension Benefits VSS 4

WHEREAS the disability pension system has evolved significantly over time; and

WHEREAS a number of changes have been introduced without necessarily integrating all the concepts effected by the changes:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada in consultation with The Royal Canadian Legion and other veterans organizations study the disability pension scheme, particularly with respect to survivor benefits, so

that a more equitable result based on needs can be achieved.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The Pension Act provides for the payment of a disability pension based on the extent of disability related to a veteran's wartime or peacetime service. Survivor pensions are based on the rate of disability pension that was, or could have been on application, in pay at the time of the veteran's death.

For a full year following the death of a veteran, the total disability pension, as well as any Attendance Allowance or Exceptional Incapacity Allowance that was in payment at the time of death, is paid to his/her eligible spouse or common-law partner. This one-year extension allows the bereaved survivor an adjustment period after the loss of a loved one to make alternate arrangements for the future. At the end of the one-year period, survivor benefits are converted to either a full or proportionate pension, depending on the amount of disability pension that was in payment to the veteran.

A full survivor's pension, equal to three-quarters of a 100% single rate pension, is paid to the eligible survivor of a deceased veteran if it can be established that death was attributable to military service, or that the veteran was or could have been receiving a disability pension of 50% or more at the time of death. The eligible survivor of a veteran who was or could have been receiving a disability pension at a rate of less than 50% at the time of death, may receive a proportionate survivor pension equivalent to one-half of the married rate of pension.

Prior to 1980, only full survivor pensions were awarded on the basis that a veteran, pensioned at 50% or more, must have been severely disabled. The veteran required a maximum amount of care and presumably was unable to provide adequately for dependants in terms of family income and insurance benefits.

When the Government considered expanding pension benefits by providing proportionate survivor pensions, it gave careful thought to the provision of the maximum possible benefits to all eligible survivors of disability pensioners, while at the same time continuing to meet the needs of the eligible survivors of veterans who suffered from more severe service-related disabilities. Therefore, veterans who are receiving pension at a rate of less than 50% are not considered so disabled as to prevent them from earning the type of income which would enable them to provide adequate insurance coverage for dependants. Consequently, it is considered equitable to provide a survivor pension

on the basis of one-half of the assessment held by the pensioner at the time of death.

At this time, no consideration is being given to amending the Pension Act to provide increases in survivor benefits; however, the Government of Canada is working diligently to modernize benefits and services for members of the CF and their families.

LEGION'S POSITION

The Legion will continue to monitor and to study the beneficial and the deleterious effects of current Survivor benefits; any modification to this program would possibly result in reducing benefits for some while others would receive more. In that context, it is VAC's rationale is that those with greater needs (50% or more disability pension) should receive greater benefits. Nevertheless, the Legion will continue to advocate for greater overall benefits for all concerned.

6. Revision of VAC Table of Disabilities VSS 3

WHEREAS the Veterans Affairs Canada Table of Disabilities was designed to assist advocates and VAC staff as a guideline for consistent and fair assessment of disability pensions; and

WHEREAS the Table of Disabilities has undergone significant revision and expansion over the last two years; and

WHEREAS resources appear to have been allocated to other projects hindering completion of this important document:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada, in consultation with The Royal Canadian Legion, continue to review and update the Table of Disabilities to make it a more effective guideline to assist in the proper assessment of pensioners' disabilities.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

In June 2004, the Department re-established the Table as a project, with a project team, and shifted its implementation strategy for the Table of Disabilities (TOD). This strategy was undertaken in order to concentrate on the revision of the assessment chapters and the medical questionnaires. Broad consultations with veterans' organizations and departmental staff will continue. The revised TOD is expected to be published in the 2005/06 fiscal year.

Thirty-five (35) Entitlement Eligibility Guidelines (EEGs) were completed and released in May 2002. These EEGs and are also available on the Veterans Affairs Canada website for clients to view. Additional EEGs have been drafted and will be published with the implementation of the revised Table of Disabilities. Further guidelines will be developed over time as dictated by an identified need, and as operational resources permit.

LEGION'S POSITION

The Legion continues to monitor the implementation of the new Table of Disabilities (TOD). Command Legion Services Officers should be included in the training sessions that accompany the introduction of the revised TOD. The Legion will also monitor the "grandfathering" of benefits for current recipients.

7. Redetermination of Basic Pension Rates VSS 10

WHEREAS Veterans Affairs Canada disability pensions are paid in accordance with Schedule I to the Pension Act, which is updated annually per subsection 75(1); and

WHEREAS the basic pension is determined in relation to the average annual gross composite wage of categories of unskilled members of the Public Service of Canada designated by the Minister; and

WHEREAS the unskilled categories and pay levels used for comparison purposes have been in use for about 20 years; and

WHEREAS pensioners are for the most part members of the Canadian Forces and the Royal Canadian Mounted Police, whose modern pay scales recognize a high level of skill, knowledge and responsibility:

THEREFORE BE IT RESOLVED that the Minister of Veterans Affairs designate categories and pay levels from the Canadian Forces and RCMP to arrive at a bench mark for determining basic pension which is more in keeping with current norms.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Disability pensions paid under the Pension Act are adjusted each year on the first day of January by whichever is greater - the percentage increase in the Consumer Price Index (CPI) or the increase in the average composite wage of a representative group of Federal Public Servants.

Only three times in the past twenty years has the basic pension rate been adjusted based on the increase in the average composite wage of a representative group of Federal Public Servants.

Effective January 1, 2005, the basic pension for a single pensioner was increased by a 1.7% increase in the CPI to \$2,027.10 per month (\$24,352.20 annually); the basic pension for a married pensioner was increased to \$2,533.88 per monthly (\$30,406.56 annually).

At this time, there are no plans to increase the basic pension rate payable under the Pension Act; however, the Government of Canada is working diligently to modernize the benefits and services available to members of the Canadian Forces.

LEGION'S POSITION

The Legion will continue to monitor this issue.

8. Spouses' Pension Inequities VSS/BC/YUKON 1/C

WHEREAS section "O" of the aims and objects of The Royal Canadian Legion as contained in our General By-Laws provides: To secure adequate pensions, allowances, grants and war gratuities for personnel, their dependents, and the spouses, children and dependents of those who are dead, and to labor for honorable provision being made for those who, in declining years, are unable to support themselves; and

WHEREAS the spouse of a veteran who was receiving a 48% disability pension will be receiving a \$1448.56 spousal pension; and

WHEREAS the spouse of a veteran who was receiving a 47% disability pension will receive a \$543.21 pension. This rate represents a difference of \$905.00 per month difference in the pensions of these two spouses, where the difference in their husband's disability pension rate was only 1%; and

WHEREAS the majority of these spouses would be spouses of World War II veterans and the majority would be from 75 to 85 years of age, which should most certainly be classed in their declining years; and

WHEREAS similar resolutions have been concurred in by past Dominion conventions and has met with little results:

THEREFORE BE IT RESOLVED that our Dominion Command representatives bring this matter to the attention of the Federal Authorities and point

out these so called proportionate rates are not proportionate at all. And that the rates be adjusted to more reasonable rates so that these dear ladies may get a bit more enjoyment in their declining years.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The Pension Act provides for the payment of a disability pension based on the extent of disability related to a veteran's wartime or peacetime service. Survivor pensions are based on the rate of disability pension that was, or could have been on application, in pay at the time of the veteran's death.

For a full year following the death of a veteran, the total disability pension, as well as any Attendance Allowance or Exceptional Incapacity Allowance that was in payment at the time of death, is paid to his/her eligible spouse or common-law partner. This one-year extension allows the bereaved survivor an adjustment period after the loss of a loved one to make alternate arrangements for the future. At the end of the one-year period, survivor benefits are converted to either a full or proportionate pension, depending on the amount of disability pension that was in payment to the veteran.

A full survivor's pension, equal to three-quarters of a 100% single rate pension, is paid to the eligible survivor of a deceased veteran if it can be established that death was attributable to military service, or that the veteran was or could have been receiving a disability pension of 50% or more at the time of death. The eligible survivor of a veteran who was or could have been receiving a disability pension at a rate of less than 50% at the time of death, may receive a proportionate survivor pension equivalent to one-half of the married rate of pension.

Prior to 1980, only full survivor pensions were awarded on the basis that a veteran, pensioned at 50% or more, must have been severely disabled. The veteran required a maximum amount of care and presumably was unable to provide adequately for dependants in terms of family income and insurance benefits.

When the Government considered expanding pension benefits by providing proportionate survivor pensions, it gave careful thought to the provision of the maximum possible benefits to all eligible survivors of disability pensioners, while at the same time continuing to meet the needs of the eligible survivors of veterans who suffered from more severe service-related disabilities. Therefore, veterans who are receiving pension at a rate of less than 50% are not considered so disabled as to prevent them from earning the type of income

which would enable them to provide adequate insurance coverage for dependants. Consequently, it is considered equitable to provide a survivor pension on the basis of one-half of the assessment held by the pensioner at the time of death.

At this time, no consideration is being given to amending the Pension Act to provide increases in survivor benefits; however, the Government of Canada is working diligently to modernize benefits and services for members of the CF and their families.

LEGION'S POSITION

The Legion will continue to monitor and to study the beneficial and the deleterious effects of current Survivor benefits; any modification to this program would possibly result in reducing benefits for some while others would receive more. In that context, it is VAC's rationale that those with greater needs (50% or more disability pension) should receive greater benefits. Nevertheless, the Legion will continue to advocate for greater overall benefits for all concerned

9. Widows' Pensions SASK 3/C

WHEREAS a 100% pensioner receives \$2344.76 per month; and

WHEREAS a 50% pensioner receives \$1172.38 per month; and

WHEREAS when the above pensioners die, a year later the spouses receive the same pension - \$1406.86 per month; and

WHEREAS the spouse of a 48% pensioner receives \$1406.86 per month, and the spouse of a 47% pensioner receives \$527.57 per month; and

WHEREAS in example (1) the widow of 100% pensioner loses \$937.90 per month income. The widow of 50% gains \$234.48 in example (2) though only 1% difference in disability, the widow of 47% disability receives \$879.29 less per month:

THEREFORE BE IT RESOLVED that the Veterans' Service Committee study the matter and suggest a more equitable way for widows' pensions, to close the gap in amounts paid to surviving spouses.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

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vivor pensions are based on the rate of disability pension that was, or could have been on application, in pay at the time of the veteran's death.

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LEGION'S POSITION

The Legion will continue to monitor and to study the beneficial and the deleterious effects of current Survivor benefits; any modification to this program would possibly result in reducing benefits for some while others would receive more. In that context, it is VAC's rationale that those with greater needs (50% or more disability pension) should receive greater benefits. Nevertheless, the Legion will continue to advocate for greater overall benefits for all concerned.

10. Advocacy - Pension Increase ONT 4/C

WHEREAS veterans of World Wars I and II and Korea are reaching the age of needing assistance to remain in their homes; and

WHEREAS the cost of drugs and remedial appliances are continually rising; and

WHEREAS veterans receive only a small cost of living increase on the pension; and

WHEREAS the entry level cap to DVA or VIP programs is so low most veterans do not qualify; and

WHEREAS these are the citizens of this great country who sacrificed and gave so much to preserve our way of life and democratic way of government; and

WHEREAS the Federal Members of Parliament are the only people who can correct this inequity by Act of Parliament:

THEREFORE BE IT RESOLVED that Dominion Command refer this matter to the Veterans Seniors Committee and request the members of our government pass an Act to give a substantial increase in the base pension for our veterans immediately, so they can live comfortably; and

BE IT FURTHER RESOLVED that all Members of Parliament in this great country be requested to state their position on this resolution in writing to the branches in their riding and also to the zone, so we as members would know their position on this most troubling matter, for future consideration.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The Pension Act provides for pension awards to those suffering from disabilities related to military service. The amount of pension awarded is based on the extent of disability, as verified by medical examination, and is paid in accordance with the basic rate set out in the Act.

VAC pays for drugs and other treatment benefits for eligible VAC pensioners and other eligible veterans.

The basic rate of disability pension is adjusted each year on the first day of January by whichever is greater - the percentage increase in the Consumer Price Index (CPI) or the increase in the average composite wage of a representative group of Federal Public Servants. Only three times in the past twenty years has the basic pension rate been adjusted based on the increase in the average composite wage of a representative group of Federal Public Servants.

Effective January 1, 2005, the basic pension for a single pensioner was increased by a 1.7% increase in the CPI to \$2,027.10 per month (\$24,352.20 annually); the basic pension for a married pensioner was increased to \$2,533.88 per monthly (\$30,406.56 annually).

At this time, there are no plans to increase the basic pension rate payable under the Pension Act.

LEGION'S POSITION

The Legion will continue to monitor disability pension rates and advocate for continuing improvements in overall benefits.

VETERANS INDEPENDENCE PROGRAM (VIP)

11. Restoration of VIP to Spouse VSS 5; NS/NU 16; ONT 33

WHEREAS Veterans Independence Program helps entitled veterans and their spouses to live independently; and

WHEREAS spouses lose the benefit of the Veterans Independence Program when veterans enter an institution; and

WHEREAS many spouses desperately continue to require VIP benefits to remain self-sufficient in their own homes:

THEREFORE BE IT RESOLVED that the Veterans Independence Program be expanded to include the continuation of benefits for spouses of institutionalized recipient veterans where due need exists.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) provides services under the Veterans Independence Program (VIP) to help veterans remain healthy and independent in their own homes. As with all VAC health care programs, the primary recipient of VIP is the veteran, although a spouse, or other primary caregiver, living with the veteran may also receive some secondary benefits.

In December 2004, after listening to the voices of Canadians, the Minister of Veterans Affairs announced significant enhancements to the VIP program that will positively impact primary caregivers, including spouses. The enhancements will provide lifetime continuation to qualified primary caregivers of veterans, where the veteran was in receipt of VIP housekeeping and/or grounds maintenance services at the time of their death or admission to a long term care facility, since the program's inception in 1981. This will ensure that primary caregivers (including spouses and common-law partners) are not cut-off from the VIP housekeeping and/or grounds maintenance services that the veteran was receiving at the time of their admittance to a long-term care facility. This extension reflects the Government's commitment to continue to honour our veterans by responding directly to the needs of those who care for them.

The amendments to the Veterans Health Care Regulations required to implement these changes to VIP were approved by Governor-in-Council on February 15, 2005.

LEGION'S POSITION

The Legion applauds this improvement to the VIP program.

12. VIP For RCMP VSS 6

WHEREAS recent changes to eligibility for the Veterans Independence Program now allow Canadian Forces members to qualify while still serving or after release when qualified as a result of their pensioned condition; and **WHEREAS** the Royal Canadian Mounted Police are eligible for disability pension payments while still serving or after release, with request funding allocated from the Solicitor General's fiscal envelope:

THEREFORE BE IT RESOLVED that the Veterans Independence Program be made available to members of the RCMP on the same basis as for members

of the Canadian Forces with required funding allocated from the Solicitor General's fiscal envelope.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

As an agency within the Ministry of Public Safety and Emergency Preparedness Canada, the Royal Canadian Mounted Police (RCMP) is responsible for determining the nature and scope of health care benefits and services available to its members. Pursuant to a Memorandum of Understanding with the RCMP, Veterans Affairs Canada (VAC) administers certain health care benefits for retired regular and civilian members of the RCMP in accordance with the authorities provided in the Veterans Health Care Regulations, related policies and directives. The administration of health benefits for still serving regular and civilian members of the RCMP is fully the responsibility of the RCMP until the member is released from the Force.

As such, any modifications or enhancements to the health care benefits and services available to the RCMP falls within the jurisdiction of the Ministry of Public Safety and Emergency Preparedness. While previous discussions have identified access to Veterans Independence Program (VIP) benefits to RCMP members as a possible future consideration, appropriate Government policy approvals and funding authorities will need to be initiated by the Ministry and RCMP before proceeding in this direction. With this in mind, a copy of this resolution will be forwarded to the Minister of Public Safety and Emergency Preparedness for consideration.

LEGION'S POSITION

The Legion will continue to advocate for VIP for the RCMP.

13. VIP Benefits SASK 5/C

WHEREAS that more progress be made re the resolution made at the Dominion Convention in Edmonton in the year of our lord 2002:

THEREFORE BE IT RESOLVED that the V.I.P. benefits be extended to a spouse of a veteran, this to include medical, long term care facilities, house-keeping and ground keeping for the life of a surviving spouse as long as the need for the program continues to exist.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) provides services under the Veterans Independence Program (VIP) to enable clients to remain as healthy and independent as possible in their own homes. As with all of VAC's health care programs, the primary clients of VIP are veterans.

In November 2003, former Minister of Veterans Affairs, the Honourable Dr. Rey D. Pagtakhan announced that survivors and other primary caregivers of a veteran who died after September 1, 1990 and within one year of being admitted to a long term care facility may also be eligible to receive for life housekeeping and/or grounds maintenance services under the VIP program.

VAC has, however, recognized the valuable role of spouses and others who care for veterans in the home, by providing them with certain VIP services. In December 2004, after listening to the voices of Canadians, the Minister of Veterans Affairs announced significant enhancements to the VIP. These enhancements will provide lifetime continuation to qualified primary caregivers, including spouses of veterans who were in receipt of VIP housekeeping and/or grounds maintenance services at the time of their death or admission to a long term care facility, since the program's inception in 1981. Eligible primary caregivers will continue to receive these services for as long as a health need for the services continues to exist.

The amendments to the Veterans Health Care Regulations required to implement these changes to VIP were approved by Governor-in-Council on February 15, 2005.

LEGION'S POSITION

The Legion will continue to advocate for increased VIP benefits for Veterans and their spouses while promoting the adoption of a similar program for all Canadian Seniors to promote home independence.

14. VIP - Groundskeeping SASK 6/C

WHEREAS a veteran who is on the Veterans' Independence Program (VIP) and is living in a condominium does not qualify to claim for a reimbursement for groundskeeping from the Department of Veterans Affairs (DVA) unless

he/she appeals; and

WHEREAS a veteran on VIP residing in condominium/co-op type of housing pays a monthly maintenance fee to cover the costs of grass cutting and snow removal, that is to say, groundskeeping:

THEREFORE BE IT RESOLVED that DVA pay the veteran on VIP residing in a condominium his respective share of the groundskeeping either monthly or yearly, without requiring the veteran to appeal his claim. Further in such event that if a veteran has not been reimbursed for groundskeeping, that he be refunded his costs of groundskeeping for the last two years; and

BE IT FURTHER RESOLVED that in the event of the veteran's death receiving VIP, that his/her spouse continue to receive payment for groundskeeping for so long as he/she requires the service.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The Veterans Independence Program (VIP) aims to help eligible clients remain healthy and independent in their homes and communities. As such, it relies on the principle that clients want to remain independent, will take whatever responsibility they can for their own care and will use VIP services as a contribution, along with their own resources, to achieve as much independence as possible. In supporting veterans, a comprehensive health needs assessment process is used to help determine the nature, scope and level of VIP services required to assist clients in this regard.

The grounds maintenance element of VIP is specifically intended to ensure that certain activities, such as grass cutting and snow removal, required to support the veteran's independent living at his or her principal residence are performed. To qualify, these tasks must be the client's direct responsibility and would normally be done by the client if not for a health-related condition that limits the capacity to do so.

While it is recognized that, through monthly or annual condominium fees, residents of condominium corporations financially contribute to the maintenance of common property owned by the corporation, grounds maintenance in these situations is clearly the direct responsibility of the condominium corporation, not individual residents. As such, access to VIP is not required to support the safety and well-being of veterans since the responsibility for carrying out these tasks is assumed by a third party and it is not the intention of VIP to financially subsidize third parties in the performance of their duties.

LEGION'S POSITION

The Legion does not agree with this rationale and will continue to advocate for coverage of condominium fees. Even though responsibility is assumed by a third party, condo residents must cover these costs from their own pockets in a similar fashion that a Veteran who is a homeowner assumes this responsibility and gets reimbursed by VAC if eligible for VIP.

15. VIP - Hearing Loss/Tinnitus ONT 3/C

WHEREAS Veterans Affairs Canada is not approving the Veterans Independence Program for some pensioners with hearing loss/tinnitus conditions; and

WHEREAS there is evidence that further exposure to housekeeping and groundskeeping equipment causes additional deterioration to the affected individual with the hearing loss/ tinnitus condition:

THEREFORE BE IT RESOLVED that The Royal Canadian Legion advocate to Veterans Affairs Canada the fact that pensioners with hearing loss/tinnitus be entitled to the VIP program in the same manner as for other pensioned conditions.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The Veterans Independence Program (VIP) provides a range of services, including home care services, ambulatory health care service, transportation service, home adaptations services and intermediate care services to eligible veteran pensioners. In order to qualify for VIP services, pensioners must be found, on the basis of a medical assessment, to have an impairment of their ability to carry out the activities of daily living which is directly related to their war-related pensioned condition. Pensioners who are medium disabled, seriously disabled or who meet the definition of a frail pensioner do not have to show that the need for the VIP service is linked to their pensioned condition.

A veteran who is pensioned for hearing loss or tinnitus is not automatically deemed ineligible for VIP services simply by virtue of having that condition. However, a client who presents with this pensioned condition must, as would a client with any other pensioned condition, satisfy the program eligibility guidelines. The client must establish, by means of an assessment, including medical information, that the pensioned hearing loss or tinnitus impairs their

ability to remain self-sufficient at their principal residence without the VIP services.

LEGION'S POSITION

The Legion is satisfied with this answer but will continue to monitor program implementation.

16. Program to Assist Widows/Widowers NS/NU 12

WHEREAS Veterans Affairs Canada extended the Veteran Independence Program for widows/widowers, no provisions were made for widows/widowers whose spouses died prior to September 1990; and

WHEREAS many of these Veteran's widows/widowers live independently and on low fixed incomes and would benefit from this program; and

WHEREAS the former Minister for Veterans Affairs Canada, The Honourable Ray Pagtakhan, had the unanimous vote in the House of Commons to include all widows/widowers:

THEREFORE BE IT RESOLVED that the new Minister for Veterans Affairs Canada, take immediate action to establish a program to compensate these forgotten widows/ widowers.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

In December 2004, after listening to the voices of Canadians, the Minister of Veterans Affairs announced significant enhancements to the Veterans Independence Program (VIP) program. The changes to the VIP program will positively impact primary caregivers, including widows/widowers whose spouses died prior to September 1990. The enhancements will provide lifetime continuation to qualified primary caregivers of veterans, who were in receipt of VIP housekeeping and/or grounds maintenance services at the time of their death or admission to a long term care facility, since the program's inception in 1981. This means that these qualified primary caregivers (including widows/widowers) are not cut-off from the VIP housekeeping and/or grounds maintenance services that the veteran was receiving at the time of their death or admittance to a long-term care facility. This extension reflects the Government's commitment to continue to honour our veterans by responding directly to the needs of those who care for them.

The amendments to the Veterans Health Care Regulations required to

implement these changes to VIP were approved by Governor-in-Council on February 15, 2005.

LEGION'S POSITION

The Legion applauds this initiative.

LONG TERM CARE

17. Allocation of Veterans' Beds VSS 7

WHEREAS the Minister of Veterans Affairs has responsibility for Long Term Care for veterans in Canada; and

WHEREAS all but Ste. Anne's hospital have a mix of veteran and non veteran residents; and

WHEREAS the allocation of beds in specific areas must balance the needs of veteran and non veteran populations; and

WHEREAS it is desirable to accommodate veterans near families and familiar community support; and

WHEREAS it is frequently desirable for spouses of veterans to have the opportunity to reside in the same facility:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada work closely with the veterans' organisations, provincial and municipal authorities to define appropriate criteria for the allocation of beds to veterans to ensure that their needs are met; and

BE IT FURTHER RESOLVED that the criteria include the provision for accommodating the spouses of veteran when that would be appropriate; and

BE IT FURTHER RESOLVED that Ste. Anne's be made available to spouses of veterans provided the needs of veterans are given priority.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

As part of the transfer agreement, veterans have priority access to 4310 long term care beds. Should these beds become vacant, the Provinces have the right to admit a provincial resident to the bed.

Priority Access Bed Facilities with solely Veteran Beds

Dr. L.A. Miller Centre (Caribou Veterans Pavilion), St. John's, NL	52 beds
Camp Hill/Veterans Memorial Building, Halifax, NS	175 beds
Robert L. Knowles Veterans Unit (Villa Chaleur), Bathurst, NB	13 beds

Veterans' Unit, Fredericton, NB	47 beds
Veterans Health Unit, Moncton, NB	40 beds
Ridgewood Veterans Wing, Saint John, NB	80 beds
La Maison Paul-Triquet, Ste. Foy, QC	62 beds
Ste. Anne's Hospital, Montréal, QC	490 beds
Mewburn Veterans Centre, Edmonton, AB	146 beds
George Derby Centre*, Burnaby, BC	300 beds
Total	1405 beds

*When George Derby Centre experienced empty beds and no veterans were on the wait list, provincial residents were admitted to the facility.

As not all facilities have private rooms and depending on the vacancy in the facility, the accommodation available may not be appropriate for a female resident. Although Veterans Affairs Canada's (VAC) primary commitment is to ensure appropriate long-term care for our veteran clients, where possible we try to ensure that married spouses are accommodated together. If requested, VAC staff work with provincial staff on a case-by-case basis to do whatever is possible to arrange the placement.

In 1999, VAC began a pilot initiative to provide Overseas Service Veterans (OSV) with access to the Veterans Independence Program services and Treatment Benefits while the veteran waits for a bed to become available. On November 1, 2001, the pilot was expanded nationally to provide assistance to veterans who were at home waiting for a Priority Access Bed (PAB) to become available. The initiative was approved as a regulatory amendment on November 6, 2003.

In July 2000, with the introduction of the Wait List Management Initiative, 2,600 long-term care beds were made available to eligible veterans who can now access care in a nursing home in the community. Although not offering priority access to veterans, the community facilities do offer care to all provincial residents thereby facilitating access to care in the same facility for veterans and their spouses. As well, some of the community facilities are designed to provide care to couples who wish to remain together.

With respect to Ste. Anne's Hospital, the facility can currently only meet the demand for care for veterans. However, in recent years, the facility has been exploring a number of viable alternatives, such as care for Canadian Forces veterans, offering a mental health clinic and allowing for the admittance of provincial residents. As well, with the recently announced \$67.7M modernization, the facility will need to close approximately 100 beds during

the construction phase. Therefore, the admission of provincial residents is not likely to occur during these renovations.

LEGION'S POSITION

The Legion will continue to advocate for inclusion of spouses in Long Term Care facilities when they can be accommodated.

18. Oversight for Transition from Acute Care VSS 8

WHEREAS Veterans Affairs Canada is responsible for veterans in priority access beds and a number of long-term care facilities across the country; and

WHEREAS from time to time veterans in those facilities require acute care; and

WHEREAS Veterans Affairs Canada through the Veterans Independence Program provides health care to veterans at home; and

WHEREAS some of these veterans from time to time require acute care; and

WHEREAS there is no comprehensive program conducted by Veterans Affairs Canada to ensure the needs of veterans are met when they are in a state of transition to or from acute care; and

WHEREAS cases have arisen where veterans have been released from acute care and have found themselves in perilous circumstances as a result of the lack of such a program:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada institute a transitional care program to meet the needs of those veterans whose circumstances result in their transition to or from acute care by overseeing a comprehensive care plan that will ensure the safety and dignity of the veteran.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) provides a client-centred approach to case management where staff work with the veteran, their family and caregivers to ensure that the veteran's needs are identified and a suitable care plan is instituted. In cases of veterans transitioning from acute care to long-term care, VAC staff also work with provincial health authorities to determine the most appropriate facility to meet the veterans' healthcare, activities of daily living, and social needs in their own community, where possible.

LEGION'S POSITION

The Legion is still concerned that some Veterans are slipping through the cracks and that their care is deficient in their transition from acute care. This will be closely monitored through the three basic Legion Long Term Care Programs (social visitation, accreditation monitoring and LTC Surveyor Program).

19. Palliative Care of Veterans VSS 12

WHEREAS Canadian Norms of Practice for Hospice Palliative Care prepared by the Canadian Hospice Palliative Care Association sets out current societal standards for timely access to comprehensive, coordinated, quality care to relieve suffering and improve the experience of living and dying; and

WHEREAS numerous veterans entitled to care in accordance with Veterans Health Care Regulations are in the latter stages of life; and

WHEREAS many major veterans care facilities and community long term care facilities accommodating veterans under contractual and other arrangements established by Veterans Affairs Canada have limited palliative care capacity and resources:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada enter into partnership agreements with provincial health authorities and contract facilities to ensure veterans receive a common level of palliative care that meets current societal standards; and

BE IT FURTHER RESOLVED that Veterans Affairs Canada establish practical arrangements for the delivery of appropriate palliative care services to veterans in community facilities.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

In 1998, Veterans Affairs Canada (VAC) presented the findings of the Review of Veterans' Care Needs (RVCN) project, an in-depth study of long term care pressures. The RVCN research suggested larger Priority Access Bed (PAB) facilities should specialize in dementia, respite and palliative care and thus become greater knowledge assets for the community, while meeting the immediate needs in the veteran community. This research was the primary driver for the development of the Residential Care Strategy, which identifies palliative care as a measurement criteria for the evaluation of funding requests from PAB facilities.

For the past several years, any requests for capital or specialized program funding have been assessed against the criteria of the Residential Care Strategy (i.e., related to respite, palliative, dementia, and quality of care). To date, VAC has supported a number of funding requests for special programming changes to accommodate palliative care.

With regard to veteran clients in need of palliative care in community facilities, VAC reviews each request for palliative care support on an individual basis. In situations where the client can continue to be maintained in the community facility, VAC will supplement the cost of care.

LEGION'S POSITION

Quality palliative (end-of-life) care is becoming a growing concern as our traditional Veterans become more frail. They should be provided services that are attuned to their needs not only in Long Term Care Facilities but also in a home setting, where costs are significantly reduced. VAC should be more proactive in disseminating information on their "End of life" VIP coverage.

20. Ensuring Quality Long Term Care for Veterans VSS 15; ONT 6/C

WHEREAS the recognized obligation of the people and Government of Canada to veterans requiring long term care has been affirmed in the June 2003 report of the standing Committee on National Defence and Veterans Affairs entitled Honouring the Pledge: Ensuring Quality Long Term Care for Veterans; and

WHEREAS The Royal Canadian Legion had the privilege of addressing the committee and highlighting shortcomings in veterans care which arose in large part through the administration of contracts with provincial health authorities by which the Minister of Veterans Affairs discharges his responsibilities for the long term care of veterans; and

WHEREAS The Royal Canadian Legion fully endorses the 25 recommendations contained in the report but is concerned that the implementation of the recommendations may be hindered and the Minister's responsibility obscured by contract administration process; and

WHEREAS the recommendations are collectively directed at ensuring a common high standard of care for veterans irrespective of provincial jurisdiction:

THEREFORE BE IT RESOLVED that the Minister of Veterans Affairs affirm

his responsibility for the long term care of veterans; and

BE IT FURTHER RESOLVED that the recommendations of the report be endorsed by Government and be afforded priority for Implementation by Veterans Affairs Canada; and

BE IT FURTHER RESOLVED that Veterans Affairs Canada promulgate and institute its national standard for long term care of veterans everywhere in Canada.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The Government responded to the 25 recommendations of the Standing Committee on National Defence and Veterans Affairs June 2003 report entitled Honouring the Pledge: Ensuring Quality Long Term Care for Veterans by tabling in the Government's response on November 7, 2003. In this MC, the Government reconfirmed its commitment to ensuring that veterans across Canada receive the quality long term care they deserve.

To date, 16 recommendations have been completed, four recommendations are in progress and five recommendations have been partially completed within the federal government's legislative authority.

The Department has, in collaboration with veterans' organizations and stakeholders, put in place ten care outcome standards for long-term care and a comprehensive Residential Care Strategy.

Under the Veterans Health Care Regulations, VAC provides funding for the cost of care to eligible veterans to the extent that it is not an insured service under a provincial health care system or is not available to them as a resident of a province. Health programs and coverage vary depending on the province in which the veteran resides. VAC health care programs are designed to be complementary to and fully integrated with existing provincial programs without superceding the provincial authorities. VAC collaborates with the provinces to deliver these programs which are designed to "top up" provincial coverage and ensure a similar level of care across the country.

LEGION'S POSITION

The Legion, through its three Long Term Care programs (social visitation, accreditation monitoring and LTC Surveyor Program) will continue to monitor the implementation of what should clearly be national standards of care in LTC facilities.

21. Long-Term Care Facilities - Management of Waiting List ALTA-NWT 9/C

WHEREAS the veteran has been receiving care at the physical expense of the family up until the time of assessment; and

WHEREAS the family is willing to carry on that care until a bed becomes available in the facility of choice; and

WHEREAS the family already knows the hardship of caring for that veteran; and

WHEREAS it is recognized that the family contact and participation contributes to the well-being of the veteran in his/her later years; and

WHEREAS it would not be in the best interests of the veteran to be miles from home, where it is a hardship for the elderly spouse or family and friends to visit (who are likely elderly as well):

THEREFORE BE IT RESOLVED The Royal Canadian Legion lobby the provincial governments through Veterans Affairs Canada to change their policy and allow veterans to stay in their own homes with the care provided up to this point in time by their families; and

BE IT FURTHER RESOLVED that the long-term care facilities not penalize the veteran by taking him/her off the waiting list, or putting him/her at the bottom of the list because they are waiting in their own home for an available bed in their facility of choice; and

BE IT FURTHER RESOLVED that the veteran continues to receive services he/she is entitled to through Veterans Affairs Canada, or the provincial government, while in his/her own home awaiting a bed in the facility of choice.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) has one of the most effective national programs for home care services through the Veteran's Independence Program (VIP). This program provides financial support for eligible veterans to such home care services as Housekeeping, Groundskeeping and Personal Care. The intent of the VIP is to help VAC clients remain healthy and independent in their homes and communities. Eligibility for the VIP is based on type of service, health need and/or income.

When veterans in receipt of adequate home supports chose to remain at home in lieu of entering a long term care when a bed becomes available, where appropriate, VAC will continue to support them through VIP. If a veteran's choice to delay admission affects their placement on the wait list managed by the facility or provincial placement agency, VAC has no authority to intervene. However, VAC will advocate on behalf of the veteran for timely

placement when remaining at home is no longer viable.

VAC is pursuing a collaborative research project with the Government of Ontario that will add significant new knowledge and lead to a greater understanding of the costs and care outcomes for VIP clients using home care, compared to residential care and assisted housing.

The project will also address the important question of what mix of home care services, such as homemaking versus professional care services, are most important in keeping people at home longer. The results will be used to improve existing programs for veterans and to contribute to national policy discussions about continuing care by sharing lessons learned through our experience in delivering a national home care program for more than twenty years.

LEGION'S POSITION

The Legion will closely monitor the research conducted with the Government of Ontario and the internal review of Health Benefits. Improvements in services provided through VIP should not affect the priority placement of veterans in Long Term Care facilities when a need is confirmed.

206. Priority Access Beds SASK 16/C

WHEREAS Veterans Affairs Canada has recognized the need of Priority Access Beds based on health need and where health needs of any clients are similar, the access shall be given to the clients in accordance with the following order of priority;

- a. first, to Veteran pensioners who need care for a war-related pensioned condition,
- b. second, to income-qualified veterans; and
- c. third, to overseas service veterans and merchant navy veterans;

and

WHEREAS his or her health would qualify for this program:

THEREFORE BE IT RESOLVED that The Royal Canadian Legion, through Saskatchewan Command and Dominion Command lobby Veterans Affairs Canada to give consideration to Canada Service Veterans in need, who have 365 days of service to qualify for Priority Access Beds.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Canada's commitment to provide quality care to injured, disabled and aging veterans is a long-standing priority, dating to the First World War. As a key pillar of this commitment, Veterans Affairs Canada (VAC) has been a pioneering force in establishing, managing and supporting access to long term-care to address the evolving needs of veterans.

Long-term care, as with other VAC benefits and services, is provided based on the authorities established in the Veterans Health Care Regulations, with pension entitlement, income and/or service of the veteran needing care being key factors in assessing eligibility and priority for admission to departmental, contract and community beds.

In December 2003, based on discussions with the major veterans' organizations, including the Royal Canadian Legion, the most urgent needs for Canada's veterans were identified. Flowing from these discussions, additional groups of clients were provided access to various types of care and the priority for placement was updated accordingly. As a result, priority for admission to the departmental facility or a contract bed is based on health need and, where the health needs of clients are similar, admission is given to clients in accordance with the following order of priority:

- (a) first, to veteran pensioners who need care for a war-related pensioned condition;
- (b) second, to veteran pensioners who are seriously disabled and to income-qualified veterans;
- (c) third, to overseas service veterans and dual service veterans, and
- (d) fourth, to allied veterans with 10 years post war residency in Canada.

Priority for care in a community facility is based on health need and, where the health needs of any clients are similar, priority is given in the following order:

- (a) first, to veteran pensioners, civilian pensioners, special duty service pensioners and military service pensioners who need care for a pensioned condition;
- (b) second, to veteran pensioners who are seriously disabled, to civilian pensioners who are seriously disabled, to veteran pensioners, to income-qualified veterans, to income-qualified civilians and to Canada service veterans;

- (c) third, to overseas service veterans and dual service veterans; and
- (d) fourth, to allied veterans with 10 years post war residency in Canada.

Prior and subsequent to these changes, Canada Service veterans had and continue to have access to long-term care in community facilities. In the majority of cases, these facilities meet the needs of Canada Service veterans and are wide-spread throughout Canada, allowing clients to receive the care they require in their own communities, close to their spouses and families.

VAC does not envisage extending Priority Access Bed eligibility to Canada Service veterans, however, it will continue to examine its health care benefits and services. The Department is currently reviewing elements of its health care program, including its long-term care strategy. Following the study, key findings will be discussed with veterans' organizations as options for moving forward are considered. Clearly, any expansion of the eligibility for the priority access beds will need to be balanced against the demands for the service from existing eligible veterans and other requests for expanded program benefits.

LEGION'S POSITION

The Legion will continue to advocate for greater access to Long Term Care facilities, not only for traditional veterans but also for modern veterans. The obligation to provide such services is enshrined in the Veterans Affairs Act.

308. Criteria for Admission to Ste-Anne's Hospital QUE 9

WHEREAS a veteran of the Canadian Forces who does not meet the criteria for admittance as determined by Veterans Affairs Canada is denied the highest quality care for which he or she is entitled; and

WHEREAS a veteran, who through no fault of his or her own, remained in Canada and served and supported those who did serve in a theatre of war is denied admittance; and

WHEREAS these veterans who, for example :

- a) served in Maritime patrol aircraft over the western Atlantic
- b) served as an expert instructor in various fields
- c) served and suffered as a human guinea pigs for various germ and chemical warfare trials
- d) served in radar stations on both Coasts

and numerous other situations, are denied access to the highest quality care for which he or she is entitled:

THEREFORE BE IT RESOLVED that The Royal Canadian Legion bring pressure to bear on Veterans Affairs Canada to change the criteria for admittance to Ste. Anne's Hospital for any Canadian who served his or her country during either the First or Second World War, thereby entitling them to the highest quality medical care that is provided to other veterans.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) strives to ensure that all veterans receive the best quality of health care. VAC staff visit veterans in long term care facilities on an annual basis to ensure their needs are being met and they are well cared for.

Eligible Canada Service veterans (CSVs) receive health care and veterans Independence Program benefits. In addition, although current policy limits CSV access to VAC's Priority Access Bed (PAB) facilities, these clients are entitled to long-term care in community facilities which offer the same levels of care offered at many of VAC's PAB facilities. Unlike most PAB facilities, community care facilities are usually located within veterans' communities and current research indicates that veterans who require long-term care prefer to stay in their home communities for as long as possible.

There are currently 904 Canada Service veterans receiving VAC benefits in long-term care facilities in their communities across the country. The most recent long-term care client satisfaction survey results indicate that overall client and family member satisfaction nationally is 94.3 percent.

LEGION'S POSITION

The Legion will continue to monitor this issue.

FUNERALS & BURIALS

22. Last Post Fund Extension to Canadian Forces Veterans VSS 14; NB 5/C

WHEREAS the Last Post Fund funeral and burial programme is generally a "needs based" programme which has provided funerals and burials for Canada's wartime service veterans and their survivors since its founding in 1909;

and

WHEREAS the funeral and burial programme is also available “as a matter of right” to wartime and peacetime veteran pensioners who die from a VAC pensioned condition or a condition that can be related to military service;

and

WHEREAS the definition of “veteran” has recently been changed by VAC to include all members of the CF who have met DND’s occupational qualification requirements, and who have been honourably discharged; and

WHEREAS these veterans may not have suffered death or a pensionable disability prior to discharge they have accepted the “unlimited liability” associated with military service in Canada and abroad, and may subsequently suffer financial hardship which would make the veteran or survivors unable to provide a dignified burial for the veteran:

THEREFORE BE IT RESOLVED that the Last Post Fund funeral and burial assistance programme be extended to all Canadian Forces Veterans who would otherwise be denied a dignified funeral and burial for lack of sufficient funds.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC’s) funeral and burial assistance program is administered on VAC’s behalf by the Last Post fund Corporation. Currently there are differences in funeral and burial coverage for traditional Veterans and Canadian Forces (CF) Veterans. Traditional Veterans have access to funerals and burials based on i) their deaths being attributable to service or ii) financial need; CF Veterans have access based on i) their deaths being attributable to service or ii) if they are in receipt of a VAC disability pension and are in financial need.

VAC is designing a comprehensive and improved range of programs and services to facilitate one-stop client-centred service and encourage wellness and re-establishment for CF Veterans and their families. One aspect of program design being considered is to ensure that low-income CF Veterans have funeral and burial coverage. This would apply to CF Veterans who had been receiving benefits under the proposed Loss of Earnings or Income Support Programs at the time of their death.

LEGION’S POSITION

The Legion applauds this initiative which it sees as a first step in providing increased Funeral and Burial benefits to Canadian Forces Veterans

**23. Last Post Fund, Estate Exemption and Fee Maxima
VSS 19; QUE 1/C; QUE 2/C; NS/NU 2/C**

WHEREAS a significant number of aging war veterans and their families have limited income and assets; and

WHEREAS funeral expenses may impose a heavy financial and psychological burden on a veteran, survivor, or family living in necessitous circumstances; and

WHEREAS the Last Post Fund is charged with providing a dignified funeral and burial to eligible veterans who lack sufficient funds; and

WHEREAS the Government of Canada has effectively restrained the ability of the Last Post Fund to meet its mandate by reducing the estate exemption from \$24,030 to \$12,015 in 1995 and by setting low maximum rates for funeral and burial expenses below the customary fees; and

WHEREAS a veteran's funeral and burial may provide the last personal recognition of a veteran's service by a grateful nation:

THEREFORE BE IT RESOLVED that the Department of Veterans Affairs restore the estate exemption to the former level plus a current economic adjustment; and

BE IT FURTHER RESOLVED that maximum rates payable for funeral and burial expenses be brought into line with customary fees for these services.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The present Departmental and LPF grant of \$3,600 (plus the Goods and Services Tax for a total of \$3,852), provides for the payment of funeral director services which include: the supply of a solid wood casket or one of equal value which may be made of wood veneer; the preparation of the body; the use of a room for public viewing for up to two days; the use of a hearse and one other automobile; and the provision of grave side services.

The legislation also allows the Department and the LPF to pay an amount equal to the costs of the "lowest available earth burial" in a cemetery plot designated as a veteran's plot, or a plot in a section of a cemetery designed as a "Field of Honour", including a grave liner if one is required by the cemetery or municipality within the local area (the country, township, or city) of residency. Burial costs include the cost of the grave, the rental of a lowering device, the opening and closing of the grave and the cost of perpetual care. In addition to the funeral and burial payment, VAC and the LPF will also provide an upright or flat military style marker to those veterans who were awarded a funeral and burial grant.

The amounts for the funeral directors services (including the casket), the cost of burial services and the cost of a grave marker totals upwards of \$5,000.

Although the Veterans Burial Regulations and the Last Post Fund (LPF) Regulations are currently undergoing amalgamation, at this point there are no plans to restore the estate exemption to the 1995 level or to raise rates payable for funeral and burial expenses.

LEGION'S POSITION

The Legion will continue to advocate to restore the estate exemption and to raise the rates for funeral and burial expenses.

24. Funeral Expenses GST Exemption SASK 4/C

WHEREAS families of veterans were being charged with a G.S.T. on funeral expenses:

THEREFORE BE IT RESOLVED that this is considered to be inappropriate and that veteran's families should be exempt from this tax.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

VAC has no jurisdiction in the area of tax exemptions. This resolution would be best addressed by the Minister responsible for Canada Customs and Revenue Agency (CCRA).

LEGION'S POSITION

The Legion is in the process of raising this issue with the appropriate Minister.

CANADIAN FORCES/RCMP

25. Representation on the Canadian Forces Pension Advisory Committee VSS 9

WHEREAS the Canadian Forces Superannuation Act provides for representation of a member of a representative organization on the Canadian Forces Pension Advisory Committee; and

WHEREAS the CFPAC provides policy guidance and advice to the Minister of National Defence on superannuation issues under the CFSA; and

WHEREAS the current representative, the Federal Superannuates National Association, has a wide mandate to represent all federal public servants; and

WHEREAS the membership of The Royal Canadian Legion contains a significant number of annuitants under the CFSA; and

WHEREAS the Armed Forces Pensioners Annuitants Association endorses the membership of the Royal Canadian Legion to fulfill the role of representing ex-military annuitants:

THEREFORE BE IT RESOLVED that the Minister of National Defence appoint a representative from The Royal Canadian Legion to serve on the Canadian Forces Pension Advisory Committee.

FROM THE MINISTER OF NATIONAL DEFENCE

As you are aware from previous correspondence on this issue, membership on the Canadian Forces Pension Advisory Committee is prescribed by section 49.1 of the Canadian Forces Superannuation Act. Subsection 49.1(2) of the Act assures that annuitants are represented. This section states that the "membership of the Committee shall consist of one person appointed from among contributors in receipts of an annuity under this Act who are nominated for appointment by an association that, in the opinion of the Minister, represents such contributors." Although there are a number of associations across the country whose members include Canadian forces annuitants, I believe it is reasonable for me to ensure that any organization invited to nominate a representative to the Committee, has the mandate and the resources to support that nominee in representing the interests of former Canadian Forces members in pension-related matters.

You have stated that the Legion has a substantial number of members who are receiving benefits under the Canadian Forces Superannuation Act, but I am advised that the Legion has a much broader mandate than the Federal Superannuates National Association (FSNA). The FSNA is a national, non-profit organization with approximately 130,000 members and 83 branches across the country. Its mandate is to protect and enhance retirement and health insurance benefits of former federal employees. In fact, membership in the FSNA is restricted to persons in receipts of a pension under the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Royal Canadian Mounted Police Superannuation Act, or the Judges Act, and

spouses and surviving spouses of contributors who are or were in receipts of pension. Given the specific purpose and the membership of the FSNA, it has been deemed to be the suitable organization to nominate a member to serve on the Canadian Forces Pension Advisory Committee.

Although I understand your disappointment with this decision, I note that Commodore Harwood Retired) represents all pensioners. Therefore, if your association has specific matters that should be considered by the Canadian forces Pension Advisory Committee, I suggest that you contact Commodore Harwood to discuss your concerns. I am sure he would appreciate hearing from you and would be happy to bring your issues to the attention of the Committee.

LEGION'S POSITION

The Legion has been advocating for representation on the Canadian Forces Pension Advisory Committee for a number of years. The rationale provided for selecting the Federal Superannuates National Association (FSNA) as the only association abilited to represent contributors should be revisited. The Legion, with over 100,000 veterans with full membership status represents a much larger number of CF/RCMP annuitants than FSNA. The Legion has a mandate and the resources to support a representative The Legion will continue to advocate for representation on the CF Pension Advisory Committee

26. Determination of CFSA Survivor Pensions VSS 11

WHEREAS career members of the Canadian Forces and their dependants rely largely on superannuation (pension for service) to provide the main portion of their retirement income; and

WHEREAS CFSA provides for a survivor allowance paid at only 50% of the members superannuation pension based on a formula conceived in different economic times; and

WHEREAS a survivor faces many lifestyle adjustments, particularly with regard to basic living expenses typically exceeding 50% of the expenses borne by a couple prior to the pensioners death:

THEREFORE BE IT RESOLVED that CFSA survivor allowances be paid in an amount equivalent to 66% of the members pension.

FROM THE MINISTER OF NATIONAL DEFENCE

You have proposed that survivor allowances be paid in an amount equivalent to 66 percent of the member's pension.

For your information and use, I provide the following brief explanation of the survivor benefit provisions of the Canadian forces pension plan. Military members are contributors under the Canadian Forces Superannuation Act, which is a "defined benefit" plan. This means that in exchange for contribution, members acquire a right to a defined amount of pension at their retirement and defined benefits for their survivors. Each member's specific pension benefit is based on the member's salary, the number of years of service, and the reason for release. The survivor benefit is, in turn, based on the member's entitlement.

In many jurisdictions, the pension standards legislation provides for a survivor pension equal to 60 percent of a member's reduced pension. With this type of plan, the pension, at the time of retirement, must be taken in the "joint and survivor" form. This means that the contributor's basic pension benefit is reduced in order to ensure that funds are set aside to pay for a survivor benefit, should the retiree predecease his or her spouse. The survivor is then entitled to 60 percent of this reduced pension benefit. By contrast, the Canadian Forces Superannuation Act does not require a member to reduce his or her own pension in order to provide a survivor benefit.

Under the Canadian Forces Superannuation Act, the survivor is entitled to 50 percent of the member's unreduced pension entitlement. This means that if a member has chosen to retire early and has opted to receive a reduced pension, the survivor's allowance will be based on 50 percent of the member's unreduced pension as opposed to 50 percent of the reduced pension that the member was actually receiving prior to his or her death. In many cases, this survivor's allowance is more than 50 percent of the amount that the plan member was actually receiving.

In addition, the plan member's benefit is reduced at age 65 when Canada Pension Plan benefits are payable. However, the calculation of the survivor's allowance does not take this reduction into account. In the event of the member's death after age 65, the survivor's benefit is still based on 50 percent of the pre-age 65 amount. Again, this can result in a survivor benefit greater than 50 percent of the amount that the member was receiving at the time of his or her death.

When evaluating the benefits payable under the Canadian Forces Superannuation Act, one must also consider the total benefits available to survivors. In addition to the basic allowance payable to the survivor, qualifying children are also entitled to benefits as prescribed in the Act. Furthermore, the allowances provided under the Act are adjusted annually to reflect increases in the cost of living.

It is important to keep in mind that the level of benefits provided to plan members is directly related to the contribution rate. Therefore, any increase in the level of benefits would require an increase in the contributions by the present contributors, the federal government (the employer) or both. As contribution rates are already substantial, it is unlikely that current contributors would support an increase. Furthermore, any increase in the employer's share would have to come from the taxpayers, many of whom do not have a pension plan or participate in a less generous plan.

As you can see from the above, the survivor benefits under the Canadian Forces Superannuation Act are already very generous. Therefore, there is currently no plan to enrich existing benefit entitlements.

LEGION'S POSITION

The Legion will continue to advocate for increased benefits for survivors. The rationale provided by the Minister clarifies certain issues; however, the reality is that other private domain or NGO pension plans are more generous than the Canadian Forces Superannuation Act (CFSA). CFSA should recognize the equally meritorious contribution provides by spouses in the protection of freedom for all Canadians

27. Employment Insurance, Canadian Forces VSS 17

WHEREAS the federal government maintains an unused surplus in the Employment Insurance account; and

WHEREAS members of the Canadian Forces are required to make Employment Insurance contributions despite their unique terms of service; and

WHEREAS the possibility of a member of the Forces deriving any benefit on ceasing employment under any release item, whether for early retirement, medical condition or disciplinary action, is largely academic:

THEREFORE BE IT RESOLVED that members of the Canadian Forces be exempted from the provisions of the Employment Insurance Act.

FROM THE MINISTER OF NATIONAL DEFENCE

The payment of Employment Insurance premiums and benefits falls under the Employment Insurance Act, which is the responsibility of the Minister of Social Development, the Honourable Ken Dryden. I have, therefore, taken the liberty of forwarding a copy of your inquiry to him for consideration.

LEGION'S POSITION

The Legion will monitor this issue.

28. Honouring Returning CF Veterans VSS 18

WHEREAS Canadian Forces personnel experience deployments in complex and dangerous circumstances around the world; and

WHEREAS many of these personnel have sacrificed some aspect of their own familial or personal well-being in the course of their service; and

WHEREAS Veterans Affairs Canada and The Royal Canadian Legion take to heart their obligations to these modern veterans; and

WHEREAS Veterans Affairs Canada and The Royal Canadian Legion have programs, staff, members and experience with the heartbreak, trauma, and homecoming difficulties encountered:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada and The Royal Canadian Legion collaborate with Canadian Forces to develop programs to welcome and honour returning personnel and acquaint them with the support available to them.

FROM THE MINISTER OF NATIONAL DEFENCE

Honouring returning Canadian Forces veterans is an issue about which the Canadian Forces feels strongly and as a result, honouring returning veterans was specifically included in the new screening and reintegration policy released in August 2004, Canadian Forces Message 112/04-Screening and Reintegration for Canadian Forces Deployments.

Based on the experience of many operational deployments throughout the world over the past 50 years, the senior leadership of the Canadian Forces clearly understands the need for service members to be both appropriately received and recognized on their return to Canada following deployments. The new policy provides specific direction to commanders, at all levels, on

reception and recognition activities that will apply to all Canadian Forces members, Regular and Reserve Force, returning from deployments. The specifics on the reception and recognition activities planned are to be included in the reintegration plan, which will be submitted to National Defence Headquarters, for approval by the Deputy Chief of the Defence Staff, for each returning mission or tour.

With respect to reception, returning members will be met on their arrival in Canada at an airport or seaport and on their arrival at their home unit by a member of the Canadian Forces of an appropriate rank. Regarding recognition, the plan will also provide the details on the recognition activities planned for all returning members. Planners for these recognition activities are to include family members, where possible and economically feasible.

LEGION'S POSITION

The Legion applauds the development of this new policy and will monitor its implementation.

29. Canadian Forces Superannuation Act Annuities ONT 15/C

WHEREAS the Canadian Forces Superannuation Act (CFSA) deducts from any veterans annuity amount equal to 35% of average pensionable earnings at age 65 or upon entitlement to a disability pension under paragraph 44(1)(b) of the Canada Pension Plan or provision of a similar provincial pension plan; and

WHEREAS this practice causes financial hardship to those disabled veterans unable to work yet still have the responsibilities to maintain a family; and

WHEREAS the application of this deduction is a further victimization of our service casualties who have suffered psychological and/or physiological traumas while honourably serving Canada in areas of conflict; and

WHEREAS this legislation in application discriminates against disabled veterans as healthy veterans may claim Canada Pension Plan Benefits as early as age 60 without penalty or reductions of their CFSA annuity; and

WHEREAS the commission established under the Human Rights Act is unable to resolve this issue of discrimination in application, as Pension Funds established under Federal Statutes prior to 1978 are excluded from their authority to respond to such discriminatory practices on behalf of individuals:

THEREFORE BE IT RESOLVED that Dominion Command petition the Government of Canada to amend this legislation to ensure disabled veterans

receive equitable treatment.

FROM THE MINISTER OF NATIONAL DEFENCE

Your resolution suggests that members in receipt of Canada Pension Plan disability benefits are somehow disadvantaged by the Canadian Forces Superannuation Act as opposed to a member who commences to draw Canada Pension Plan benefits between the ages of 60 and 65.

Pensions paid under the Canadian Forces Superannuation Act are adjusted at age 65 or when an annuitant becomes entitled to a disability benefit under the Canada Pension Plan. This adjustment results from the fact that the Canadian Forces superannuation Act is integrated with the Canada Pension Plan, a feature common to all federal public sector pension plans.

I understand that if a member chooses to draw Canada Pension Plan benefits before age 65, a penalty of six percent per year for each year less than age 65 is applied. For example, if the member is 60 years old, a permanent 30 percent penalty is applied to the Canada Pension Plan benefit for the member's lifetime. However, when the Canadian Forces Superannuation Act reduction takes place at age 65, the same reduction formula is applied, as if the member had not received a reduced Canada Pension Plan benefit. Therefore, the income from the two plans will be substantially lower for the member who chooses the early Canada Pension Plan benefit than it will be for the member who is entitled to a Canada Pension Plan disability benefit.

LEGION'S POSITION

The Legion will review this issue and will attempt to clarify the real intent of this resolution.

30. Bill C-44 Compensation to Injured Service Personnel NS/NU 19

WHEREAS Bill C-44, an Act to compensate military members injured during service for dismemberment and the total and irrecoverable loss of sight, hearing and speech as a result of service in the Canadian Forces; and

WHEREAS this legislation would apply to the period from October 1, 1972 to February 12, 2003 for the loss of a hand, foot and eye; the loss of hearing and speech would be covered from April 1, 1986 to February 12, 2003; and the loss of thumb and index finger of the same hand from November 1, 1988

to February 12, 2003; and

WHEREAS benefits would be payable to Regular and Reserve Force members:

THEREFORE BE IT RESOLVED that Dominion Command contacts National Defence and asks that the proposed dates of effectiveness be the same for all, that is October 1, 1972.

FROM THE MINISTER OF NATIONAL DEFENCE

Dominion Command Resolution 30 asks that the proposed dates of effectiveness for all benefits under Bill C-44, the Injured Military Members Compensation Act, be 1 October 1972.

Bill C-44 was introduced to remove a disparity in insurance coverage between Generals and Colonels who were entitled to lump-sum benefits for service –related injuries under the government-funded General Officers Insurance Program (GOIP) and those other Canadian forces members who were not. The legislation applied from 1 October 1972, the day the GOIP came into effect, and 12 February 2003, the day before a new insurance policy came into effect for Canadian forces members not covered by the GOIP.

During the period to which the legislation applied, there were changes to the coverage under the GOIP. Specifically, complete loss of speech or hearing was not covered by the GOIP until 1 April 1986, at which point the approved benefit was 50 percent of the maximum amount.

On 1 November 1988, the GOIP benefit was increased to 100 percent of the maximum. Similarly, the loss of thumb and index finger on the same hand was not covered by GOIP until 1 November 1988, at which point the benefit payable was 50 percent of the maximum. On 1 August 1991, the GOIP benefit was decreased to 25 percent of the maximum.

To compensate retroactively for the rank-based disparity that existed between 1972 and 2003, the principle underlying Bill C-44 was that the coverage provided and the percentage of the benefit payable would be identical to those in effect under GOIP at the time of the injury. For that reason, it is not possible to make 1 October 1972 the effective date for all benefits.

LEGION'S POSITION

The Legion agrees with this rationale.

MISCELLANEOUS

31. Veteran Priority for Health Care VSS 13

WHEREAS various legislative acts concerning veterans provide for a liberal interpretation and application so that the recognized obligation of the people and Government of Canada to those who have served their country and their dependants may be fulfilled; and

WHEREAS the Canada Health Act has been drafted without specific reference or regard for veterans and their dependants; and

WHEREAS members of the Royal Canadian Mounted Police, personnel of the Canadian Forces, clients of provincial workplace health and safety insurance boards and prisoners in federal custody are exempt from the strictures of the Canada Health Act effectively giving them place ahead of veterans and dependants on increasingly long wait lists for health care and specialized medical sources:

THEREFORE BE IT RESOLVED that government legislation and regulations be amended to afford veterans and their dependants priority access to health care in Canada.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

The health care programs and benefits available from Veterans Affairs Canada (VAC) are intended to address the specific needs of veterans and complement those provided by provincial authorities as insured and extended health care services under the Canada Health Act. Given that the broader administration and delivery of health care services in Canada is primarily the responsibility of the provinces and territories and is guided by the provisions of the Canada Health Act, your resolution will be forwarded to the Minister of Health for consideration.

Having stated this, VAC recognizes that emerging needs may require that adjustments are made to our existing legislation and policy and continues to consult with veterans' groups and Canadian Forces (CF) in assessing priorities.

One such example is the current work underway to modernize benefits and services to address the needs of the CF. VAC, in consultation with the Department of National Defence and the VAC-Canadian Forces Advisory Council (which includes representation from the Royal Canadian Legion, the Army, Navy and Air Force Veterans in Canada and other veterans' organizations), and working with other departments and agencies, is designing a compre-

hensive and improved range of programs and services. The proposed suite of programs and services would facilitate one-stop client-centred service and encourage wellness and re-establishment for CF veterans and their families and would include a health benefits component.

In addition to the continuation of health care in relation to an illness or injury incurred in service to the country, VAC is considering offering CF veterans and their families enhanced health coverage similar to what is provided to public servants under the Public Service Health Care Plan. This coverage would provide access to health care over and above the basic provincial coverage under the Canada Health Act.

An integral part of the review is taking into consideration the CF veterans and their dependants coverage under the Canada Health Act. For instance, like any Canadian citizen, dependents of serving CF members are covered by the Canada Health Act; whereas, CF veterans are eligible for all programs and services authorized by the Canada Health Act only once released from the CF.

Consultations with veteran's organizations and the CF will continue in our efforts to ensure programs meet the needs of our clients, as input from these groups is highly valued.

LEGION'S POSITION

The Legion will monitor very closely the parameters of any new insurance plan for CF members and their families and for veterans to ensure that the costs and benefits are in line with those offered by the Public Service Health Care Plan.

32. In-patient Treatment Facilities for Critical Cases of Operational Stress Injury VSS 20

WHEREAS a larger number of currently serving or retired members of the Canadian Forces are being diagnosed with Operational Stress Injury; and
WHEREAS in-patient facilities are only available at St. Anne's Hospital and these are very limited; and
WHEREAS the only other contracted civilian treatment facility is not dedicated specifically to military personnel; and
WHEREAS there are specialized veteran/military facilities in the United

States which provide in-patient treatments:

THEREFORE BE IT RESOLVED that specialized Operational Stress Injury (OSI) in-patient facilities dedicated to military personnel be established in Western and Central Canada to augment the very limited in-patient facilities provided at St-Anne's Hospital; and

BE IT FURTHER RESOLVED that as long as sufficient facilities are not available in Canada, that VAC/CF negotiate agreements with the United States Department of Veterans Affairs (DVA) to utilize their treatment facilities for critical referrals from Western and Central Canada.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) is intent on addressing the current and future mental health needs of veterans, still-serving Canadian Forces (CF) members and former CF members. VAC recognizes its obligation to ensure that clients have access to an appropriate range of needed services and benefits in order to effectively respond to their health needs (physical, mental, emotional and social) as outlined in the Veterans Health Care Regulations. Through its case management services and Transition Interview conducted with releasing members on 17 major bases, VAC's focus is to identify mental health issues and put in place supports for care in community and help prevent mental health crises. VAC works in partnership with Department of National Defence (DND) and the provinces, who are responsible for the provision of acute care, to ensure that the needs of the CF members and veterans requiring hospitalization are addressed.

Through the joint VAC-DND Mental Health Strategy, Ste. Anne's National OSI Centre has a short-term hospitalization program designed to offer optimal care to clients with mental health problems related to operational stress. Initially the program was set up with 4 beds, options are being examined to expand the program by increasing the number of beds available. In addition the Centre is developing a four-week Residential Rehabilitation Program to provide a structured therapeutic setting which will promote strong treatment and recovery values. Clients admitted to the program are required to be clinically stable and be self-sufficient for their everyday care and safety needs.

VAC and DND have developed a Request For Proposals to produce an evidence based best practices approach to treatment of Post Traumatic Stress Disorder (PTSD) and substance dependence/abuse. The intent is to have regionally one or more private facilities contracted for in-house treatment.

Eligible VAC clients also have access to the Homewood Health Centre in On-

tario. They have an eight-week in-patient treatment program for traumatic stress recovery. Participants are separated into two distinct groups (civilians and military). The program includes one week of assessment followed by seven weeks of treatment. During the final week, there is an emphasis on discharge planning.

As for our partnership with the United States Veterans Affairs (USVA), VAC has strengthened this liaison in the area of mental health on several fronts. One example is the informal arrangement that currently exists between VAC and the USVA to allow access for our clients to their in-patient clinics, in exceptional circumstances and on a cost recovery basis. Options to formalize this arrangement are being explored.

Informed by what is happening in other countries in this important area, and spurred on by the needs of our veterans and their families, we are further refining our approach to mental health. It is being developed in conjunction with coordinated case management that will support our modernized suite of programs for the CF.

We have agreed with DND to establish an integrated network of VAC and DND clinics to achieve a seamless transition from military to civilian life.

The primary focus will be:

1. Access to acute care with qualified professionals when experiencing a crisis, and once stabilized, access to qualified service providers and community supports where a veteran is living, or alternatively in-patient care;
2. Continuity and consistency in care to ensure a seamless transition from the acute phase of treatment to the after-care supports in the community; and
3. The ability to secure and retain skilled mental health professionals familiar with the military environment, at a time when health human resources are limited and mental health practitioners at a premium.

It is evident that substantial progress has been made in the area of mental health and VAC will continue to search for and examine all possible options in order to improve access to mental health services for its clients.

LEGION'S POSITION

The Legion supports VAC's initiatives to provide fully integrated mental health care services for veterans without disruptions as CF serving members transition to civilian life. Geographic location should not be an impediment to first class services.

33. Taxi Fare Expenses NFLD/LAB 2/C

WHEREAS Veterans Affairs Canada is deducting, in most cases \$5.00 (five dollars) from taxi fares of Veterans going to treatment at doctors, hospitals, etc. which applies each way for some treatment; and

WHEREAS this was discussed through resolution at Dominion Command Convention in 2000 and again at 2002; and

WHEREAS exemptions are only given in some cases:

THEREFORE BE IT RESOLVED that this Royal Canadian Legion Convention of Newfoundland & Labrador Command now assembled, request that Dominion Command Executive Council to again ask Veterans Affairs Canada to have the exemption removed for all Veterans and/or other clients of V.A. Canada.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

Veterans Affairs Canada (VAC) recognizes the value of assisting eligible veterans with the cost of transportation associated with travel to attend medical appointments to seek treatment and/or access related health care services. With respect to health-related travel, Departmental policy currently allows VAC staff to waive the deductible:

- if the client's mobility or cognition is severely impaired. Examples would include
 - a) spinal and claudication pain
 - b) visual impairment requiring assistance to ambulate outside
 - c) bilateral amputations
 - d) widespread arthritis
 - e) permanently wheelchair bound
 - f) permanently dependent on crutches
 - g) dementia
 - h) organic brain syndrome
 - i) psychosis

- if the deduction would seriously impede the client's ability to access treatment benefits.

Given the discretion permitted under the current policy, which allows staff to evaluate the unique circumstances and needs of individual clients, VAC is not contemplating any changes to the taxi deductible provision. However, the Department will continue to monitor the application of this policy to ensure that clients are being treated fairly.

LEGION'S POSITION

The Legion will continue to advocate for fair treatment of all veterans.

SENIORS

34. Canada Seniors Independence Program VSS 16

WHEREAS Canadian seniors generally value their independence and prefer to age in their own familiar home and community; and

WHEREAS age-related physical limitations or health needs, which restrict a seniors ability to maintain a home or live without support, prematurely drive seniors into care facilities; and

WHEREAS the cost effectiveness of providing properly administered support services to defer the institutionalization of seniors with the desire and capacity to remain independent in their own familiar home and community has been demonstrated through the Veterans Affairs Canada, Veterans Independence Program:

THEREFORE BE IT RESOLVED that the Government of Canada develop a Seniors Independence Program to assist seniors to live independently in their own homes and communities for as long as they are able.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

With over 20 years experience with the Veterans Independence Program (VIP), the first national home care program in Canada, Veterans Affairs Canada (VAC) has found the services provided under this program to be instrumental in helping to keep veterans and qualified primary caregivers independent in their homes and communities.

The program offers a full range of services designed to best meet the needs of each client when such services are not already available to them through other federal, provincial or community-based programs. VIP services include: home care; ambulatory health care (health assessments, diagnostic services and social and recreational services under the supervision of a health professional); coverage of transportation costs to foster independence to enable a client to participate in social activities; home adaptations to provide access for basic everyday activities; and nursing home care for clients who can no longer live at home.

Indeed, VIP has been identified as a model on which to base the development of a national Seniors Independence Program. In light of its vast experience in the administration of VIP - whose main beneficiaries are veteran seniors and their primary caregivers - VAC has shared information about the program design and policies governing VIP with federal and provincial colleagues. Given that the development of a broader-based Seniors Independence Program falls within the jurisdiction of the Minister of Social Development and the Minister Responsible for Family and Caregivers, your resolution will be shared with them for further consideration.

LEGION'S POSITION

The Legion anxiously awaits progress in the implementation of a Canada wide program that would allow seniors to remain in their home as long as they are capable to do so.

POPPY AND REMEMBRANCE

35. VAC Assistance with the Care and Restoration of Canadian Memorials P&R 01

WHEREAS cenotaphs and monuments dedicated to the memory of Canadians who have fought for Canada are falling into disrepair; and

WHEREAS the Department of Veterans Affairs exists to repay the nation's debt of gratitude toward those whose courageous efforts have contributed to our growth as a nation and to keep the memory of their achievements and sacrifices alive for all Canadians; and

WHEREAS VAC's Commemoration Program is designed to honour all those who served Canada in the cause of peace, while reaching an audience that

includes the entire Canadian population as well as the world community: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion rigorously advocate to the officials of Veterans Affairs Canada that they proceed as quickly as possible with the examination of options to assist municipalities in Canada in the care and restoration of local memorials to the achievements and sacrifices of Canadians in war and peace.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

VAC recognizes there is a real need for funding to assist with the restoration and maintenance of the approximately 6000 existing memorials and cenotaphs located across the nation. The vast majority of these memorials are the result of efforts by community groups, provinces, private sponsors, regimental associations, or veterans organizations. VAC respects the efforts of these communities and organizations in the remembrance of Canadian service men and women. This community participation is an important element of national community engagement.

A contribution initiative would be welcomed by many communities that have asked for federal assistance. Previous Ministers and Private Members Business in the House of Commons have indicated widespread support for such an initiative. Numerous requests are received by VAC, DND and Heritage to assist with such restoration projects.

In Budget 2005 VAC received funding that will allow the Department to contribute to community groups assisting them with the restoration of local cenotaphs and monuments. This will include the provision of restoration advice and guidance and incorporate a communications and community involvement element with respect to the unveiling and rededication.

VAC is in the process of developing a plan to meet the need of assisting communities in the maintenance and preservation of their war memorials; construction of new cenotaphs is not included.

There are a variety of ways in which this initiative could be structured and for this reason, further discussions with stakeholders are warranted. VAC thanks the RCL for its support through this resolution and is moving this file forward.

LEGION'S POSITION

The Legion applauds this initiative and will continue to offer meaningful input

to ensure this priority need is addressed.

36. Maintenance and Repair of Monuments and Cenotaphs P&R 02

WHEREAS the number of wartime Veterans are declining, and
WHEREAS in accordance with the Legion's Long Term Plan Poppy Funds should be considered the Promotion of Remembrance of the Sacrifice of our Veterans, and

WHEREAS many of the monuments and cenotaphs in communities across Canada today were originally established with the financial or advocacy support of the local Legion branch; and

WHEREAS many of these monuments are deteriorating as local municipal authorities resist allocating sufficient funds for their maintenance and preservation; and

WHEREAS these monuments are crucial in promoting Remembrance in Canada and act as centers for memorial ceremonies; and

WHEREAS the Legion should be prepared to assist the local community in preserving these essential tributes to our veterans:

THEREFORE BE IT RESOLVED that branches, with the prior approval of their Provincial Command, be authorized to expend up to 25% of the balance in their poppy trust account on the thirtieth day of September in the year preceding the expenditure provided that the allocated 25% does not exceed 50% of the total funds required to maintain and preserve local monuments to veterans.

LEGION'S POSITION

Has been implemented and incorporated into Legion By-laws at Section 1108.

37. Cadet Support P&R 03

WHEREAS the number of wartime Veterans are declining; and
WHEREAS in accordance with the Legion's Long Term Plan Poppy Funds should be considered the Promotion of Remembrance of the Sacrifice of our Veterans; and

WHEREAS there is a very special bond between Veterans and Cadets; and
WHEREAS the Cadets continue to support the Veterans by assisting in the

Legion's Poppy Campaign; and

WHEREAS the Veterans are "passing the torch" of Remembrance to Cadets; and

WHEREAS the Legion wishes to provide meaningful support to the Cadet organization in its objective to provide the best citizenship and development program in the country for young Canadians; and

WHEREAS branches have great difficulty in finding the funds to support their local Cadet unit:

THEREFORE BE IT RESOLVED that, with the prior approval from Provincial Command, branches be authorized to expend up to 10% of the balance in a poppy trust account on the thirtieth day of September in the year preceding the expenditure to support Cadet Units which have assisted with the Poppy Campaign.

LEGION'S POSITION

Has been implemented and incorporated into the Legion General By-laws at Section 1109.

38. Use of the Poppy ALTA-NWT 8/C

WHEREAS having established that the "Poppy" has evolved since the time of The Great War of 1914-1918 as the symbol of remembrance commemorating conspicuous sacrifice and commitment made during time of war, in service of the Nation; and

WHEREAS having further established society's current tendency to also use the "Poppy" to commemorate victims of general instances of domestic tragedy, including disasters, act of terrorism and murder:

THEREFORE BE IT RESOLVED that The Royal Canadian Legion make every effort to ensure that the "Poppy" remain the symbol of veterans' sacrifice and commitment to the nation and to educate the public as to this distinction

LEGION'S POSITION

Fully supported at all levels of the Legion.

39. Poster and Literary Contest - Recognition of Winners ONT 8/C

WHEREAS Dominion Command convenes an annual Poster and Literary Contest through its Provincial Commands and acts as the final level in the contest; and

WHEREAS Dominion Command posts only the First and Second place finishers in the Poster portion of the contest in their web site and within their annual Awards Brochure; and

WHEREAS Dominion Command only promotes the First Place Winners in the Literary Portion of the contest; and

WHEREAS this situation creates a double standard for the participants who enter the contest by not recognizing their achievement in an equitable manner; and

WHEREAS there is a greater opportunity for public acknowledgment for those entering the poster portion rather than the literary portion of the contest:

THEREFORE BE IT RESOLVED that Dominion Command commence to recognize through their web page and printed materials the first and second place finishers at the national level in all categories of the Poster and Literary Contest.

LEGION'S POSITION

All winners are currently listed on the Legion website and a Legion Brochure has been printed, highlighting all winning contributions.

213. Use of Poppy Trust Funds ONT 1/C

WHEREAS the Poppy Manual allows us to help a Veteran in need on a one time basis only; and

WHEREAS it does not allow Poppy money to be spent in the community on non-veterans; and

WHEREAS we have no problem with money going to assist seniors in the community; and

WHEREAS there is little the Branches can do for Veterans due to decreasing membership and financial shortfalls; and

WHEREAS we feel there should be some latitude in allowing the Branches to do more for their Veterans; and

WHEREAS the Veterans are passing away in large numbers and we don't seem to attract those who have served since the Korean War; and

WHEREAS many Veterans are alone and need some contact with others to help relieve loneliness and depression; and

WHEREAS many Veterans do not feel that the Legion has anything to offer them:

THEREFORE BE IT RESOLVED that with the express approval of the appropriate Provincial Command, poppy money may be used to provide an annual visit to branches both from veterans who are Legion members and those in the community, to offer a meal and camaraderie and that serious consideration be given to the use of 'limited' poppy funds for this purpose, not to include the cost of any alcoholic beverages.

LEGION'S POSITION

Has been implemented and incorporated into the Legion General By-laws at Section 1110.

214. Poster and Literary Contest - Registration Form ONT 7/C

WHEREAS Dominion Command establishes the rules and regulations respecting the annual Poster and Literary Contest; and

WHEREAS Dominion Command publishes printed materials containing these guidelines and rules along with maintaining the same information on their web site; and

WHEREAS one of the stipulations relates to the entrant providing their information on a separate piece of paper which will include their name, age, school and address; and

WHEREAS Branches are supplied with kits from their respective Provincial Commands which include an official Registration Form to be completed by the entrant and parent/guardian; and

WHEREAS the materials provided by Dominion Command and their web site make no reference to the completion of a Registration Form:

THEREFORE BE IT RESOLVED that Dominion Command amend the rules and guidelines of the Poster and Literary Contest to reflect that each entrant must complete a Registration Form supplied by Dominion Command to form part of their entry.

LEGION'S POSITION

This Policy is currently in effect; in the future, the pamphlets will be amended to reflect this requirement.

MEMBERSHIP

42. Membership Recruitment SASK 13/C

WHEREAS there is now more strife and disagreement among nations of the universe than ever since the Second World War; and

WHEREAS as a nation, Canada is known for its expertise in peacekeeping abilities throughout the world; and

WHEREAS The Royal Canadian Legion is a service organization second to none; and

WHEREAS The Royal Canadian Legion is losing strength through natural causes mostly due to age, although some progress has been made in attracting younger members:

THEREFORE BE IT RESOLVED that at the 40th Biennial Convention of The Royal Canadian Legion, Sask. Command stress the necessity for Dominion Command to put emphasis on membership recruitment of non military recruits by a nationwide information campaign through the media and all education facilities and stress the fact that one can become a Legion member even though they have no military family connection.

LEGION'S POSITION

The membership committee is currently developing a new recruiting action plan that will be presented at the next Dominion Convention in Calgary in 2006. In the Interim a public service national radio program is being put in place. Television is a possible target using Public Service Announcement (PSA) methodology.

43. Amalgamation of Branches - Years of Service ONT 17/C

WHEREAS some branches of The Royal Canadian Legion unfortunately come to the conclusion that they must surrender their charter either to close down completely or amalgamate with another branch; and

WHEREAS existing, healthy branches of The Royal Canadian Legion may not wish to lose their years of service in their community because they have agreed to amalgamate with the branch or branches experiencing difficulties; and

WHEREAS all of the branches involved in this transaction have been valuable assets to their communities and veterans often for many years and los-

ing these years will in fact indicate that they never existed in their communities; and

WHEREAS it is desirable that The Royal Canadian Legion remain prominent in these communities and it is desirable that these existing branches of The Royal Canadian Legion be encouraged to continue their valuable works in their communities and care of their Veterans; and

WHEREAS it has to be assumed that years ago, the oldest branch of The Royal Canadian Legion in that area originally cared for the larger area prior to the granting of a charter to a new adjoining branch, probably because the area was too large for the first branch to handle and probably with spin off members of the original branch:

THEREFORE BE IT RESOLVED that the newly amalgamated branch will be allowed to retain the years of service of the branch that has the longest history in that community; and

BE IT FURTHER RESOLVED that branches who have successfully completed the amalgamation process be retroactively granted the years of service lost due to the amalgamation rules during their time of amalgamation.

LEGION'S POSITION

Has been implemented.

46. No Further Expansion of Ordinary and Associate Categories ONT/26

WHEREAS the term "Ordinary Membership" has long been associated with those Canadian citizens and Commonwealth subjects who qualify under section 205. of The General By-laws; and

WHEREAS the term "Associate Membership" was assigned to those Canadian citizens and Commonwealth subjects who qualify under section 206. of the General By-laws; and

WHEREAS much confusion has been created with the suggested recent changes and the intent of those changes; and

WHEREAS the membership would like to see limits placed on categories reflecting military service or which indicates a direct relationship to an Ordinary Member:

THEREFORE BE IT RESOLVED that there be no further additional membership clauses permitted under section 205. and section 206.; and

BE IT FURTHER RESOLVED that the section 207. of the General By-laws remain in its present state.

LEGION'S POSITION

Has been implemented.

221. Membership - Application for Membership MAN/NWO 6/C

WHEREAS The Ritual and Insignia Manual recognize other Veterans' Organizations by allowing Legion members to wear their awards on Legion uniforms in the spirit of cooperation and camaraderie that lean toward acceptance without question within our Organizations; and

WHEREAS The Royal Canadian Legion has traditionally accepted applications from members of other Veterans' Service Organizations without question and then subsequently learning that the person does not support our Purposes and Objects and that it was a terrible mistake in accepting this person's application for membership; and

WHEREAS other Veterans' Organizations have seen fit to include in their application for membership the requirement to declare whether the applicant has ever been refused membership or expelled from any Veterans' Organization; and

WHEREAS Section 224. of The General By-laws place the responsibility onto the branch membership committee to conduct a thorough investigation on each applicant to The Royal Canadian Legion; and

WHEREAS there is always limited access to information that would allow a thorough investigation to be properly carried out, and no requirement for the applicant to volunteer any past disparaging information that may tend to jeopardize his application:

THEREFORE BE IT RESOLVED that these incidents can be easily corrected by amending the present APPLICATION FOR MEMBERSHIP forms under the Honours and Awards Held section, "Have you ever been expelled from any Legion Branch?" by adding "or any other Veterans' Organization"; and

BE IT FURTHER RESOLVED that Section 224. of The General By-laws of The Royal Canadian Legion be amended by adding, "or from any other Veterans' Organization".

LEGION'S POSITION

Has been implemented and incorporated into the Legion General By-laws at Section 226.

LEADERSHIP, DEVELOPMENT AND YOUTH

47. Amend General By-laws Section 805 L,D & Y1

WHEREAS the wording in the current General By-Law Section 805 refers to youth in the Legion as Junior Auxiliary; and

WHEREAS this situation leads to some confusion between the Women's Auxiliary and youth/junior:

THEREFORE BE IT RESOLVED that the wording should be changed from Junior Auxiliary to Youth Auxiliary.

LEGION'S POSITION

Has been implemented and incorporated into the Legion General By-laws at Section 805.

49. Nomination - RCL Cadet Medal of Excellence NS/NU 10

WHEREAS the nomination form currently used when presenting The Royal Canadian Legion Medal of Excellence to a cadet, is in need of additional information which would assist the Corps/Squadron Commanding Officer and the Secretary/Treasurer of the RCL Provincial Command:

THEREFORE BE IT RESOLVED that the Dominion Command of The Royal Canadian Legion petitions the Department of National Defence to include additional information to the Nomination form CATO 13-16 Annex E which could include the service (sea, land or air); rank; CO's signature must also be printed c/w rank and telephone number; the name, address & telephone numbers of the Legion presenting the Medal; a note stating that "only one Medal of Excellence may be awarded to a Corp/Squadron in the same training year"; and that "to be nominated for the Medal, a cadet should have at least one remaining year in the Corp/Squadron".

LEGION'S POSITION

The current CATO addresses a number of these concerns; however, the Legion is still negotiating with the Cadet Leagues and with D/Cadets to develop a standardized pro-forma.

DEFENCE

50. Defence Capital Acquisition Process DEF 1

WHEREAS the Capital Equipment process by which equipment such as vehicles, aircraft and ships are purchased for the Canadian Forces is a lengthy process rife with domestic political interference; and

WHEREAS when this equipment acquisition process and the contracts given are based on a overriding requirement for domestic content designed to satisfy non military requirements, the equipment ends up costing significantly more than it would cost if purchased based on military requirement. Thereby further decreasing the effectiveness of the already limited defence budget and producing unacceptable delays in equipment delivery, i.e. up to 60% of the cost of purchasing equipment is wasted this way; and

WHEREAS essential equipment such as Ship borne Helicopters (Sea King Replacement), vehicles for the Army, Logistic Support Ships for the Navy, and others are all critical and overdue for replacement:

THEREFORE BE IT RESOLVED that the current method of acquiring military equipment be replaced by a system based on military requirements which would provide the best equipment at the best price to be delivered as soon as possible.

FROM THE MINISTER OF NATIONAL DEFENCE

This resolution seeks to have the Department of National Defence speed up the equipment acquisition process to get new best-value equipment delivered in the fastest time. I am pleased to reply that the Department recognized limitations in the process to acquire new equipment for the Canadian Forces, and we are well along the road to resolving this problem.

Two years ago the Assistant Deputy Minister for Material, ADM (Mat), accepted the task of establishing new and revised processes to reduce the equipment acquisition cycle by one third. Our acquisition cycle includes the period from the department recognition of a project and formal agreement to assign resources to the time the project accounts are closed after completion of the work. Analysis showed that the average life of a project under those terms was 17.6 years, and we have resolved to reduce this average to 10 years.

ADM (Mat) has undertaken to revamp project implementation processes to conduct the acquisition phase within five years. To meet this timeline, we have revised our project approval processes to complete options analysis,

competitions, and approval to implement a project within an average four years. This leaves a total of one year to achieve the letting of contracts at the start of implementation and the closing of accounts after the full-operating capability is reached.

We have yet to prove our new process in practice, but we are confident that we will achieve significant gains.

LEGION'S POSITION

The Legion applauds this new process; however, there is still substantial concern that Canadian Forces members will engage in operations without proper equipment and proper protection.

51. Government Responsibility to the Canadian Forces DEF 2

WHEREAS in all democracies the military is a servant of the state and the state bears responsibility for the well being of its military; and

WHEREAS over the last decade our government has shown little interest in our military and has allowed it to decline to the point where capabilities have dropped to seriously low levels; and

WHEREAS in Canada there is no such effective watchdog on defence matters and they fall under the sole jurisdiction of the Prime Minister and the Minister of National Defence:

THEREFORE BE IT RESOLVED "that the Members of the Parliament of Canada exercise this binding oversight through the Commons Standing Committee on National Defence and Veterans Affairs (SCONDVA) and the Standing Senate Committee on National Security and Defence to end this long standing practice of government abuse-by-neglect on Defence issues.

LEGION'S POSITION

The Legion will continue to monitor this oversight by Parliamentary and Senatorial Committees and will take all opportunities to testify at these committees to attempt to correct this abuse by neglect.

52. Increased Budget – Canadian Forces BC/YUKON 3/C

WHEREAS the Auditor General, parliamentary committees, the Conference of Defence Associations, and the Council for Canadian Security in the 21st Century have all stated the Department of National Defence requires an additional one to two billion dollars added to its base budget in each of the next several years; and

WHEREAS without more money and a new Defence Policy the Canadian Forces won't be able to support the existing level of operation activity, take on new missions related to the war on terrorism, or address needs in the area of homeland defence; and

WHEREAS serious, chronic under funding over a number of years led to personnel, equipment, training, and sustainability shortfalls:

THEREFORE BE IT RESOLVED that we the Members of The Royal Canadian Legion call upon Parliament to substantially increase the base budget of the Canadian Forces to sufficiently address these needs.

FROM THE MINISTER OF NATIONAL DEFENCE

As made abundantly clear in the recent Defence Policy Statement, the Government of Canada firmly believes that investing in a strong military is essential to achieving our domestic and foreign policy goals and advancing Canada's place in the world: with the 2005 Federal Budget, the Government has done just that. This new defence policy gives the Canadian Forces the guidance it needs to help Canada convey its distinct values and particular approach to conflict resolution around the world.

To lay the foundation for our new defence policy, the Government, as part of Budget 2005, provided National Defence with almost \$13 billion in new funding over five years – the largest such increase in two decades. These new investments include \$3 billion to expand the size of the Canadian Forces by 5,000 Regular and 3,000 Reserve personnel in order to support international operations; \$3.2 Billion to enhance operational sustainability; \$2.8 billion to acquire new medium lift helicopters, logistics trucks for the land forces, utility aircraft for the North, and specialized facilities for the Canadian Forces counter-terrorism unit (JTF@); and \$3.8 billion to pursue capital and other projects that will support the military tasks identified in the Defence Policy statement. Overall – a total of \$12.828 billion over a five-year period, including a recurring \$2.08 billion for sustainability and personnel expansion after year four.

LEGION'S POSITION

The Legion actively supports increased budgetary allocations to properly

equip and support the Canadian Forces. Unfortunately, this increased funding may come too late as military equipment is rapidly "rusting out". The Legion will continue to advocate for increased funding for the military.

**53. Veterans Affairs - Lapel Pins - Ex-Service Personnel -
Regular Force
ALTA-NWT 3/C**

WHEREAS there are thousands of personnel who have served in the Canadian Armed Forces during peace time; and

WHEREAS many never served on peacekeeping duties or for a period of twelve years or more; and

WHEREAS the latter were therefore not eligible for peacekeeping medals or the C.D.; and

WHEREAS so that their military service may be recognized, there should be some item that can be worn by persons who do not qualify for any military medals:

THEREFORE BE IT RESOLVED that Veterans Affairs Canada be approached and requested to strike a lapel pin that can be worn by ex-Canadian Armed Forces personnel who have been honourably discharged so that their service to their country would be easily recognized.

FROM THE MINISTER OF NATION DEFENCE

This resolution is the responsibility of the Minister of Veterans Affairs, and I have consequently referred it to the Honourable Albina Guarnieri for her consideration.

LEGION'S POSITION

It is noted that lapel pins are already provided to ex-service personnel with at least 12 years of service.

**54. Canadian Forces Funding
ONT 10/C**

WHEREAS our Canadian Armed Forces are being called upon throughout the world for various military and peacekeeping assignments; and

WHEREAS the equipment used by said Forces are, or nearing antiques,

especially our Sea King helicopters and our "second-hand" submarines; and **WHEREAS** we Canadians, proud of our Armed Forces, believe they are performing their duties with pride, courage and honour to our Country with inadequate equipment which should be completely up-dated by our Canadian government:

THEREFORE BE IT RESOLVED that we, The Royal Canadian Legion, urge our Canadian government to budget and supply adequate funds to properly equip our Army, Navy and Air Force to fulfill their required duties at home and abroad.

FROM THE MINISTER OF NATION DEFENCE

As made abundantly clear in the recent Defence Policy Statement, the Government of Canada firmly believes that investing in a strong military is essential to achieving our domestic and foreign policy goals and advancing Canada's place in the world: with the 2005 Federal Budget, the Government has done just that. This new defence policy gives the Canadian Forces the guidance it needs to help Canada convey its distinct values and particular approach to conflict resolution around the world.

To lay the foundation for our new defence policy, the Government, as part of Budget 2005, provided National Defence with almost \$13 billion in new funding over five years – the largest such increase in two decades. These new investments include \$3 billion to expand the size of the Canadian Forces by 5,000 Regular and 3,000 Reserve personnel in order to support international operations; \$3.2 Billion to enhance operational sustainability; \$2.8 billion to acquire new medium lift helicopters, logistics trucks for the land forces, utility aircraft for the North, and specialized facilities for the Canadian Forces counter-terrorism unit (JTF@); and \$3.8 billion to pursue capital and other projects that will support the military tasks identified in the Defence Policy statement. Overall – a total of \$12.828 billion over a five-year period, including a recurring \$2.08 billion for sustainability and personnel expansion after year four.

LEGION'S POSITION

The Legion actively supports increased budgetary allocations to properly equip and support the Canadian Forces. Unfortunately, this increased funding may come too late as military equipment is rapidly "rusting out". The Legion will continue to advocate for increased funding for the military.

RITUAL AND AWARDS

55. Amend the Period for the Wearing of Summer Dress BC/YUKON 4

WHEREAS climatic conditions across Canada vary greatly; and
WHEREAS in many areas of the country the months of May and September may be quite balmy:

THEREFORE BE IT RESOLVED that the first sentence of Section 103 of the Ritual and Insignia manual be amended to read: "This order of dress may be worn in Canada from the 1st day of May to the last day of September each year, in accordance with climatic conditions."

LEGION'S POSITION

Has been implemented and incorporated into Section 103 of the Ritual and Insignia Manual.

58. Korean War Service Medal SASK 8/C

WHEREAS in 1953, Mr. Syngman Rhee, President of the Republic of South Korea awarded all of those members of the United Nations Forces who served during the Korea War 25 Jun 50 to 27 Jul 53, the Korean War Service Medal; and

WHEREAS the only nations to initially decline this medal were those of the British Commonwealth and the United States of America; and

WHEREAS this award has now been accepted by the governments of the United Kingdom, Australia and the United States of America, as a foreign decoration, worthy of being worn with national and United Nations medals:

THEREFORE BE IT RESOLVED that the Canadian Government be requested to recognize this award as a "foreign decoration" and allow it to be worn as such with National and United Nations medals previously awarded for said services.

FROM THE MINISTER OF VETERANS AFFAIRS CANADA

This issue is not within VAC's jurisdiction. The Office of the Chancellery is responsible for this matter and would be in the best position to respond to the RCL on this resolution.

LEGION'S POSITION

The Legion is continuing to investigate this issue through the office of the Chancellery.

60. Ritual & Insignia Manual - Amendment NS/NU 8

WHEREAS article 103 chapter 1 of the Ritual & Insignia Manual states that Service Ribbons may be worn on summer dress shirts; and

WHEREAS members of the Canadian Armed Forces, Federal and Provincial members of Fisheries and Oceans, National Parks, RCMP, Veterans organizations and others, wear their Service Ribbons on their uniforms and blazers; and

WHEREAS article 113 chapter 1 of the Ritual & Insignia Manual states that if medals are not available, ribbons may be worn:

THEREFORE BE IT RESOLVED that the wording "undress Service Ribbons may be worn on Legion Dress" be inserted within article 103 chapter 1 of the Ritual & Insignia Manual.

LEGION'S POSITION

Implemented. Has been incorporated through the amendment process until manual is revised.

61. Normandy Medal NS/NU 13

WHEREAS the Dominion Command has authorized the Dutch Medal of Remembrance to be worn on Legion dress, for those who participated in the liberation of Holland in 1944-45; and

WHEREAS the medal was presented by the Government of the Netherlands to Canadian Veterans; and

WHEREAS the Normandy Medal was presented by the French Government to those Canadian Veterans who participated in the liberation of that region of France and Europe:

THEREFORE BE IT RESOLVED that Dominion Command give the same respect to the Normandy Medal which has been given to the Dutch Medal of Remembrance, by authorizing the wearing of it on Legion dress, to the right of Legion Medals.

LEGION'S POSITION

Approved and will be incorporated in an up coming amendment to the Ritual and Insignia Manual.

CONSTITUTION AND LAWS

**63. Complaints and Appeals Processes - Devolution of Responsibility to Provincial Commands
C&L 1, NS/NU 4/C and 5/C**

WHEREAS all Provincial Commands have received numerous complaints and appeals from branch members; and

WHEREAS all Provincial Commands have expended thousands of dollars reviewing appeals and holding complaint hearings; and

WHEREAS the majority of complaints are due to some members not being able to get along with other members and can be deemed of a frivolous nature; and

WHEREAS all Provincial Commands are responsible for their branches and members:

THEREFORE BE IT RESOLVED that Dominion Command amend The General By-Laws of the Legion to permit Provincial Commands to hold Complaint Committee Hearings and Appeals as appropriate to render final decisions on all complaints and appeals within the jurisdiction of the Command; and

BE IT FURTHER RESOLVED that Dominion Command involve itself only in Complaint Hearings for those matters concerning complaints against a Provincial Command President or complaints against a Dominion Officer, or for appeals relating to the expulsion of a member or the revocation of a branch charter.

LEGION'S POSITION

Has been implemented and incorporated into the Legion General By-laws at Section 314e.

**64. Constitution and Laws - Deprivation of Privileges and Reprimands
MAN/NWO 4/C**

WHEREAS breaches of clubroom rules or privileges vary in degrees of severity, so must any discipline arising from same; and

WHEREAS this has been recognized in the past, as defined in Article III, Section 307. (3) of The General By-laws, as amended June 2000, now being considered for change, a change to eliminate imposition of a reprimand:

THEREFORE BE IT RESOLVED that Article III, Section 311.b. (General By-Laws edition 2002) be amended by deleting the words "only penalty" in the line and replacing with the following:

"Committee may dismiss the charges, or, if proven, impose one or more of the following":

- i. Deprivation of clubroom privileges for a period not to exceed 12 months;
- ii. And/or issue a reprimand that may also require a letter of apology to the Branch and/or if applicable, to the individual or individuals that may have been aggrieved.

LEGION'S POSITION

Has been implemented and incorporated into the Legion General By-laws at Section 311b.

238. Constitution and Laws - Complaint Form MAN/NWO 2/C

WHEREAS most members have no knowledge of how to lay a complaint; and

WHEREAS most members who do have a copy of our General By-laws have considerable difficulty in fully understanding the intricacies of Article III:

THEREFORE BE IT RESOLVED that we petition Dominion Command to issue a "Complaint Form" to all branches outlining the information required.

LEGION'S POSITION

Completed. Complaint Form has been circulated to all Branches.

TUBERCULOUS VETERANS SECTION

65. TVS Affiliate Membership - General By-laws Amendment TVS 1

WHEREAS the by-laws of The Royal Canadian Legion provide for the establishment of the Tuberculous Veterans Section for the purpose of safeguarding the special interests of tuberculous veterans and veterans suffering from chest ailments; and

WHEREAS the Tuberculous Veterans Section is desirous of maintaining its unique identity in all categories of membership; and

WHEREAS incidental variances have developed among by-laws of The Royal Canadian Legion and those of the Tuberculous Veterans Section concerning criteria for affiliate membership in the Tuberculous Veterans Section; and

WHEREAS the Tuberculous Veterans Section has approved changes to its by-laws which restrict Tuberculous Veterans Section affiliate membership to a person who is tuberculous or chest disabled, or a professional who was or is engaged in the treatment or research of tuberculosis or other related chest disability; and

WHEREAS the By-Laws of the Tuberculous Veterans Section must be consistent with the By-Laws of The Royal Canadian Legion; and

THEREFORE BE IT RESOLVED that Article II of the General By-laws of The Royal Canadian Legion be amended to add the following sub paragraph:

228.b. Affiliate membership in the Tuberculous Veterans Section is only open to a person who is:

- i. tuberculous or respiratory disabled; or
- ii. a professional who is or was engaged in treatment or research of tuberculosis or other related respiratory disability.

LEGION'S POSITION

Has been implemented and incorporated in the Legion General By-laws at Section 230.

CONVENTION

358. Using Yes and No Cards for Voting at Dominion Conventions BC/YUKON 33

WHEREAS The Royal Canadian Legion continues to allow a vote to occur by "Yea's" and "Nay's"; and

WHEREAS this system is a most outdated and an inappropriate system of voting at a convention; and

WHEREAS such a system as this is not democratic, nor necessarily a reflection of the will of the membership:

THEREFORE BE IT RESOLVED that Article IX Section 915. be revised as follows:

Except for election of officers, the vote of the convention will be by card indication YES or NO, unless a vote by ballot is directed by the Chairman or is demanded by at least 20 percent of the delegates on the floor of the convention. In such instances proxies cannot be used.

LEGION'S POSITION

This procedure will be in effect at next Dominion Convention in Calgary in 2006.