

# Comments *on* Resolutions

45th to 48th Dominion Convention  
issued by Dominion Command of  
The Royal Canadian Legion

OUR MISSION IS TO SERVE  
VETERANS, WHICH INCLUDES  
SERVING MILITARY AND  
RCMP MEMBERS AND THEIR  
FAMILIES, TO PROMOTE  
REMEMBRANCE AND TO  
SERVE OUR COMMUNITY  
AND OUR COUNTRY.

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# INTRODUCTION

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Comrades,

It is with great pleasure that we provide you with the resolution responses resulting from the 45th, 46th, 47th, and 48th Dominion Conventions. As we are predominantly dependant of government to provide these responses much of the delay can be attributed to federal elections and the change of personnel in specific offices. Regardless the Legion's persistent was key in attaining a response to the many and varied resolutions passed at the noted conventions.

These resolutions and their responses have now been put forward for review by the appropriate Dominion Command Committees and the Dominion Executive Council (DEC). With careful consideration, decisions will be made as to what further action is required to achieve the best results for each of the items in question.

The Legion operates as any good democratic organization must – with direct contributions from all members. Our advocacy efforts on behalf of serving CAF and RCMP personnel, their families, and all Canadians is dependent upon each Legion member voicing their opinions and taking an active role in the activities of the Legion. For those who served to protect these very rights and freedoms, we owe them our commitment to work on their behalf. When we speak with one voice, the Legion continues to be represented as the largest Veterans and community service organization in Canada.

The ability for branches to raise issues of concern and to take part in the process of determining Legion policy is of great importance to the growth and prosperity of the Legion. Any branch can initiate a resolution to bring items forward for consideration at a Dominion Convention. Resolutions may also be developed and submitted by Dominion Command committees for approval by DEC ensuring yet another level to frame and create policies in line with our mission.

With great thanks for your participation in this process, on behalf of all Legion members I thank you.

We will remember them.



Bruce Julian  
Dominion President

## **DOMINION EXECUTIVE COUNCIL**

### **COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014**

#### **302. DOMINION COMMAND SUPPLY DEPARTMENT PROFIT SHARING BC/Yukon 13**

**WHEREAS** Dominion Command supply department is set up on a profit sharing basis between Dominion Command and Provincial Commands; **WHEREAS** expenditures related to the running and promotion of the Dominion Command supply department are decided with no input from provincial commands; **WHEREAS** the profit sharing is based on the remaining profits after expenses; and **WHEREAS** expenditure decisions have caused substantial decreases in the provincial share of the revenues; **THEREFORE BE IT RESOLVED** that the profit sharing from Dominion Supply revenues be set at 5% of gross margin shared between provincial commands before supply operating expenses are applied.

#### **RESPONSE:**

This resolution has been implemented.

#### **303. DOMINION COMMAND COST OF OPERATIONS – TRAVEL POLICY BC/Yukon 14**

**WHEREAS** national membership in the Legion has declined significantly in the last 15 years and continues to decline into the projected future; **WHEREAS** the majority of the dollars needed to operate Dominion Command come from per capita taxes from members; and

**WHEREAS** members have required their Provincial Commands to reduce costs and exercise fiscal restraint: **THEREFORE BE IT RESOLVED** that travel expenses only be authorized for Dominion Command Officers and staff, not family accompanying them.

#### **RESPONSE:**

This resolution has been implemented.

#### **305. DOMINION COMMAND – COST OF OPERATIONS – RCEL INSPECTIONS BC/Yukon 18**

**WHEREAS** National Membership in the Legion has declined significantly in the last 15 years and continues to decline into the projected future; **WHEREAS** the majority of the dollars needed to operate Dominion Command come from per capita taxes from members; and **WHEREAS** members have required their Provincial Commands to reduce costs and exercise fiscal restraint: **THEREFORE BE IT RESOLVED** that travel expenses only be authorized for the assigned inspection team, not family accompanying them.

#### **RESPONSE:**

This resolution has been implemented.

## COMMENTS ON RESOLUTIONS FROM DOMINION CONVENTION 2021

### 401. SUPPORT FOR CANADA'S INDIGENOUS COMMUNITY DEC 1

**WHEREAS** Canada's military heritage includes service by thousands of Indigenous soldiers employed in every trade yet this historical awareness is lacking;

**WHEREAS** the contribution of Indigenous soldiers to Canada's past war effort is sometimes referred to as forgotten, for although in the First World War alone more than 4000 Indigenous soldiers served in uniform, 50 were decorated for bravery, hundreds were killed and thousands more injured, they experienced discrimination and a lack of appreciation and recognition for their service and sacrifice when they returned home to Canada and were deemed ineligible for supports provided to other Veterans;

**WHEREAS** over 3000 First Nations members served in uniform in the Second World War and hundreds served in the Korean War, with numerous decorations and citations awarded for bravery;

**WHEREAS** Indigenous military personnel continued to serve Canada through deployments with NATO during the Cold War, UN and multinational peace support operations, Afghanistan, the Canadian Rangers and unceasingly contribute greatly to Canada's rich military heritage;

**WHEREAS** after the Second World War, the unresolved injustices against Indigenous People started to receive some government and societal awareness;

**WHEREAS** from 1946-1948, this government awareness included hearings into the Indian Act by a Special Joint Committee of the Senate and House of Commons;

the committee's final report called for an end of all separate First Nations education institutions yet the residential school system remained in existence until the 1990s;

**WHEREAS** in 2021, this societal awareness finally grew to a widespread understanding of the suffering, grief and indescribable heartbreak experienced within the Indigenous community stemming from the tragedy and devastating legacy of residential schools;

**WHEREAS** the horrifying loss of children and the discovery of remains at burial sites in Canada is overwhelming and that sorrow is shared throughout every corner of the country and in every facet of society;

**WHEREAS** the path to healing is a long one but it will start with our country's collective understanding, education and support;

**THEREFORE BE IT RESOLVED** that, given the requirement for Canada-wide unity of this national imperative and recognizing the importance of improving cultural and heritage awareness, understanding injustices and commemorating loss, The Royal Canadian Legion and all its commands, branches and members extends its unreserved support, however possible and appropriate, and in collaboration with First Nations, Métis and Inuit communities, to assist in this healing journey.

#### **RESPONSE:**

The Legion will support reconciliation and be proactive in its consideration of ways to ensure inclusivity and recognition of First Nations, Métis and Inuit communities.

#### **LEGION'S POSITION:**

This resolution has been implemented.

**1. THE ROYAL CANADIAN LEGION PUBLICATIONS  
NS/NU 5/C**

**WHEREAS** All Royal Canadian Legion publications should have a linking procedure from index subjects to their articles; and **WHEREAS** by establishing this linking it will save time when required to check on a certain article expeditiously.

**THEREFORE BE IT RESOLVED** The Royal Canadian Legion should cause all Royal Canadian Legion publications to have linking capabilities from index subjects to their articles as per the linking procedure in the Rules of Procedure Manual.

**RESPONSE:**

This resolution has been implemented. All on-line manuals will be adapted to have a proper linking feature.

**VETERANS, SERVICE AND SENIORS**

**GENERAL**

**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2014**

**1. VETERAN PRIORITY FOR HEALTH CARE  
VSS 1**

**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; **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 priority over 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 after release.

**RESPONSE:**

**From The Honourable Rona Ambrose,  
P.C., M.P., Minister of Health**

Thank you for your letter of January 16, 2015, concerning your resolution calling for priority access to healthcare for veterans.

To afford veterans and their dependents priority access to healthcare in Canada would be contrary to the provisions of the Canada Health Act.

Under the Canada Health Act, our national health insurance system is designed to ensure that all eligible residents of Canada have reasonable access to medically necessary insured health services on a prepaid basis, and on uniform terms and conditions. Our healthcare system was developed by consensus over several decades and is a reflection of the values that Canadians as a caring society hold close at heart. We have a single-tiered, single-payer system, financed primarily by taxes, which ensures prepaid access to these services for all eligible residents regardless of health status, financial circumstances, age, lifestyle, or other similar factors. This is the essence of the accessibility criterion of the Act.

As you have noted in your resolution, workers' compensation board recipients, the Canadian Forces, and inmates of federal penitentiaries are not insured persons under the Canada Health Act, and services provided to them are therefore not insured services under the Act. Such exclusions from coverage also existed in the legislation that pre-dated the Canada Health Act, the Hospital Insurance and Diagnostic Services Act and the Medical Care Act. The departments or agencies in question are responsible for the cost of healthcare services provided to their members or clients. As of June 2012, regular members of the Royal Canadian Mounted Police (RCMP) are no longer excluded from the definition of insured persons under the Act. Now, serving RCMP members are insured residents under provincial and territorial health insurance plans and are treated much the same as all federal public servants, receiving supplementary benefits from their employer.

Unlike groups such as workers' compensation clients and penitentiary inmates, veterans are considered to be insured persons under the Canada Health Act. However, veterans who receive a Veterans Affairs Canada disability pension or disability award

are eligible for treatment and either health related benefits paid by Veterans Affairs Canada, for those expenses directly related to their pensionable disabilities or disability award. These benefits are excluded from the definition of insured services under the Canada Health Act. As well, Veterans Affairs Canada may provide some additional treatment and other health-related benefits to eligible veterans in cases where these benefits are not covered, or are not fully covered, by provincial and territorial health insurance plans.

Our government understands the urgent health challenges faced by Canadian military personnel, veterans and their families. This past November, at the Canadian Institute for Military and Veteran Health Research (CIMVHR) Forum 2014, and in partnership with the True Patriot Love Foundation, I announced a significant investment in research devoted to the health of those who protect and serve Canadians at home and abroad.

The funding of health-related research in this area will lead to increased evidence-based results and practices and will ultimately improve the healthcare supports offered to Canada's military personnel, veterans and their families. The Government of Canada has also continued to support CIMVHR researchers through the Canadian Institutes of Health Research (CIHR). Since 2006, the CIHR has invested over \$113 million in projects involving CIMVHR researchers, including more than \$24 million in 2013-14 alone.

On November 23, 2014, our government also announced almost \$200 million in new and expanded mental health initiatives for serving military members, veterans and their families.



**LEGION’S POSITION:**

The Legion will continue to advocate to the government to amend legislation and regulations to afford Veterans and their dependants’ priority access to health care in Canada after release.

**2. EMPLOYER TAX CREDIT INCENTIVE TO HIRE VETERANS**

VSS 2

**WHEREAS** Veterans should be recognized for their service and sacrifices to their country;

**WHEREAS** it is important that Veterans have the opportunity to transition to meaningful employment following their service to their country; and

**WHEREAS** wounded Canadian Forces (CF) members or survivors have unique needs and often face significant physical and financial challenges:

**THEREFORE BE IT RESOLVED** that to encourage private employers to provide jobs to Veterans, that these private employers that hire Veterans should receive a tax credit from the Federal Government; and

**BE IT FURTHER RESOLVED** that an additional tax credit should be provided to private firms that hire wounded warriors or their survivors.

**RESPONSE:**

Veterans Affairs Canada (VAC) launched Hire a Veteran in December 2012 to help connect corporate Canada with Veterans transitioning from military to civilian life. Through Hire a Veteran, the Veterans Transition Advisory Council and Canada Company, we are working hand in hand with corporate Canada and local businesses to match the world-class skills and expertise of Canadian Armed Forces’ members and Veterans with meaningful career opportunities

in the private sector. We are seeking corporate partners willing to hire Canadian Veterans.

Hire a Veteran partners are encouraged to give priority status to hire Canadian Veterans when they are equally qualified for a job opening and to provide job openings for their organization to hire-*embauchez-veteran@vac-acc.gc.ca* so that Veterans can be made aware of new opportunities.

Corporations and organizations will benefit from hiring highly skilled and motivated Veterans. Veterans are skilled in areas such as: planning, teamwork, communication, management, leadership and skilled trades. These and other transferable skills would be an asset to any workforce.

Medically-released CAF personnel are eligible for priority job placement in the public service.

**LEGION’S POSITION:**

The Legion will continue to monitor the effectiveness of activities and programs to assist Veterans and their families with transitioning from military to civilian life.

**3. VETERANS IDENTIFICATION CARD/VETERANS FAMILY IDENTIFICATION CARD**

VSS 3

**WHEREAS** the Record of Service Card – NDI 75 is issued to members leaving or who have left the Canadian Armed Forces (CAF) with 10 or more years of service;

**WHEREAS** the CAF issues a voluntary Military Family Identification card (MFID) to spouses and dependants of CAF members;

**WHEREAS** upon release from the CAF, the MFID is no longer valid;

**WHEREAS** any Veteran who has served his/her country voluntarily and has completed Occupation Classification training successfully is highly deserving of being provided a

visible recognition of his/her service to Canada in the form of a Veterans ID card; **WHEREAS** this recognition is also especially important for families. CAF families are the backbone of the CAF, and the MFID card is official recognition of both the military family as an integral part of the organization, and the pride with which CAF spouses/partners and children contribute toward and support the efforts of our personnel and our country; **WHEREAS** the creation of a Veterans family identification card will restore this official recognition and pay tribute to the sacrifices of families made in support of Canada. When a Veteran dies, the widow/widower has no standard means of recognition that he/she is the widow/widower of a Veteran; and **WHEREAS** the creation of a card will provide visible recognition of service and facilitate contact, communication and outreach with Veterans and their families on the availability of programs and services: **THEREFORE BE IT RESOLVED** that Veterans Affairs Canada provide a Veterans Identification card for all CAF Veterans and a Veterans Family Identification card to honour the inherent resilience of Veterans families and pay tribute to the commitment and dedication made in support of Canada.

**RESPONSE:**

The Canadian Armed Forces (CAF) introduced a new Veteran's Service Card (VSC) on 11 September 2018, in response to a call for action by CAF members, veterans, and the Veterans Ombudsman. The VSC was rolled out in close consultation with Veterans Affairs Canada (VAC) and will be distributed to former and releasing Canadian Armed Forces members who completed basic training and have been honourably released.

The new VSC provides a tangible symbol of recognition for former CAF members, encourages an enduring affiliation with the

CAF, and ensures linkages to VAC support programs as members transition to post-service life as veterans. The VSC is intended for distribution to currently releasing CAF members, approximately 26,000 eligible veterans who released between 2016 and 2018, and as many as 450,000 eligible veterans who released prior to 2016.

The VSC is not intended to replace the CFOne card, which is used by veterans, CAF members, and their families to access programs and services delivered by Canadian Forces Morale and Welfare Services, including the CANEX Rewards Program and the official discount program offered through the CF Appreciation Program.

Specific questions about the implementation of the VSC can be directed by email to [P-OTG.VSCQuestions@forces.gc.ca](mailto:P-OTG.VSCQuestions@forces.gc.ca). More information on the VSC is available online: [www.canada.ca/en/department-national-defence/services/benefits-military/transition/service-card.html](http://www.canada.ca/en/department-national-defence/services/benefits-military/transition/service-card.html).

**LEGION'S POSITION:**

The Legion is satisfied with the response; however will continue to monitor the release of the new Veteran's Service Card. Veterans released between February 2016 and September 2018 can now request their Veteran's Service Card, with the downloadable, mail-in application.

The new Veteran's Service Card (VSC) helps you stay connected to military and veteran support programs during your transition from military to civilian life. This card also recognizes your previous service as a Canadian Armed Forces (CAF) member.

This staged approach allows the Department of National Defence and Veterans Affairs Canada to ensure that the necessary resources are in place to verify, produce, and distribute the Veteran's Service Cards.

**401. RE-OPEN VETERANS AFFAIRS  
CANADA OFFICES  
NS/NU 4**

**WHEREAS** Veterans of our great nation have fought for and guarded our freedoms; **WHEREAS** they have been professionally and adequately served by 32 Veterans Affairs Canada offices; **WHEREAS** eight of those offices, both large and small, were closed by the Department of Veterans Affairs without appropriate or convincing evidence and with an estimated savings of a mere \$6.2 million; and **WHEREAS** alternative services for all Veterans, especially needy ones, are and will be woefully inadequate: **THEREFORE BE IT RESOLVED** that Veterans Affairs Canada re-open offices that have closed and revoke any plans to close other offices.

**RESPONSE:**

Budget 2016 reaffirmed the Government's intent to give back to Veterans and deliver on its promise to restore critical access to services. Veterans Affairs Canada will re-open and staff offices in Charlottetown, Sydney, Corner Brook, Windsor, Thunder Bay, Saskatoon, Brandon, Prince George and Kelowna. Additionally, the Department will open a new office in Surrey, B.C., and expand outreach to Veterans in the Territories by working with local partners.

**LEGION'S POSITION:**

This issue is resolved.

**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2016**

**1. CANADA'S OBLIGATION TO VETERANS  
ONT 3/C**

**WHEREAS** successive generations of Canadians have served their country honourably as proud members of the Canadian Armed Forces; **WHEREAS** Service in the Canadian Armed Forces requires members to make a personal commitment to put their lives on the line on behalf of their fellow Canadians and to risk their lives anywhere in the world that Canada's Government deems it appropriate to do so; **WHEREAS** the burden associated with military service is not only borne by those in the Canadian Military, but also by their families, who make untold sacrifices to help ensure the success of those missions of the Canadian Armed Forces; and **WHEREAS** The Canadian Government approach to Veterans policy demonstrates an utter disregard for our country's social covenant with those who serve in Canada's Military, particularly through its aggressive funding cuts to the supports and services that Veterans need: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion, recommend and most strongly urge Canada's Government to uphold the principals of this long-standing covenant in its defence and Veterans' policies and ensure the Government lives up to our country's sacred obligation to care for Veterans and their families throughout their lives by allowing them to maintain a quality of life that is worthy of the sacrifices they have made for Canada.

**RESPONSE:**

**The Honourable Kent Hehr, Minister of Veterans Affairs Canada**

The well-being of Veterans, Canadian Armed Forces (CAF) members, Royal Canadian Mounted Police (RCMP) personnel, and their families, is a priority for Veterans Affairs Canada (VAC) and VAC is committed to ensuring Veterans and their families get the services and support they need with care, compassion and respect.

Our service men and women have made tremendous sacrifices to defend the freedom of Canadians and others around the world and since 1917, Canada has formally recognized its obligation to Canada's Veterans and their families under the Pension Act and continues this formal recognition under the New Veterans Charter.

VAC took historic steps in Budget 2016 to restore critical access to services and do more to ensure the long-term financial security of Veterans and their families. Budget 2016 delivered \$5.6 billion into re-opening VAC offices and hiring new staff; increased amounts for the Disability Award, Death Benefit and Earnings Loss Benefit; expanded access to the Permanent Impairment Allowance; and made enhancements to Commemoration programs.

VAC is hiring new employees to help ensure that Veterans, CAF members, RCMP personnel, and their families are provided with the best possible services in their own communities. As of January 2017, VAC has hired 330 new front line staff.

On January 26, 2017, VAC opened the seventh of nine offices to be reopened across the country by May 2017. VAC continues to explore how best to improve benefits and services as evidenced by the resources dedicated to accomplishing the Minister's extensive mandate commitments. In May 2017, Windsor, Ontario and Prince George, British Columbia Area Offices

will be opened, plus a new tenth Area Office in Surrey, British Columbia.

In the Federal Budget of 2017, commitments have been made to further strengthen supports for veterans and their families and to those making the transition from the military to civilian life. This will result in expanded access to the suite of Military Family Resource Centres (MFRC) across Canada following the success of the 7 site joint VAC and CAF pilot. A redesigned Career Transition Services program will ensure that a larger number are eligible, plus time limits to apply for services will be removed. The redesigned program will include expanded and personalized employment services based on individual needs from basic to more comprehensive options.

The 2017 Budget commits to the development of two new funds: Veteran and Family Well-being Fund, to implement initiatives supportive of veterans and families by providing monies to non-profit and voluntary organizations, and in some instances, for profit groups. Second, the Veteran Emergency Fund which would provide efficient and quick access to financial support to ensure the veteran's well-being in urgent situations while longer term solutions are found.

Application time-line restrictions for the Rehabilitation program will be removed for eligible spouses and survivors. As well, a new Veterans Education and Training Benefit will provide up to \$80,000 to cover tuition, fees, materials and some incidental and living expenses for participants in formal education programs. Informal caregivers of Canada's eligible veterans will be recognized and will be paid \$1,000 tax-free per month; and, a new Centre of Excellence in PTSD and related mental health conditions will be established to increase knowledge and skill in the areas of Canadian military and veteran mental health, suicide prevention and substance abuse disorder issues, so that

health service providers can draw on better information to support better care outcomes.

#### **LEGION'S POSITION:**

The Legion is satisfied with the progress that has been made in the PM's mandated recommendations to the Minister of Veterans Affairs in Budget 2016 and Budget 2017, as long as all of the proposed recommendations come to fruition. The Legion will closely monitor the remaining mandated recommendations, in particular life-long financial security and the monthly pension. The Legion will continue to advocate for expanded access to all the Military Family Resource Centres across Canada for our Veterans, not just the medically released Veterans. The Legion is pleased with the redesigned Career Transition Services program and the new Veterans Education and Training Benefit as it applies to all military Veterans.

### **COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2018**

#### **1. OPEN MFRCs TO ALL VETERANS AND THEIR FAMILIES**

##### **VSS 1**

**WHEREAS** serving military members and their families have access to the Military Family Services Program. Military Family Resource Centres (MFRCs) deliver the Program locally in 32 Canadian Armed Forces communities in Canada, along with service points in the United States and Europe. Everywhere military families are posted, MFRCs deliver unique local services, as well as a range of core programs; and **WHEREAS** medically released Veterans and their families have access to the 32 Military Family Resource Centres in Canada:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion recommend to Veterans Affairs Canada to enact legislation to open Military Family Resource Centres to all Veterans and their families, not just medically released Veterans; **BE IT FURTHER RESOLVED** that most Bases/Wings are at full infrastructure capacity, it is recommended that the government fund new infrastructure to accommodate the increase in access to the Military Family Resource Centres; and **BE IT FURTHER RESOLVED** that the new Military Family Resource Centres be renamed Military and Veteran Family Resource Centres.

#### **RESPONSE:**

**Honourable Harjit S. Sajjan,  
Minister of National Defence**

Military Family Resource Centres in Canada (MFRCs) are federally and provincially incorporated not-for-profit organizations that are governed by a volunteer Board of Directors. MFRCs are composed of 51 percent military family members and are registered as charities. They are located on bases/wings and offer national programs through the Military Family Services Program, as well as local programs based on family-generated demand. Outside the country, Military Family Services provides a similar suite of services to families, based on tailoring of the Military Family Services Program to locally driven needs and is governed by a family-composed Advisory Council. The Military Family Services Program is funded and stewarded by the Canadian Armed Forces (CAF) through Military Family Services.

The Veteran Family Program helps medically released veterans and their families transition to civilian-based services in their community of choice. The Veteran Family Program is offered through the Family Information Line (a 24/7 information, referral

and counselling service), [cafconnection.ca](http://cafconnection.ca), and MFRCs. The Veteran Family Program is funded by Veterans Affairs Canada through a memorandum of understanding with Canadian Forces Morale and Welfare Services.

Expanding access to MFRCs to include not just those veterans being medically released and their families would ensure comprehensive and dedicated support to all veterans and their families.

However, current funding of MFRCs is insufficient to add this expanded population. An in-depth feasibility review would be required to determine resource impact, including a thorough identification of funding sources and authorities.

Furthermore, the MFRC infrastructure is not capable of absorbing expanded usage within existing structures. To consider expanding access to MFRCs, an in-depth feasibility study must include a thorough investigation of where veterans and their families reside and their preferred method of service delivery.

From Honourable Lawrence MacAulay,  
Minister of Veterans Affairs

The well-being of releasing Canadian Armed Forces members and their families is a priority for Veterans Affairs Canada, and the Department is committed to ensuring they receive the services and support they need while making the transition from the military to post-service life. The Veteran Family Program is delivered at the MFRCs and offers services that can support the health and well-being of medically releasing members and their families. The available services include enhanced information and referral services, National Transitional Programs, resources and access to the Military Family Services Program.

In October 2015, an initiative was put in place to expand access to the Military Family Services Program to medical released Veterans

and their families and to determine what services would be required to meet their needs.

A pilot was launched to provide medically released personnel and their families with access, for two years, to the services of MFRCs/ the Veteran Family Program at seven Centres. In April 2018, this access was expanded to include all Military Family Resource Centres, and the two-year time limit was eliminated.

Access to the Veteran Family Program has been limited to medically releasing Canadian Armed Forces members and their families because research from the Life After Service Study demonstrates that those who medically release have the most difficulty making a successful transition in comparison with other release types. Narrowing the focus to the medically released makes it most likely that Canadian Armed Forces members and their families who are most in need are targeted for support. An evaluation of the Veteran Family Program is planned for 2021-2022, which will allow for data to be gathered relating to the program's usage, maturity, evidence-based services, and long-term outcomes. This resolution will be considered as part of the evaluation. This work, along with the engagement of the Ministerial Advisory Groups, will inform any future decisions regarding program expansion.

At the same time, Veterans Affairs Canada is working with the Department of National Defence/Canadian Armed Forces on a Comprehensive Military Family Plan to better understand the military family experience.

#### **LEGION'S POSITION:**

The Legion will continue to advocate for an in-depth feasibility review to determine resource impact, including a thorough identification of funding sources and authorities. The Legion realizes that the current MFRC infrastructure is not capable of absorbing expanded usage within existing structures

and fully supports an in-depth feasibility study to include a thorough investigation of where veterans and their families reside and their preferred method of service. The Legion is aware that there will be three new MFRCs constructed in the next fiscal year and would highly recommend that these new infrastructures be capable of expanded usage.

## 2. BUREAU OF PENSIONS ADVOCATES (BPA) – FREE LEGAL SERVICES

VSS 3

**WHEREAS** BPA is a nation-wide organization of advocates within Veterans Affairs Canada (VAC). The Bureau's main function is to provide free advice, assistance and representation for individuals dissatisfied with decisions rendered by VAC. This may be with respect to their claims for entitlement to disability benefits, or any assessment awarded for their entitled conditions;

**WHEREAS** the Bureau's mandate is to assist clients in the preparation of applications for review or for appeals and to arrange for them to be represented by an advocate at hearings before the Veterans Review and Appeal Board;

**WHEREAS** all BPA advocates are lawyers and members of their respective law societies. Given their experience in pension matters, they are considered specialists in the area of claims for disability benefits. If you seek assistance from BPA, you will be treated in the same manner as if you were hiring a private lawyer to represent you.

The solicitor-client privilege relationship between you and your advocate ensures that your confidentiality will be fully respected;

**WHEREAS** if you are dissatisfied with the decision of VAC, you may be represented by a BPA advocate at no charge for a Departmental Review or an Entitlement Review;

**WHEREAS** if you are dissatisfied with the decision of the Veterans Review and Appeal

Board (VRAB) Review Panel, you have the right to appeal that decision to the Appeal level of the VRAB. You may also be represented by a BPA advocate at this stage, at no charge; and **WHEREAS** if, after having exhausted his/her appeal options a client is still dissatisfied, s/he may (at their own expense) appeal to the Federal Court of Canada. The Bureau of Pensions Advocates does not currently have the authority to represent individual clients at the Federal Court:

**THEREFORE BE IT RESOLVED** that it is recommended that Veterans Affairs Canada enact legislation that will provide the authority to the Bureau of Pensions Advocates to represent Veterans at the Federal Court free of charge.

### **RESPONSE:**

Veterans Affairs Canada strives to focus resource investments at the front end of the decision-making process in order to reduce the number of applicants dissatisfied with decisions and hence the number of applications for judicial review.

Veterans requiring assistance with legal costs associated with judicial reviews may be eligible for support through the Veterans Legal Assistance Foundation. The Foundation is a charitable organization that was established to provide eligible Canadian Veterans with financial support so they can pursue disability claims and other legal cases.

Veterans Affairs Canada is not contemplating expanding the mandate of the Bureau of Pensions Advocates at this time. However, the Department will continue to review the services provided by the Bureau of Pensions Advocates to ensure they are responsive to the needs of Veterans.

**LEGION’S POSITION:**

The Legion will continue to advocate to Veterans Affairs Canada to enact legislation that will provide the authority to the Bureau of Pensions Advocates to represent Veterans at the Federal Court free of charge. Veterans may be eligible for support through the Veterans Legal Assistance Foundation, the Legion would prefer that the free legal assistance from the Bureau of Pensions Advocates be continued for representation at the Federal Court level.

**3. BRANCH SERVICE OFFICER**

**ALTA-NWT 6**

**WHEREAS** The Service Officer Handbook provided by Dominion Command states the importance of Command Service Officer protecting client information;

**WHEREAS** Branch Service Officers are the first point of contact for many Veterans and their families; and

**WHEREAS** Often time, the Branch Service Officer assists the Command Service Officer with collecting information from the Veteran and therefore has access to some protected and private information:

**THEREFORE BE IT RESOLVED** that the Ritual, Awards and Protocol Manual, Initiation of a Branch Service Officer be amended to include:

It will be your duty to entrust, secure and to handle all personal information in accordance with the requirements applicable to privacy legislation;

**LEGION’S POSITION:**

The Ritual, Awards and Protocol Manual has been amended to reflect the resolution.

**4. VAC OMBUDSMAN**

**ONT 6**

**WHEREAS** the Royal Canadian Legion is a Veterans organization and comprised of Veterans, their families and those who support the cause;

**WHEREAS** Veterans in Canada are in dire need of increased support from Veterans Affairs;

**WHEREAS** the Veterans Affairs Ombudsman has not done enough to advocate with the Government on behalf of Veterans;

**WHEREAS** the Veterans Affairs Ombudsman reports to the same Minister for which the Ombudsman is required to report on;

**WHEREAS** previous reports filed by the Veterans Ombudsman have been met with hostility from staff in the Veterans Affairs Office; and

**WHEREAS** the National Defence Ombudsman has called for his position to be permanent and independent from the Department of National Defence and for the Ombudsman to become an officer of Parliament reporting to Parliament and not those he is charged with reporting on:

**THEREFORE BE IT RESOLVED**

that the President of the Royal Canadian Legion Dominion Command call on the Government, by means of an open letter to the Prime Minister, for the position of the VAC Ombudsman to become a permanent and independent position enshrined in law reporting directly to Parliament.

**RESPONSE:**

No response to the letter sent to the Prime Minister on 20 June 2019.

**LEGION’S POSITION:**

The Dominion President sent a letter dated 20 June 2019 to the Prime Minister requesting that the position of the VAC Ombudsman become a permanent and independent position enshrined in law reporting directly to Parliament.



## DISABILITY BENEFITS

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 4. ENSURE DISABLED VETERANS RECEIVE A FAIR, EQUITABLE INCOME CONSISTENT WITH A NORMAL CAREER FOR THEIR LIFETIME VSS 4

**WHEREAS** Veterans are eligible for the Earnings Loss Benefit (ELB) (75% of pre-release salary (taxable) to a minimum of \$40,000 while they participate in the Rehabilitation Program;

**WHEREAS** Veterans who are permanently and totally incapacitated can receive the Earnings Loss Benefit until they reach age 65;

**WHEREAS** it is particularly devastating for Veterans who are injured at a young age because they will continue to be compensated at low salary level for the remainder of their lives; and

**WHEREAS** economic hardship is created for Veterans who reach age 65 and have been unable (because of their injury) to build up their Canada Pension or save for retirement;

**THEREFORE BE IT RESOLVED** that to ensure disabled Veterans while undergoing rehabilitation and searching for a job, receive a fair, equitable income consistent with a normal military career, Veterans Affairs Canada (VAC) should set the Earning Loss Benefit at 100% of earnings for life; and **BE IT FURTHER RESOLVED** that for life-long recipients, VAC should increase the Supplementary Retirement Benefit to 6% of ELB earnings and make it non-taxable.

#### **RESPONSE:**

Veterans Affairs Canada committed through Budget 2016 to an increase to the Earnings Loss Benefit that will provide injured Veterans

with 90% of their pre-release salary, and index this benefit so that it keeps pace with inflation.

The Earnings Loss Benefit will increase from 75% to 90% of a Veteran's monthly military salary, or a minimum \$44,496 per year, whichever is greater. In addition, the 2% cap will be removed, so the enhanced benefit will keep pace with inflation.

#### **LEGION'S POSITION:**

Despite the changes to the New Veterans Charter in 2011, the changes from Budget 2016, Budget 2017 and the Pension for Life announcement, the Legion is very concerned that there is an income hardship with the termination of ELB at age 65. The Legion will continue to advocate for improvements in income replacement post age 65.

#### 5. EARNINGS LOSS BENEFIT DISPARITY FOR PART-TIME RESERVISTS VSS 5

**WHEREAS** Earnings Loss Benefit is now set at a minimum of \$40,000 per year for Regular Force Veterans and full-time Reservists undergoing rehabilitation or who cannot return to work;

**WHEREAS** part-time Reservists (Class A and Class B less than 180 days) who have been injured attributable to their military service are compensated with a minimum of \$24,300 per year;

**WHEREAS** part-time Reservists have the same needs as Regular Force Veterans and full-time Reservists; and

**WHEREAS** Veterans Affairs Canada (VAC) has stated that a minimum income of \$40,000 per year is required to ensure that basic needs of food, shelter and clothing are met, yet denies this same level of support to part-time Reservists who cannot work and who have been injured attributable to their military service:

**THEREFORE BE IT RESOLVED** that VAC end the income disparity of the Earnings Loss Benefit to part-time Reservists and provides those Canadian Armed Forces Veterans who have been injured attributable to their service the same benefits regardless of the nature of their service, and where and when they served.

**RESPONSE:**

In April 2015, all Veterans of the Reserve Force who are eligible for the Earnings Loss Benefit would receive a minimum income of \$42,426. This is the same minimum amount a Regular Force Veteran would receive through EL and is set at 75% of a basic corporal's salary.

Veterans Affairs Canada committed through Budget 2016 to an increase to the Earnings Loss Benefit that will provide injured Veterans with 90% of their pre-release salary, and index this benefit so that it keeps pace with inflation.

The Earnings Loss Benefit will increase from 75% to 90% of a Veteran's monthly military salary, or a minimum \$44,496 per year, whichever is greater. In addition, the 2% cap will be removed, so the enhanced benefit will keep pace with inflation.

**LEGION'S POSITION:**

This issue is resolved.

**6. DISABILITY AWARD FOR NON-ECONOMIC LOSS**

**VSS 6**

**WHEREAS** under the New Veterans Charter, a Disability Award is meant to recognize and compensate for the non-economic impacts of a service-related disability such as pain and suffering; **WHEREAS** the amount of a Disability Award is adjusted yearly for cost of living and other factors; and **WHEREAS** the benefit is supposed to have kept pace with civilian court awards

for pain and suffering but has not had an increase in the seven years since the New Veterans Charter came into force:

**THEREFORE BE IT RESOLVED** that the Disability Award be increased to keep pace with civilian court awards for pain and suffering.

**RESPONSE:**

Budget 2016 reaffirmed the Government's intent to support the long-term financial security of ill and injured Veterans.

The maximum Disability Award was increased from \$310,378 to \$360,000 on April 1, 2017. In addition, Death and Detention Benefit amounts will also be increased accordingly.

The increase to the Disability Award and the Death Benefit will also mean that Canadian Armed Forces members, Veterans and survivors who have already received a Disability Award and/or a Death Benefit under the New Veterans Charter will benefit from the new rate and receive a supplementary payment.

**LEGION'S POSITION:**

This issue is resolved.

**7. PERMANENT IMPAIRMENT ALLOWANCE (PIA) AND PIA SUPPLEMENT**

**VSS 7**

**WHEREAS** the Permanent Impairment Allowance (PIA) is a monthly taxable benefit payable for life in three grade levels that compensates for the lack of career opportunities and progression; **WHEREAS** the Permanent Impairment Allowance Supplement is a monthly supplement that compensates for the inability to perform any occupation that is considered to be suitable gainful employment; **WHEREAS** almost 90% of PIA recipients are awarded the lowest grade level;

**WHEREAS** 761 or 53 % of Veterans who are assessed to be totally and permanently incapacitated (TPI) and who suffer from a permanent physical or mental health problem that prevents them from engaging in suitable gainful employment are not awarded the benefit that is designed to compensate severely and permanently impaired Veterans for a lack of career opportunity and progression; **WHEREAS** approximately 40% of the close to 300 totally and permanently incapacitated (TPI) Veterans who are assessed at a disability level of at least 98%, and who are presumably very seriously disabled, are not in receipt of the PIA and Supplement; **WHEREAS** Veterans Affairs Canada does not track the reasons why applications for the PIA or the PIA Supplement are denied or explain the reasons for the level awarded; **WHEREAS** accessibility to the benefit may be unfairly restrictive; and **WHEREAS** there is insufficient information to assess where there is a valid reason for this situation or whether the eligibility criteria are too stringent: **THEREFORE BE IT RESOLVED** that Veterans Affairs Canada conduct a review of the accessibility and eligibility criteria to determine its effectiveness in providing fair economic support for the lack of career progression; and **BE IT FURTHER RESOLVED** that Veterans Affairs Canada conduct a review of the Veteran cohort deemed TPI and not receiving the PIA and PIA Supplement and ensure that Veterans eligible receive the very benefit that is designed to compensate them for the lack of career opportunities.

**RESPONSE:**

Veterans Affairs Canada is committed, through Budget 2016, to an expansion to the Permanent Impairment Allowance. These changes build on improvements made in 2015

to broaden Permanent Impairment Allowance eligibility and align with recommendations made by the Veterans Ombudsman and the Standing Committee on Veterans Affairs. Expanding access to the Permanent Impairment Allowance will better support Veterans who have had their career options limited by a service-related illness or injury.

**LEGION'S POSITION:**

The Legion is satisfied with this response; however will be monitoring the changes coming into effect 1 April 2019 under the Pension for Life/Additional Pain and Suffering Compensation.

**8. DISABILITY AWARD FINANCIAL COUNSELING  
VSS 8**

**WHEREAS** some Veterans and their families find it difficult to manage a large lump sum of money wisely and would benefit from financial counseling and support; and **WHEREAS** Veterans Affairs Canada (VAC) provides \$500 for financial counseling; this is not sufficient to obtain ongoing financial counseling services: **THEREFORE BE IT RESOLVED** that VAC increase funding up to \$2,500 to allow Veterans and their families to engage qualified financial advisors.

**RESPONSE:**

The cost for financial advice may be covered by Veterans Affairs Canada (VAC), to a maximum of \$500, for each Disability Award received that is greater than 5% assessment. Therefore, if a Veteran receives more than one Disability Award in his/her lifetime due to re-assessments or new conditions, he/she may receive financial counselling up to \$500 for each award.

Under enhancements to the New Veterans Charter which came into effect in October 2011, Veterans and Canadian Armed Forces members have the choice of receiving the award in a lump-sum payment, an annual payment over any number of years they choose, or as a combination of a partial lump-sum payment and annual payments.

**LEGION'S POSITION:**

As \$500 for financial counselling is not sufficient to obtain ongoing financial counselling services, the Legion will continue to advocate for an increase in this rate to allow Veterans and their families to engage qualified financial advisors.

**9. VAC DISABILITY AWARD  
CALCULATION 1 TO 4%  
VSS 9**

**WHEREAS** if a disability award is paid between 5% and 100%, it is paid under Schedule "I" which means that at 5% you are paid 5% from the 100% disability rate; **WHEREAS** if a disability award less than 5% is paid the Veteran does not receive 1% to 4% of the 100% disability award rate; **WHEREAS** presently the payment for 1% disability is \$837.31, not 1% of \$298,587.97, which would be \$2,985.87; **WHEREAS** presently the payment for 2% disability is \$1,674.60, not 2% of \$298,587.97, which would be \$5,971.75; **WHEREAS** presently the payment for 3% disability is \$2,511.93, not 3% of \$298,587.97, which would be \$8,957.62; and **WHEREAS** presently the payment for 4% disability is \$3,349.22, not 4% of \$298,587.97, which would be \$11,943.50: **THEREFORE BE IT RESOLVED** that this is an unfair practice as the disability award percentage from 1% to 4% does not represent a true percentage of the total 100% disability award payable rate; and

**THEREFORE BE IT FURTHER**

**RESOLVED** if the disability award to be paid is less than 5%, it is to be paid at the true percentage of the total 100% disability rate.

**RESPONSE:**

As of 1 April 2017, the new maximum tax-free Disability Award amount (98% to 100%) is \$360,000 (up from the 2017 maximum of \$314,723.89). All other Disability Award amounts (1% to 97%) have also been increased proportionally as a percentage of the maximum \$360,000 amount.

**LEGION'S POSITION:**

This issue is resolved.

**10. DEATH BENEFIT UNDER THE  
NEW VETERANS CHARTER  
VSS 10**

**WHEREAS** under present legislation, single members of the Canadian Armed Forces (CAF) whose death is attributable to military service are not eligible for a death benefit; **WHEREAS** CAF members who are married or in a common-law relationship are eligible for a death benefit; **WHEREAS** the death benefit is provided as compensation for the non-economic loss related to the life-long pain and suffering of the family; **WHEREAS** compensation for the loss of earnings is provided in the Financial Benefits Program; and **WHEREAS** such inequities are contrary to the basic equalities for which the members of the Canadian Armed Forces died to secure: **THEREFORE BE IT RESOLVED** that all CAF members whose death is attributable to military service be granted a death benefit provided for under the New Veterans Charter; and

**BE IT FURTHER RESOLVED** that such benefits be retroactive to 2006.

**RESPONSE:**

As the New Veterans Charter is designed to help transition a Veteran from military to civilian life, the Death Benefit is one component of this suite of benefits and services that aims to ensure dependent children, survivors and common-law partners have the resources they need to continue their transition to civilian life.

In addition to the death benefit, survivor, common-law partner, and dependent children may be eligible for vocational assistance, Earnings Loss Benefit, educational assistance for children, access to health insurance and peer support.

This is all part of our Government's effort to ensure that Canadian Veterans, their spouses, common-law partners and dependent children have the tools they need to transition to civilian life.

**LEGION'S POSITION:**

The death benefit is provided as compensation for the non-economic loss related to the life-long pain and suffering of the family and as such, the Legion remains unsatisfied with the lack of compensation to parents of single members.

**11. EXTENSION OF VAC FUNERAL AND BURIAL BENEFITS**

**VSS 11**

**WHEREAS** funeral and burial benefits may only apply to Canadian Armed Forces (CAF) Veterans who qualify for Earnings Loss Benefits or the Income Support Program;

**WHEREAS** the eligibility criteria for these benefits are likely to be very restrictive since eligibility for these programs requires the successful completion of the Rehabilitation Program;

**WHEREAS** there is the potential that some Regular and Reserve Force Veterans do not have enough money in their estate to pay for funeral and burial benefits but will not qualify for funeral and burial benefits because they have not qualified for Earnings Loss and Income Support Benefits; and **WHEREAS** the Government of Canada has an obligation to ensure that these very low income Veterans receive a dignified funeral: **THEREFORE BE IT RESOLVED** that Last Post Fund funeral and burial benefits be made available to all those CAF Veterans who have insufficient financial means and eliminate the complex eligibility requirements which is contrary to the "need principles" enshrined in the Canadian Armed Forces Military and Veterans Re-establishment and Compensation Act (CFMVRCA).

**RESPONSE::**

To be eligible for the Program, Veterans must meet both military service and financial criteria.

To meet the military service criteria, the Veteran must have been:

- a former member of the Canadian Forces or any predecessor Naval, Army or Air Forces of Canada or Newfoundland; or
- a Canadian Merchant Navy Veteran of the Second World War or the Korean War; or
- an Allied Veteran who served with the Allied Forces during the Second World War or the Korean War and has also lived in Canada for at least 10 years, or lived in Canada prior to enlisting and was living in Canada at time of death.

**LEGION'S POSITION:**

This issue is resolved.

## 12. INCREASE OF SURVIVOR/DEPENDANT ESTATE EXEMPTION

VSS 12

**WHEREAS** the Survivor/Dependant Estate Exemption is the key parameter for approval or denial of funeral and burial benefits for Veterans;

**WHEREAS** in February 1995 the Federal Government reduced the estate exemption from \$24,030 to \$12,015 as part of budget reduction of all departments;

**WHEREAS** the reduced exemption is considerably less than the poverty level and it has not been adjusted since 1995;

**WHEREAS** the end result is that hundreds of the poorest of our Veterans have been denied funeral and burial benefits during the past 13 years;

**WHEREAS** the current situation is causing much grief and burden on families of Veterans when they discovered that they cannot obtain financial support for funeral and burial benefits although the estate is valued at less than the poverty level;

**WHEREAS** prior to 1995 the estate exemption was subject to an indexing formula based on annual changes to the Consumer Price Index (CPI); and

**WHEREAS** the estate exemption has not been increased, the number of Veterans applying for funeral and burial benefits has increased, particularly by World War II Veterans who in many cases have limited financial resources but are above the estate exemption reduced in 1995:

**THEREFORE BE IT RESOLVED** that the Minister of Veterans Affairs take the necessary action to restore and increase the Survivor / Dependent Estate Exemption to a level not less than the poverty level as determined by Statistics Canada; and

**BE IT FURTHER RESOLVED** that each year thereafter, introduce a Cost of Living

Allowance (COLA) equal to Statistics Canada's annual adjusted CPI for this exemption.

### **RESPONSE:**

Eligibility is based on net assets at the time of death. If the assets of the deceased and the financial resources of the estate are insufficient to cover funeral and burial costs (according to the financial evaluation below), a total or partial coverage of the cost is possible.

The means test, or a financial assessment of a Veteran's estate, takes into account the following factors: marital status, number of dependents and net assets.

In the case of a Veteran with a spouse or dependent children, the combined assets of the couple are considered, excluding:

- A base amount of \$36,310 (raised from \$35,738 on January 1st 2018).  
The spousal estate exemption is adjusted according to the cost-of-living index annually, on January 1st.
- 700\$ per dependent child (depending on legislation)
- The family house and vehicle
- Income received during the month of death

In the case of a single Veteran, if the net value of the estate is not sufficient to pay off existing liabilities, including the cost of funeral and burial services, the Veteran is deemed to be eligible for assistance.

### **LEGION'S POSITION:**

The Legion is satisfied with this response.

### 13. EARNINGS LOSS, CFIS AND WVA BENEFIT RETROACTIVITY

VSS 13

**WHEREAS** on April 4, 2013, the Federal Court approved that past SISIP Long Term Disability (LTD) clawback amounts are to be refunded retroactive to June 1, 1976;

**WHEREAS** on May 9, 2013, with a news release by the Honourable Peter MacKay, then-Minister of National Defence, and the Honourable Steven Blaney, then-Minister of Veterans Affairs, announced that the Government of Canada would not be appealing the Federal Court's May 1, 2012 decision regarding the offset of Pension Act disability benefits from the SISIP LTD income support benefit. In the same news release, the Honourable Steven Blaney stated: "I am happy to announce that our Government is taking action to harmonize our disability benefits at Veterans Affairs Canada to reflect the planned changes to SISIP;" and

**WHEREAS** the decision on retroactivity VAC benefits including Earnings Loss, Canadian Forces Income Support and War Veterans Allowance is still outstanding;

**THEREFORE BE IT RESOLVED** that for Veterans and their families impacted by this outstanding decision, that VAC act expeditiously and be upfront with this issue, ensure harmonization between programs and confirm retroactivity.

#### **RESPONSE:**

On 29 May 2012, The Government of Canada decided to end the offsets of the Disability Pension from the Earnings Loss and Canadian Forces Income Support financial benefits under the Canadian Forces Members and Veterans Re-establishment and Compensation

Act, and the War Veterans Allowance benefit under the War Veterans Allowance Act.

Effective October 1, 2012 disability pension benefits payable under the Pension Act are no longer deducted from EL and Canadian Forces Income Support benefits. This change is effective on a go forward basis only.

Disability pension benefits payable under the Pension Act may still be a deduction for calculations that predate October 1, 2012.

#### **LEGION'S POSITION:**

The Legion will be monitoring the outcome of the class action *Toth v. Her Majesty the Queen*. This class action challenges the validity of the offsets which were made before 29 May 2012.

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021

#### 2. ELIMINATION OF THE MARRIAGE OVER 60 CLAUSE

VSS 1

**WHEREAS** Spouses who marry Veterans after the Veteran turns 60 do not receive automatic survivor pensions under the Canadian Forces Superannuation Act (CFSA);

**WHEREAS** Pensioners may choose to reduce their own pension in order to provide a corresponding survivor benefit to their spouses. This is known as the Optional Survivor Benefit;

**WHEREAS** The majority of persons who enter a marriage after 60 are not informed that there will be no health benefits available to the spouse unless they are in receipt of a pension. The policy states that if you have remarried or established a common-law relationship prior to your death, your new spouse or common-law partner's health and dental care coverage stops immediately upon your death;

**WHEREAS** in 2015 and 2017 mandate letters, the Government committed to eliminating the “marriage after 60” clause; **WHEREAS** Budget 2019 announced the Veterans Survivors Fund committing \$150M over 5 years to support Veterans who married over the age of 60 and their spouses; and **WHEREAS** the Veterans Survivors Fund was supposed to be implemented no later than 31 December 2020 and has not been implemented to date; **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion recommend to Veterans Affairs Canada to implement the Veterans Survivors Fund immediately; and **BE IT FURTHER RESOLVED** that The Royal Canadian Legion recommend to the Federal Government to fulfil its promise to eliminate the Marriage after 60 clause.

**RESPONSE:**

**National Defence Corporate Secretary**

Thank you for sharing the Royal Canadian Legion’s resolution regarding the elimination of the marriage after 60 clause in the CFSA.

The CFSA, which governs the Canadian Forces Pension Plan, allows for the payment of a benefit to a survivor or eligible children if a marriage or common-law relationship is established before the Canadian Armed Forces pensioner is age 60. The age limit of 60 for the Canadian Service Pension Plan was implemented in recognition of the fact that CAF members tend to retire earlier than the average Canadian.

Further, it is common among pension plans to limit eligibility for survivor benefits to the spouse or partners that existed when the plan member was employed, ensuring that the pension plans do not take responsibility for changes in personal status once that person is no longer employed. In

that respect, the Canadian Forces Pension plan is a more generous benefit in that it offers survivor benefits so long as the marriage or common law union began prior to age 60, irrespective of when the member retired.

Additionally, in 1992, the CFSA was amended to give plan members some flexibility in their ability to provide protection for their post-retirement spouses or common-law partners acquired after reaching age 60. These amendments introduced the Optional Survivor Benefit, which provide Canadian Armed Forces members with the option to reduce their pensions by 30, 40, or 50 percent in order to provide a corresponding benefit for their surviving spouse. The reduction continues for the lifetime of the pensioner unless his or her spouse predeceases him or her, or the marriage is dissolved by divorce or annulment, in which case the full pension benefit is reinstated to the member from there forward.

That said, I am informed that Veterans Affairs Canada (VAC) is currently working with Statistics Canada to conduct a survey that will examine the income and characteristics of survivors of veterans married after the age of 60. VAC has contracted the Canadian Institute for Military and Veteran Health Research to consult with veterans to better understand the financial support they need.

I hope that this information is helpful, and thank you for writing.

**LEGION’S POSITION:**

This response is not acceptable, it does not answer the question on the mandated priority from the Prime Minister in 2015 and 2017 to eliminate the Marriage Over 60 Clause. The Legion will continue to advocate to eliminate the Marriage Over 60 Clause and request the immediate implementation of the Veterans Survivor Benefit.



## **VETERANS INDEPENDENCE PROGRAM (VIP) AND HEALTH BENEFITS**

### **COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014**

#### **14. RATIONALIZATION OF ELIGIBILITY CRITERIA FOR HEALTH CARE BENEFITS**

##### **VSS 14**

**WHEREAS** the current policies covering the delivery of Health Care Benefits are very complex, and for that reason very difficult to understand, even from the perspective of those who administer these benefits;

**WHEREAS** these policies are even more complex from the perspective of recipients who are often frail;

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

**WHEREAS** the Health Care Benefits provided, especially Veterans Independence Program (VIP) and treatment benefits are insufficient to meet the needs of Veterans and caregivers; and

**WHEREAS** because of the complexity associated with various entry gates and eligibility criteria, Veterans are often wary to even ask for benefits, let alone understand their eligibility requirements:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada (VAC) undertake a comprehensive rationalization of the eligibility criteria for Health Care Benefits. The entitlement criteria should be more manageable for decision makers and Veterans and their families such that it is streamlined from the current 18 categories to a maximum of four categories as recommended in “Keeping the Promise”, the 2006 Report of the Gerontological Advisory Council.

#### **RESPONSE:**

The number of eligible groups in the Veterans Health Care Regulations has evolved as benefits and services have been provided to new groups of Veterans and other eligible recipients over the years.

Significant effort is underway at Veterans Affairs Canada (VAC) to reduce red tape and improve service to Veterans. While this effort continues, many other initiatives have been launched to improve the process by which a Veteran may receive benefits.

The Benefits Navigator is an online questionnaire to help identify the VAC programs and services you may be eligible to receive. The results include a brief explanation of each program, links to more information and, if available, a link to the application form.

With My VAC Account you can learn about VAC benefits and services; apply online for VAC benefits and services; upload documents to support your applications; track the status of your applications; view a summary of your benefits; sign up for direct deposit or change your banking information; connect directly with VAC staff through secure messaging and update your personal information.

VAC remains committed to ensuring Veterans know what benefits are available, and how to apply for them.

#### **LEGION’S POSITION:**

The Legion will continue to advocate that Veterans Affairs Canada undertake a process of Health Care reform within the next year to ensure that programs and services meet the needs of all Veterans and their families. Specifically, this review should be based on need and ensuring that a continuum of care is provided. The 2006 Report of the Gerontological Advisory Council “ Keeping the Promise” provides a sound roadmap to begin this essential review. The internet initiatives implemented by VAC do not address nor simplify the complex eligibility criteria.

**15. VIP BENEFITS FOR ALL FRAIL VETERANS**

VSS 15; SASK 2/C; NB 8/C

**WHEREAS** Veterans who apply for Veterans Independence Program (VIP) benefits are often frail and are approaching the end of their life;

**WHEREAS** the processing of applications for VIP benefits for frail Veterans is only considered when these Veterans have established eligibility for a disability or low income, resulting in long delays and often increased expenditures for Veterans Affairs Canada; and

**WHEREAS** VIP is key to keeping Veterans independent and safe in their own home:

**THEREFORE BE IT RESOLVED** that all Veterans be deemed eligible for VIP benefits based on need, irrespective of their having established disability entitlement or low income status, as was recommended by the Gerontological Advisory Committee in their 2006 Report “Keeping the Promise”; and

**BE IT FURTHER RESOLVED** that all Allied World War II and Korean War Veterans be deemed eligible for VIP benefits based on need irrespective of their income as was recommended by the Gerontological Advisory Committee in their 2006 Report “Keeping the Promise”.

**RESPONSE:**

Veterans of World War II and Korean War, including Allied Veterans, who have a service-related need or are considered low-income are eligible for the Veterans Independence Program.

Currently, the program is assisting Veterans and widows and survivors by cleaning homes, maintaining yards or completing home-adaptations to help Veterans remain in their homes.

**LEGION’S POSITION:**

The current process to establish disability entitlement or low income eligibility to receive VIP benefits for World War II and Korean War Veterans, including Allied Veterans is complex, time consuming and costly. The Legion will continue to advocate that these vulnerable war-time Veterans be deemed eligible for VIP benefits irrespective of their having established disability entitlement or low income.

**16. EXTENSION VIP BENEFITS TO SURVIVORS**

VSS 16; SASK 3/C

**WHEREAS** eligibility criteria for Veterans Independence Program (VIP) benefits for survivors is the result of extending and expanding the benefit over many years;

**WHEREAS** VIP is not available to all survivors of World War II and Korean War Veterans and is dependent on a complex eligibility criteria grid difficult for decision makers and Veterans to understand; and

**WHEREAS** the survivors of Veterans have supported their spouses for many years and their contribution should be recognized:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada end the complex eligibility criteria for VIP benefits and extend the benefit to all survivors of all Veterans including the survivors of Allied Veterans.

This benefit should be granted to these survivors based on need as was recommended by the Gerontological Advisory Committee in their 2006 Report “Keeping the Promise”.

**RESPONSE:**

Our Government expanded the Veterans Independence Program (VIP) services to low income and disabled survivors of World War II and Korean War Veterans who were not in receipt of VIP at time of death, ensuring care for those most in need.

Widows/survivors of Veterans who were in receipt of VIP at the time of the Veteran's death or placement in long-term care are eligible for VIP. In 2010, eligibility was provided to Allied Veterans of World War II and the Korean War, including their primary caregivers/survivors.

VAC constantly reviews the eligibility of this program so that it is delivering concrete assistance to those who need it.

#### **LEGION'S POSITION:**

The survivors of war-time Veterans have supported their spouses for many years and their contribution should be recognized. The Legion will continue to advocate that VAC end the complex eligibility criteria for VIP benefits and extend the benefit to all survivors of World War II and Korean War Veterans including the survivors of Allied Veterans. This benefit should be granted to these survivors based on need as was recommended by the Gerontological Advisory Committee in their 2006 Report "Keeping the Promise".

### **17. ENVIRONMENTAL EXPOSURE**

#### **VSS 17**

**WHEREAS** the Government announced an ex gratia payment for those exposed to Agent Orange based on whether or not potential beneficiaries were living, or had worked and trained in the Gagetown area during a specific time frame and within a specific area;

**WHEREAS** Veterans Affairs Canada (VAC) will award disability benefits for direct exposure to Agent Orange based on stringent and unrealistic eligibility requirements including handling, touching or being directly exposed to such chemicals but will not recognize the effects of secondary exposure such as training in a field and dispersing soils by digging, churning up the ground with various ordnances where Agent Orange, or other chemicals were dispersed; and

**WHEREAS** VAC will not generally recognize environmental exposure to radiation such as residues of Depleted Uranium (DU) ammunition as a causal link to the award of disability benefits: **THEREFORE BE IT RESOLVED** that VAC recognize and review the Entitlement Eligibility Guidelines related to Agent Orange exposure and to DU as significant determinants of a disability.

#### **RESPONSE:**

Any Canadian Armed Forces member or Veteran who has a medical diagnosis that they believe is related to military service can apply for a Veterans Affairs Canada (VAC) disability benefit.

Decisions are made using the most up-to-date science and evidence available, especially when dealing with possible issues associated with Depleted Uranium and Agent Orange.

In January 2013, the Arms-Length Scientific Advisory Committee on Veterans' Health released its report entitled Depleted Uranium and Canadian Veterans: A Review of Potential Exposure and Health Effects. In addition, the Standing Committee on Veterans Affairs also conducted a study of Depleted Uranium exposure to Canadian Veterans. VAC continues to monitor advances in scientific research.

#### **LEGION'S POSITION:**

The Legion remains unsatisfied with the stringent eligibility criteria to obtain disability entitlement for illness associated with exposure to Agent Orange or Depleted Uranium.

### **18. AGENT ORANGE APPLICATION**

#### **VSS 18**

**WHEREAS** there has been much discussion and controversy concerning the spraying of Agent Orange in Base Gagetown;

**WHEREAS** Veterans Affairs Canada (VAC) announced an extension of the ex gratia compensation program of \$20,000 to 30 December 2011;

**WHEREAS** despite the deadline, illnesses and diseases will continue to be diagnosed for many years and the Government has an obligation to recognize these families; and

**WHEREAS** the eligibility criteria of the Institute of Medicine (IOM) conditions related to Agent Orange exposure - Update 2004 continue to apply and do not include the conditions in the IOM Update 2010:

**THEREFORE BE IT RESOLVED** that VAC remove the artificial deadline and continue the program to ensure that all the families impacted by Agent Orange are recognized; and **BE IT FURTHER RESOLVED** that VAC amend the program's eligibility criteria to include the conditions related to Agent Orange exposure in the IOM Update 2010.

**RESPONSE:**

Our Government was the first to recognize the unfortunate stress and concern that was caused by questions surrounding Agent Orange. In response, in 2007 our Government established an ex-gratia payment to more than 5,000 individuals, each receiving \$20,000 one-time payments. Our Government officially extended the program and broadened the criteria in December 2010. Our Government also ensure that the criteria was broadly interpreted and applied. The program ultimately ended on 31 December 2011.

**LEGION'S POSITION:**

The Legion will continue to advocate to ensure that all families impacted by Agent Orange are recognized.

**19. ACCESS TO PENSIONERS' DENTAL SERVICES PLAN FOR VETERANS**

**VSS 19**

**WHEREAS** there is no access to the Treasury Board Pensioners' Dental Services Plan for Veterans (and their families) who are medically released with less than 10 years of service and who do not qualify for an immediate annuity from the Canadian Armed Forces; and

**WHEREAS** there is no access for the families of Veterans who die with less than two years of service:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada (VAC) provide the same access to the Treasury Board Pensioners' Dental Services Plan to Veterans and their families as that provided to them by VAC for the Public Service Health Care Plan.

**RESPONSE:**

Veterans Affairs Canada (VAC) recognizes that access to supplemental health care benefits, such as dental care promote health and wellbeing. Under the authority of the Veterans Health Care Regulations, VAC currently provides access to supplemental dental coverage for all individuals who require dental services due to a service-related health condition as well as for other individuals who are eligible for treatment benefits for any health condition (i.e. B-Line).

VAC does not have the legislative authority required to provide the same access to the Treasury Board Pensioner' Dental Services Plan as is provided for the Public Service Health Care Plan and no changes are being contemplated to VAC's authorities respecting dental care coverage at this time.

**LEGION'S POSITION:**

The Legion will continue to advocate that Veterans Affairs Canada undertake a process to change the legislative authority

required to provide the same access to the Treasury Board Pensioner's Dental Services Plan as is currently provided for the Public Service Health Care Plan.

## 20. EXTEND EDUCATION ASSISTANCE PROGRAM

VSS 20

**WHEREAS** the Education Assistance Program provides financial assistance for post-secondary education to the children of Canadian Armed Forces (CAF) members who have lost their lives attributable to their military service; and **WHEREAS** CAF members who have suffered severe and permanent impairment attributable to their service lack the financial means to save for their children's post-secondary education and face significant lifelong challenges:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada recognize the lifelong challenges and financial limitations of CAF members who have been totally and permanently incapacitated and extend the Education Assistance Program benefits to the children of these families.

### **RESPONSE:**

Veterans Affairs Canada (VAC) acknowledges that Canadian Armed Forces (CAF) members who have been totally and permanently incapacitated may have lifelong challenges and financial limitations. As a result, VAC provides a number of financial benefits designed to recognize and to compensate for the loss of earnings caused by a career ending or service related disability.

VAC's Educational Assistance Program is authorized by the Children of Deceased Veterans Education Assistance Act (CDVEAA) and related regulations. It provides assistance for post-secondary education for children of CAF members and Veterans who: i) dies as the result of military service; or ii) who, at the time of death, were receiving a disability benefit

(pension, award or combination of both) of 48% or greater (this includes assessments provided posthumously). Generally, the level of disability, greater than 48%, recognizes severe and permanent impairment.

The dependent children of deceased members may also apply on behalf of the deceased member for other benefits from VAC as follows:

- Death Benefit (NVC),
- Disability Award (NVC),
- Earnings Loss (NVC),
- Canadian Forces Income Support (NVC);
- Orphan's Pension (Pension Act).

### **LEGION'S POSITION:**

The Legion is satisfied with this response.

## 21. VIP BENEFITS – SURVIVING SPOUSE

NB 5/C

**WHEREAS** a surviving spouse of a Veteran in receipt of VIP benefits is receiving:

- a) housekeeping, but not ground maintenance, or
- b) grounds maintenance, but not housekeeping;

**WHEREAS** this situation occurred because the Veteran applicant, when applying for VIP benefits, did not feel that one or the other of these benefits was warranted or required as he/she was capable of performing the task, or that his/her spouse could provide the service at that particular time.

Therefore WHY apply for the benefit;

**WHEREAS** current VAC policy, upon the Veteran's death, the particular VIP benefit in place at the time of death in the household will remain in place for the surviving spouse; and

**WHEREAS** the surviving spouse, who is now aging, may have some physical medical problems, may be quite frail, but when applying for the other missing VIP benefit that they are not receiving, are being

denied because it was not in place prior to the death of the deceased Veteran:

**THEREFORE BE IT RESOLVED** that when the surviving spouse applies for the VIP benefit that was not in place prior to the Veteran's death, that due consideration be given by VAC and the benefit of doubt be applied in each individual case to assist the surviving spouse to remain at home and in the community. It must be remembered that the surviving spouse is not at fault and is now being penalized because of course of action or lack of requirements that were taken by the deceased spouse when applying for VIP benefits at the particular time.

**RESPONSE:**

The provision of housekeeping and/or grounds maintenance services to primary caregivers was intended to address the needs of those individuals who benefitted from, came to rely on upon, and have a continuing need for the services the Veteran was receiving. Primary caregivers may continue receiving the housekeeping and/or grounds maintenance services that the Veteran was receiving at the time of death or admission to a health care facility, provided the caregiver has a health need for the service(s).

Since 2008, survivors where the Veteran was not in receipt of housekeeping and grounds maintenance at the time of death, can be eligible to receive these benefits provided he or she meet the low income financial qualifications or is disabled and eligible to receive the Disability Tax Credit.

The expansion of housekeeping and grounds maintenance services to low-income or disabled survivors in 2008 was intended to ensure that individuals most in need receive assistance to focus on maintaining their health, independence in the home, and quality of life. Providing benefits to those most in need is consistent with a vast array of government programs.

The Department will continue to analyse the Veterans Independence Program to ensure it is relevant for the future needs of primary caregivers and survivors.

**LEGION'S POSITION:**

The 2008 VIP Expansion program only applies to survivors of WW II and Korean War Veterans. The Legion will continue to advocate for this program to apply to all survivors.

**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2018**

**5. SUBJECT: VIP - SURVIVORS**

**VSS 2**

**WHEREAS** eligible Survivors of Veterans who were in receipt of the Veterans Independence Program (VIP) at the time of the Veteran's death or placement in long-term care are eligible for VIP;

**WHEREAS** eligible Survivors may receive housekeeping and/or grounds maintenance benefits;

**WHEREAS** upon the death of a Veteran, the VIP housekeeping and grounds maintenance benefits are offered to the Survivor upon application to address health-related needs and to assist to remain independent in their residence; and

**WHEREAS** if the Survivor at the time of the Veteran's death, declines the offer of the VIP benefit or does not apply within one year of the Veteran's death, there is no VAC health regulation to reinstate the offer in the future:

**THEREFORE BE IT RESOLVED** that it is recommended that Veterans Affairs Canada enact legislation that at the time of a Veteran's death, the VIP benefits are offered to the Survivor and if the Survivor declines the offer, that the VIP offer be held in suspension until a time that the Survivor requires the VIP benefits based on a health-related need.

**RESPONSE:**

Under the Veterans Independence Program, housekeeping and/or grounds maintenance can be provided to a Primary Caregiver. A Primary Caregiver is defined as the adult person who, on the day of the Veteran's death or admission to a health care facility, was:

- primarily responsible for ensuring that care was provided to the Veteran;
- not receiving a wage for the care;
- a resident in the principal residence of the Veteran for a continuous period of at least one year; and
- maintained by or was maintaining the Veteran.

For the most part, Primary Caregivers are eligible spouses and common-law partners, although adult children and others may qualify.

When a Veteran's spouse is a Primary Caregiver, he/she may be eligible to continue receiving housekeeping and/or grounds maintenance services if the Veteran had been in receipt of these Veterans Independence Program services prior to their death or admission to a health care facility. These services may be continued based on a needs assessment for the Primary Caregiver. If the needs assessment is completed within one year of the Veteran's death or admission to a health care facility, the decision date coincides with the Veteran's date of death or admission to facility care. If the Primary Caregiver applies after the year, the decision date is the date of application. There are no time restrictions for Primary Caregivers to apply for benefits.

Since February 2008, a Veteran's Survivor may be eligible to receive housekeeping and grounds maintenance services even though the Veteran was not in receipt of these Veterans Independence Program services prior to his or her death. A Survivor is defined as the adult individual who, immediately before the Veteran died—or immediately before the

Veteran was admitted into a health care facility if the Veteran died in the facility— was:

- primarily responsible for ensuring the care was provided to the Veteran;
- not receiving a wage for ensuring that care was provided to the Veteran;
- residing in the principal residence of the Veteran for a continuous period of at least one year; and
- maintained by or was maintaining the Veteran.

At the time of application, the Survivor must be an adult, 18 years of age or older, and:

- not be eligible to receive any services as a Primary Caregiver;
- be in receipt of the Guaranteed Income Supplement under the Old Age Security Act or be approved for the Disability Tax Credit;
- be residing in Canada; and
- have a need for housekeeping and/or grounds maintenance services that are not available to them under a provincial health care system or private insurance.

There are no time restrictions for Survivors to apply for benefits.

The applicant must also be the Survivor of one of the following:

- a War Service Veteran who was receiving or was entitled to a pension under the Pension Act;
- a civilian who was receiving or was entitled to a pension under the Civilian War-related Benefits Act;
- a Veteran in receipt of an allowance under the War Veterans Allowance Act;
- a civilian in receipt of an allowance under the Civilian War-related Benefits Act; or
- a Veteran or civilian who would have received an allowance if they had not been receiving benefits under the Old Age Security Act, i.e., Guaranteed Income Supplement or Old Age Security Pension (commonly referred to as a "Near Recipient" or "Income-qualified").

**LEGION'S POSITION:**

The Legion is informed that if the Primary Caregiver applies after the year, the decision date is the date of application. There are no time restrictions for Primary Caregivers to apply for benefits. However, VAC will not approve any requests post one year and we will continue to advocate to remove this barrier.

**203. VIP BENEFITS FOR ALL VETERANS****MAN&NWO 4/C**

**WHEREAS** those Members who choose to forego a more lucrative civilian career and pursue a long term military career and receive a modest wage when compared to the civilian sector;

**WHEREAS** those who serve receive a very modest retirement package based on number of years' service;

**WHEREAS** the family members follow the serving member and endure many years of multiple moves and separation as a single parent;

**WHEREAS** the retired military family for economic and health reasons may have to abandon their home and grounds earlier because they are no longer physically capable of maintain their residence and grounds adequately; and

**WHEREAS** the current Veterans Independence Program (VIP) is in place to assist those veterans (regardless of years of service) who have suffered an injury attributable to their service and is attributable to an injury while in service:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion, Manitoba & Northwestern Ontario Command make representation to Dominion Command to have them recommend to Veterans Affairs Canada to enact legislation that all veterans who have been honourably discharged be granted the VIP at age sixty-five based on need.

**RESPONSE:**

Many provinces and provincial health authorities provide excellent home care supports for seniors based on need. Although Veterans Affairs Canada is not contemplating regulatory changes to expand eligibility for the Veterans Independence Program at this time, the Department conducts ongoing reviews and analyses to support future planning and to meet the needs of Veterans and their families.

The purpose of the Veterans Independence Program is to help Veterans remain independent in their homes. It is designed to complement existing federal and provincial programs to help meet recipients' needs.

**LEGION'S POSITION:**

The Legion will continue to advocate for this important benefit to help veterans remain independent in their homes.



## LONG TERM CARE

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 402. VETERANS LONG TERM CARE HOSPITAL NS/NU 3

**WHEREAS** Veterans Long Term Care Beds are available only to World War II and Korea Veterans;

**WHEREAS** Beds are becoming available as the Veterans numbers are diminishing; and

**WHEREAS** Canadian Armed Forces Veterans with a service related disability and requiring level 2 treatment that could be using these beds:

#### **THEREFORE BE IT RESOLVED**

Dominion Command petition the Minister of Veterans Affairs that all Canadian Armed Forces Veterans with a service related disability and requiring level 2 treatment be entitled to a long term care bed at a Veterans hospital or similar facility.

#### **RESPONSE:**

As of December 31, 2016, Veterans Affairs Canada (VAC) was supporting more than 6,000 Veterans in over 1,400 nursing homes and other long term care facilities across the country.

As there are no longer any hospitals or facilities owned by the Department (the last hospital, Ste.-Anne-de-Bellevue, was transferred to the province of Quebec on April 1, 2016), the Department continues to liaise with provincial and territorial jurisdictions to meet the needs of eligible veterans where they require facility care.

Currently, all Veterans receive care in community facilities, some of which contain contract beds. These facilities may be privately-owned and operated or owned

and operated by the health authority of the province where the Veteran resides.

All Veterans who require care because of a service-related disability are eligible for financial support for long term care. Canadian Armed Forces Veterans including those who joined the Canadian Armed Forces post-Korea are eligible for long-term care support in a community facility, other than a contract bed, if their need for long-term care is due to an illness or injury related to their military service.

VAC is committed to ensuring Veterans have the benefits and services they need, when they need them and has recently undertaken a review of long term care benefits. This review will inform our work going forward to help ensure the needs of Veterans continue to be met.

Over the past year, new agreements have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. For example, new arrangements have been put in place at Camp Hill Veterans Memorial Building in Halifax, Nova Scotia, Sunnybrook Veterans Centre in Toronto, Ontario, Parkwood Institute in London, Ontario, and Ridgewood Veterans Wing in Saint John, New Brunswick. Achieving the same goal, the Ontario Ministry of Health and Long Term Care has approved the designation of community beds for Veterans at the Perley Rideau Veterans Health Centre in Ottawa, Ontario. Discussions are ongoing with facilities and health authorities in other jurisdictions.

#### **LEGION'S POSITION:**

The Legion is very pleased with the new agreements have been put in place to expand Veterans' access to long term care by providing them with preferred admission

to community beds at various health facilities. We will closely monitor these new agreements as they are only for two year periods and will monitor the allocation of beds in Long Term Care (LTC) facilities as the demand increases in coming years.

## COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2016

### 2. VETERAN'S CONTRACT BEDS

SASK 4/C

**WHEREAS** the current criteria to access a Veteran's contract bed only applies to veterans of WWII and Korea;  
**WHEREAS** Veterans who joined the Canadian Forces post-Korea (August 1953 onward) are now approaching their 80's; and  
**WHEREAS** there is a possibility that contract beds will be reduced if not filled:  
**THEREFORE BE IT RESOLVED** that the criteria for a contract bed in a Veterans facility be expanded to include any veteran of the Canadian Forces, and allied forces, of any era, based on health needs.

#### **RESPONSE:**

**The Honourable Kent Hehr, Minister of Veterans Affairs Canada**

As of December 31, 2016, Veterans Affairs Canada (VAC) was supporting more than 6,000 Veterans in over 1,400 nursing homes and other long term care facilities across the country.

As there are no longer any hospitals or facilities owned by the Department (the last hospital, Ste.-Anne-de-Bellevue, was transferred to the province of Quebec on April 1, 2016), the Department continues to liaise with provincial and territorial jurisdictions to meet the needs of eligible veterans where they require facility care.

Currently, all Veterans receive care in community facilities, some of which contain contract beds. These facilities may be privately-owned and operated or owned and operated by the health authority of the province where the Veteran resides.

All Veterans who require care because of a service-related disability are eligible for financial support for long term care. Canadian Armed Forces Veterans including those who joined the Canadian Armed Forces post-Korea are eligible for long-term care support in a community facility, other than a contract bed, if their need for long-term care is due to an illness or injury related to their military service.

VAC is committed to ensuring Veterans have the benefits and services they need, when they need them and has recently undertaken a review of long term care benefits. This review will inform our work going forward to help ensure the needs of Veterans continue to be met.

Over the past year, new agreements have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. For example, new arrangements have been put in place at Camp Hill Veterans Memorial Building in Halifax, Nova Scotia, Sunnybrook Veterans Centre in Toronto, Ontario, Parkwood Institute in London, Ontario, and Ridgewood Veterans Wing in Saint John, New Brunswick. Achieving the same goal, the Ontario Ministry of Health and Long Term Care has approved the designation of community beds for Veterans at the Perley Rideau Veterans Health Centre in Ottawa, Ontario. Discussions are ongoing with facilities and health authorities in other jurisdictions.

**LEGION'S POSITION:**

The Legion is very pleased with the new agreements that have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. We will closely monitor these new agreements as they are only for two-year periods and will monitor the allocation of beds in Long Term Care (LTC) facilities as the demand increases in coming years.

**3. HOSPITAL AND LONG TERM CARE FOR ALL VETERANS****ONT 1/C**

**WHEREAS** long term care beds for Veterans in facilities such as Parkwood Institute in London and Sunnybrook Hospital in Toronto are reserved for Second World War and Korean Veterans; and

**WHEREAS** there is presently no provision specific to future Veterans in long term care facilities:

**THEREFORE BE IT RESOLVED** that Dominion Command advocate to the Federal Government that they provide hospital and long term care for all Veterans by amending the Veterans Health Care Act to change the admission policy of the Long Term Care and Veterans Hospitals.

**RESPONSE:**

**The Honourable Kent Hehr, Minister of Veterans Affairs Canada**

Under authority of the Veterans Health Care Regulations, Veterans Affairs Canada provides financial support to eligible Veterans to support their access to long term care services. These services are provided in community facilities, some of which contain contract beds.

Under these regulations, eligibility for financial support for long term care is dependent on a variety of factors,

including type of military service, level of income, health needs and finally, whether the Veteran's need for long-term care is due to a service-related disability.

As there are no longer any hospitals or facilities owned by the Department (the last hospital, Ste.-Anne-de-Bellevue, was transferred to the province of Quebec on April 1, 2016), the Department continues to liaise with provincial and territorial jurisdictions to meet the needs of eligible Veterans where they require facility based long term care.

Over the past year, new agreements have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. For example, new arrangements have been put in place at Camp Hill Veterans Memorial Building in Halifax, Nova Scotia, Sunnybrook Veterans Centre in Toronto, Ontario, Parkwood Institute in London, Ontario, and Ridgewood Veterans Unit in Fredericton, New Brunswick. Achieving the same goal, the Ontario Ministry of Health and Long Term Care has approved the designation of community beds for Veterans at the Perley Rideau Veterans Health Centre in Ottawa, Ontario. Discussions are ongoing with facilities and health authorities in other jurisdictions.

**LEGION'S POSITION:**

The Legion is very pleased with the new agreements that have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. We will closely monitor these new agreements as they are only for two-year periods and will monitor the allocation of beds in Long Term Care (LTC) facilities as the demand increases in coming years.

**4. ACCESS TO VETERAN'S UNITS AND WINGS**  
**NS/NU 6**

**WHEREAS** there are many Veteran's units and wings across this great country of ours which are presently occupied by WWII and Korea War Veterans who are nearing their final days and it has been said that after the WWII Veterans and the Korea War Veterans have passed on these local and small Veteran's units and wings will be turned over to the various provincial governments;

**WHEREAS** now there are the new Veterans from peacekeeping duties in Egypt, Bosnia, Kosovo, the Congo and many other places in the world including the long war in Afghanistan. These new Veterans will certainly need the same type of care that the WWII and Korea War Veterans were given;

**WHEREAS** The WWII and Korea War Veterans resided comfortably together and in companionship in the Veteran's units and wings where they were able to have meaningful conversations with others who had been through the same ordeals as they; and

**WHEREAS** the new Veterans should be given the same comforts of living their last days in comfort and companionship with other Veterans and not mixed in with the civilian patients who have no idea of the ordeals that the Veterans had endured:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion should stand by our new Veterans and ensure that they are looked after comfortably in the various Veteran's units and wings across this country; and

**BE IT FURTHER RESOLVED** that The Royal Canadian Legion should petition the new Government through Veterans Affairs to keep all Veteran's units and wings open for our New Veterans.

**RESPONSE:**

**The Honourable Kent Hehr, Minister of Veterans Affairs Canada**

All Veterans who require long-term care because of a service-related disability are eligible for financial support from Veterans Affairs Canada (VAC) to better enable their access to care. Canadian Armed Forces Veterans are eligible for long-term care support in a community facility if the need for long-term care is due to an illness or injury related to their military service.

VAC is committed to ensuring Veterans have the benefits and services they need, when they need them and has recently undertaken a review of long term care benefits. This review will inform our work going forward to help ensure the needs of Veterans continue to be met and welcome the ongoing support and advocacy of Veterans organizations in this pursuit.

VAC continues to partner with provincial health authorities and long term care facilities across the country to address the changing needs and demographics of the Veteran population. Over the past year, new agreements have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities.

For example, new arrangements have been put in place at Camp Hill Veterans Memorial Building in Halifax, Nova Scotia, Sunnybrook Veterans Centre in Toronto, Ontario, Parkwood Institute in London, Ontario, and Ridgewood Veterans Unit in Fredericton, New Brunswick. Achieving the same goal, the Ontario Ministry of Health and Long Term Care has approved the designation of community beds for Veterans at the Perley Rideau Veterans Health Centre in Ottawa, Ontario. Discussions are ongoing with facilities and health authorities in other jurisdictions.

**LEGION'S POSITION:**

The Legion is very pleased with the new agreements that have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. We will closely monitor these new agreements as they are only for two-year periods and will monitor the allocation of beds in Long Term Care (LTC) facilities as the demand increases in coming years.

**402. VAC FUNDED HOSPITAL BEDS****NB 1**

**WHEREAS** Traditional War Veterans who served overseas are entitled to reside in VAC funded hospital beds;

**WHEREAS** Traditional War Veterans with Canada only service are not entitled to reside in VAC funded hospital beds unless they are in receipt of a disability benefit related to that period of service;

**WHEREAS** VAC funded hospital beds are vacant; and

**WHEREAS** Canada only service Traditional War Veterans are being placed in Nursing Homes rather than in VAC funded hospital beds:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada amend their criteria for Traditional War Veterans who served in Canada only to be allowed to reside in VAC funded hospital beds.

**RESPONSE:**

**The Honourable Kent Hehr, Minister of Veterans Affairs Canada**

Under the Veterans Health Care Regulations, Veterans who served in Canada during wartime and who have either low income or are in receipt of a Disability Pension are eligible for financial

support from Veterans Affairs Canada (VAC) or long-term care services.

Veterans with service in Canada during wartime who are in receipt of a Disability Pension related to their wartime service are eligible for care in community facilities, including contract beds. Veterans with service in Canada during wartime who have low income are eligible for care beds other than contract beds within community facilities. VAC continues to partner with provincial health authorities and long term care facilities across the country to address the changing needs and demographics of the Veteran population. Over the past year, new agreements have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities.

For example, new arrangements have been put in place at Camp Hill Veterans Memorial Building in Halifax, Nova Scotia, Sunnybrook Veterans Centre in Toronto, Ontario, Parkwood Institute in London, Ontario, and Ridgewood Veterans Unit in Fredericton, New Brunswick. Achieving the same goal, the Ontario Ministry of Health and Long Term Care has approved the designation of community beds for Veterans at the Perley Rideau Veterans Health Centre in Ottawa, Ontario. Discussions are ongoing with facilities and health authorities in other jurisdictions.

**LEGION'S POSITION:**

The Legion is very pleased with the new agreements that have been put in place to expand Veterans' access to long term care by providing them with preferred admission to community beds at various health facilities. We will closely monitor these new agreements as they are only for two-year periods and will monitor the allocation of beds in Long Term Care (LTC) facilities as the demand increases in coming years.

## COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021

### 3. LTC FACILITIES

ONT 2/C

**WHEREAS** Entitlement to Priority Access Beds (PABS) terminated with the signing of the armistice ceasing activities in Korea July 27 1953;

**WHEREAS** In 2014 VAC announced that due to lack of demand by eligible Veterans that as contract beds (PABS) became vacant many would be closed;

**WHEREAS** Ontario Command's recent survey has indicated that there are significant numbers of Veterans who are ineligible under current regulations waiting for placement;

**WHEREAS** No listing has been kept by either Veterans Affairs Canada or Ministry of Health, Ontario, of the numbers of these Veterans waiting placement for Long Term Care; and

**WHEREAS** Sunnybrook facility has had 50 PABS re-designated as Preferred Access Beds:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada and the Ministry of Health immediately survey the 14 local LHINS and produce a list of all Veterans waiting placement in LTC facilities; and **FURTHER BE IT RESOLVED** that Legislation be enacted to re designate all vacant PABs as Preferred Access Beds to allow immediate placement of all waiting Veterans in LTC facilities and that those facilities be in the areas close to the Veterans normal residence.

#### **RESPONSE:**

*From the Honourable Lawrence MacAulay,  
P.C., M.P., Minister of Veterans Affairs*

While Veterans Affairs Canada does not own or operate any hospitals or long-term-care facilities, the Department collaborates with provincial health authorities to ensure that eligible Veterans receive access to quality

treatment and accommodation. We financially support nearly 3,100 Veterans in long term care in over 950 provincially and privately owned and operated facilities across the country.

Accordingly, placement to long-term care in Ontario, for the most part, is a responsibility of the province. When Veterans Affairs Canada staff previously requested a list of Ontario Veterans awaiting placement from the Ontario Ministry of Long-Term Care, the Department was informed that, due to privacy reasons, this information could not be shared.

It is noted that this resolution renews an issue brought forward by the Ontario Provincial Convention in May of 2019. Consistent with the information shared by Veterans Affairs Canada at that time, the Department remains unable to fulfill the request either to receive or to provide to a third party the Veterans' information.

The Department does maintain a list of Veterans awaiting placement for facilities where they have priority admission to contract beds, or access to beds under the Preferred Admission Initiative. However, these lists are accessed only to determine priority of admission amongst Veterans based on health care needs and, owing to our own obligation to Veterans' privacy, the information is protected.

Veterans Affairs Canada remains committed to providing financial support to eligible Veterans who need long-term care. Veterans may also be eligible for home care services under the Veterans Independence Program—which can help them remain self-sufficient in their own residence for as long as possible—as well as a variety of treatment and financial benefits.

#### **LEGION'S POSITION:**

The Legion accepts the response in regard to the Privacy Act and not being able to release the names of Veterans waiting for LTC; however, it does not address the placement of Veterans in LTC close to their normal residence. Preferred

Admission Beds are only in previously federally owned facilities, this must change to allow PABs in all LTCs and the Legion will continue to advocate for this change.

**4. VAC CONTRACT BEDS FOR MODERN DAY VETERANS**  
NB 2/C

**WHEREAS** the men and women in all branches of the Canadian Armed Forces and Primary Reserves are serving our Nation; **WHEREAS** all members of our military, including our Regular Forces and Primary Reservists are serving multiple deployments; **WHEREAS** hundreds of modern day Canadian Armed Forces members lost their lives, with thousands more wounded or left suffering from Post-Traumatic Stress Disorder; **WHEREAS** the needs of the Canadian Armed Forces Veterans for long-term care is increasing; **WHEREAS** the “Social Covenant between the People and Government of Canada and the Armed Forces of Canada” to maintain a quality of life worthy of the sacrifices that the CAF member has made, must be honoured; and **WHEREAS** a third of the “contract beds” set aside for Veterans are either vacant or occupied by non-Veterans: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion, on behalf of all Canadian Forces Veterans, strongly advocate to extend the eligibility of “VAC Contract Beds” to include all Canadian Forces Veterans.

**RESPONSE:**

From the Honourable Lawrence MacAulay,  
P.C., M.P., Minister of Veterans Affairs

The support that Veterans Affairs Canada provides for Veterans in long-term care is governed by the Veterans Health Care Regulations. In accordance with this legislation, where a Veteran can be admitted

depends on their health care needs, income, the type and location of their military service and whether the requirement for long-term care is a result of that service.

In June 2016, Veterans Affairs Canada launched the Preferred Admission Initiative to expand and expedite access to former Veterans’ hospitals to Veterans who are eligible for care in a community facility and not eligible for placement in a contract bed. These include Veterans who served in Canada only for a minimum of 365 days and are income qualified, Allied Veterans and Canadian Armed Forces Veterans.

The long-term-care program and the intermediate-care component of the Veterans Independence Program were the subjects of a recent evaluation by the Department. The full evaluation report is available on Veterans Affairs Canada’s website.

The report recommends that Veterans Affairs Canada develop a renewed strategy to address issues such as eligibility and admission. We look forward to collaborating with the Royal Canadian Legion and other stakeholders as we explore flexible and compassionate solutions to meeting the long-term care needs of our nation’s Veterans.

**LEGION’S POSITION:**

The Legion accepts the response and look forward to collaborating with the department and other stakeholders to explore flexible and compassionate solutions to meeting the long-term care needs of our Veterans.

## CANADIAN FORCES/RCMP

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 22. IMPROVED MENTAL HEALTH CARE FOR CAF MEMBERS, VETERANS AND FAMILIES

VSS 21

**WHEREAS** Veterans Affairs Canada (VAC) administers Operational Stress Injury (OSI) clinics for Veterans;

**WHEREAS** the Canadian Forces (CF) administers Operational Trauma and Stress Support Centres (OTSSC) for Canadian Forces members;

**WHEREAS** Veterans must change over to different practitioners and different models of care when they retire while CF members and families cannot access VAC OSI clinics in a seamless fashion; and  
**WHEREAS** there is a definite capacity problem to meet the growing needs for mental health care while families cannot access this care in their own right:

**THEREFORE BE IT RESOLVED** that the Canadian Forces (CF) and Veterans Affairs Canada (VAC) harmonize the delivery of mental health care for CF members and Veterans suffering from Operational Stress Injuries and modify the regulations to provide mental health care for families in their own right.

#### **RESPONSE:**

Veterans Affairs Canada (VAC) offers considerable support to families of injured or deceased Canadian Armed Forces (CAF) personnel.

Assessment and treatment services are available for spouses of injured Veterans if the services support the Veteran's treatment plan. This includes services offered by the network of more than 4,000 VAC registered mental health providers and/or treatment at the network of

Operational Stress Injury Clinics (OSIC) which have recently adopted a "family friendly" clinic model. This model provides couple and family screenings/ assessments; short-term individual therapy; short-term play, couple and/or family therapy; and outreach with Veteran families within the OSIC Network. As well, each clinic is encouraged to identify an OSIC clinician who can act as a clinic "family champion" and thereby provide ongoing support to the clinical team on the subject of families.

The Operational Stress Injury Social Support (OSISS) program is an innovative peer support VAC/Department of National Defence (DND) program for CAF personnel, Veterans and their families impacted by an operational stress injury (OSI). The program has 20 Family Peer Support Coordinators who, together with volunteer family peer workers, provide assistance to families living with an OSI. Since the program's implementation in 2001, OSISS has provided assistance to over 7,000 peers and family members.

VAC Assistance Service is a voluntary and confidential counselling service, available to Veterans and their families, delivered through a nation-wide team of professional counselors. Staff providing telephone support are trained and experienced counselors who conduct an initial assessment and make appropriate referrals to a professional located near the Veteran or other family member, as required. Referrals are made within seven days and within 24 hours in an emergency situation.

#### **LEGION'S POSITION:**

The Legion will continue to monitor the delivery and accessibility of programs and services for family members.



### 23. FUNDING FOR VETERANS TRANSITION PROGRAM TREATMENT

VSS 22

**WHEREAS** the mandate of The Royal Canadian Legion is the welfare of our Veterans;

**WHEREAS** many Veterans suffer from operational stress injuries;

**WHEREAS** it is imperative that these Veterans maintain and receive the best treatment options to meet their needs; and

**WHEREAS** the Veterans Transition Program has been delivering a mental health treatment program since 1998:

**THEREFORE BE IT RESOLVED** that the Department of National Defence/Canadian Armed Forces provide funding for serving CAF members when there is a need.

#### **RESPONSE:**

The Canadian Forces (CF) Spectrum of Care document sets out the health benefits and services that are available and publicly funded for all serving CAF members. It provides direction to CAF health care providers, the chain of command, and members on the authorized use of public funds in the provision of health care. It is a comprehensive document in which the inclusion of an item must meet the five guiding principles:

- The item, treatment, or service adheres to the scientific principle of evidence-based healthcare (this principle would eliminate any new procedures or remedies that have not been thoroughly and scientifically investigated);
- The item, treatment, or service is necessary for the purpose of maintaining health and mental well-being, preventing disease, or diagnosing or treating an injury, illness, or disability;
- The item, treatment, or service is not for purely experimental, research, or cosmetic purposes;

- The item, treatment, or service is funded by at least one provincial health care plan or federal agency (this principle is in keeping with the Public Service Health Care Plan criteria);
- The item, treatment, or service sustains or restores a serving member to an operationally effective and deployable member of the CAF.

As a general rule, the CF Spectrum of Care is more inclusive than provincial and territorial health care systems.

With regard to the Veteran's Transition Program, only programs that are evidence-based and require a diagnosis for participation qualify for funding by the Canadian Forces Health Services.

As you know, a mental health services for veterans is an area of responsibility that falls under Veterans Affairs Canada (VAC). For transition services, the CAF offers assistance through Second Career Assistance Network seminars, vocational rehabilitation, and liaising with third party partners. Members also have access to mental health services while serving.

#### **LEGION'S POSITION:**

The Legion will continue to advocate for recognition and funding of the Veterans Transition Program by the DND/CAF for serving CAF members.

### 24. EXTEND LEGACY OF CARE PROGRAM

VSS 23

**WHEREAS** when the Legacy of Care Program was announced, the news release indicated that all injured Canadian Armed Forces (CAF) members would be eligible for the benefits;

**WHEREAS** when implemented, the eligibility for the Canadian Armed Forces Attendant Care Benefit, the Care Giver Benefit and the Spousal Education Upgrade Benefit was

restricted to “Afghanistan only” injured CAF members and their families; and **WHEREAS** the Legacy of Care Program categorizes seriously ill and injured CAF members by where they served:

**THEREFORE BE IT RESOLVED** that the Department of National Defence/Canadian Armed Forces recognize that those who sustain illness and injury while serving their country should have access to the same benefits, regardless of the nature of their service and where and when they serve. The Legacy of Care Program benefits should be available to all those who serve their country regardless of where they were injured.

**RESPONSE:**

The Legacy of Care program was announced by the GoC in September 2010 as a joint undertaking between the DND and VAC. The program identified five key new initiatives, including \$52.5 million funding over five years, to support the ill and injured women and men of the CAF.

DND is working on barrier-free accommodations, support services in transitional accommodations, CAF attendant care benefits, and a CAF Spousal Education Upgrade Program.

Furthermore, the VAC Caregiver Recognition Benefit may be awarded to all CAF retired members who served between 1 April 1947 to 24 June 1950, or between 28 July 1953 to present, if they have received entitlement to a disability award in accordance with section 45 of the Veterans Well-being Act; require ongoing care as a result of the physical, mental, or cognitive conditions for which the disability award application is approved; and meet the eligibility criteria.

**LEGION’S POSITION:**

The Legion will continue to monitor the progress on this important issue of fairness

and equity. The Legion will continue to advocate for additional benefits to the VAC Caregiver Recognition Benefit.

**25. OUTREACH TO RESERVISTS**

**VSS 24**

**WHEREAS** the Canadian Armed Forces (CAF) are relying more on Reservists to help meet Canada’s current international commitments: for example, one of every four CAF members who have deployed to Afghanistan are Reservists and a higher proportion of Reservists are soldiers who are at greater risk of being injured;

**WHEREAS** although Reservists are eligible for New Veterans Charter services, it is often more difficult to connect them to access Department of National Defence/Canadian Armed Forces (DND/CAF) and Veterans Affairs Canada (VAC) programs because they tend to reintegrate into their civilian lives or community immediately following their deployment and may not be aware of the programs and benefits available to them; and

**WHEREAS** the DND/CAF Reserve Mentor Liaison Team four year pilot project proved successful in following up with over 90% of Reservists who had deployed and reaching out to most Reservists to communicate on available health benefits and services. This project has ceased and has not been replaced:

**THEREFORE BE IT RESOLVED** that VAC and the DND/CAF implement an outreach program to ensure all Reservists and their families are aware of the available health programs and services.

**RESPONSE:**

Veterans Affairs Canada (VAC) continues to strengthen its relationships with the Canadian Armed Forces/Department of National Defence (DND/CAF) to ensure

Reservists are informed about the programs and services for which they are eligible.

As part of the recommendations from the Service Delivery Review, VAC will include outreach as a core function of area offices and will establish more information-sharing partnerships with organizations already linked to the Veteran community, including the Reservist community to provide information.

Information briefings will be delivered to the Canadian Army Primary Reserve Unit Command Team on VAC benefits and services, our service delivery network as well as on transition from military to civilian life on medical release. These briefing and courses are scheduled for the summer of 2017.

Our Fact Sheet has been reviewed and is available on the VAC website and has also been shared with the Canadian Armed Forces (CAF). VAC is working with the CAF on their “Before You Go” Reserve initiative. Reservist-specific VAC content will be provided to the CAF and posted to their website.

The Department is currently working with the DND/CAF to strengthen the transition interview and referral process for Reservists, particularly for medically releasing Reservists. A revised business process has been created to provide guidance and direction to VAC and CAF staff.

VAC staff is delivering information sessions to Reservists and senior officers to ensure that information on benefits and services available to them are known and understood through the chain of command. VAC is also strengthening its presence at commemorative events and DND activities as they represent great networking opportunities for both sides and can contribute to positioning Veterans Affairs as a partner with the Reservists’ communities.

VAC has expanded and launched new online tools that provide information to both Regular and Reserve Force members on the benefits and services they might need.

The Reserve Office of the Canadian Forces Health Services Group has an established national outreach program. At present, 14 Field Ambulance Medical Outreach Liaison Teams are responsible for providing every primary reserve unit, including army, navy, and air force within their regions or area of operation with an annual brief on primary reserve medical entitlements. The briefings cover reserve compensation benefits, health benefits, dental plans, and mental health support. Family members are also welcome to attend. The number of annual briefings is tracked centrally so that units can be reminded through their chains of command on the importance of this information.

#### **LEGION’S POSITION:**

The Legion is satisfied with the response but will continue to advocate for proactive outreach programs to ensure that all Reserve Force members across Canada are aware of all the programs and services available and know how to access the programs. The LASS for Reserve transition experience will provide an essential indicator to ensure that programs and services are meeting the needs of this group as well as the feedback to better understand their unique needs and program requirements.

#### **26. MILITARY FAMILY RESOURCE CENTRES SERVING TRANSITIONING FAMILIES**

**VSS 25**

**WHEREAS** Military Family Resource Centres (MFRC) currently provide services to serving Canadian Armed Forces (CAF) members and their families; and

**WHEREAS** according to DND release data, on average approximately 5,000 CAF members release annually and the VAC Life after Service Study states that 25% of these members have difficulty transitioning to civilian life. Therefore approximately 1,250

release CAF members and their families face a difficult transition and could benefit from continued support from MFRCs for key services as information and referral, employment support and respite child care: **THEREFORE BE IT RESOLVED** that the CAF and Veterans Affairs Canada provide funding to ensure that MFRC services are available to Veterans and their families experiencing difficult transitions and continue to have access to the MFRC services.

**RESPONSE:**

The Government of Canada is fulfilling its commitment to do more to support families of Canada's Veterans by expanding the Veteran Family Program across all 32 Military Family Resource Centres (MFRCs).

A pilot project launched in October 2015 allowed access for medically released Veterans and their families to seven MFRCs across the country. They were also provided access to the telephone-based Family Information Line and the **www.CAFconnection.ca** website. These services were traditionally available only to still-serving members of the Canadian Armed Forces.

The expansion of the Military Family Support Program as part of Budget 2017 would result in medically released Veterans and their families having continued and uninterrupted access to all 32 MFRCs across the country, in addition to the other resources that were part of the initial pilot.

**LEGION'S POSITION:**

The Legion is satisfied with the response; however will be advocating to the VAC Minister's Advisory Committee on Families that all 32 MFRCs should be available to all Veterans and their families, not just the medical released Veterans.

**27. RESERVE FORCE PENSION  
PLAN BUYBACK DELAYS**

VSS 26

**WHEREAS** the Reserve Force Pension Plan was introduced in 2007 to provide a defined benefit pension plan for Reserve Force members based on salary and years of service; **WHEREAS** the creation of a Reserve Force Pension Plan is a positive development to bring equity to Reserve Force members and recognize their service to Canada; **WHEREAS** an Office of the Auditor General spring 2011 audit examined the how the Reserve Force Pension Plan was planned and implemented. The audit found that the Pension Plan was delayed with many Reservists waiting for their pension benefits; **WHEREAS** in 2012 the Parliamentary Standing Committee on Public Accounts report tabled to the House of Commons stated that the Department of National Defence has to improve on the deficiencies with the implementation of the Reserve Force Pension Plan and eliminate existing backlogs in distributing pension benefits: **THEREFORE BE IT RESOLVED** that the Department of National Defence, as a priority, take the necessary action to reduce backlogs in the processing of Reserve Force Pension Plan buybacks, improve controls and enhance communication of the program to Reserve Force members regarding their benefits.

**RESPONSE:**

DND transferred the administration of CAF pension plans to the Public Service and Procurement Canada (PSPC) Government of Canada Pension Centre on 4 July 2016. Active and retired CAF members, as well as their survivors, now benefit from:

- Efficient and timely processing;
- Online access for updating personal information;

- Secure messaging and inquiry features to allow the exchange of protected information with pension experts;
- Integrated virtual file management and client relationship management; and
- An online self-service portal for CAF members with a defence-wide area network and internet access.

PSPC service levels regarding the payment of a pension benefit are 45 days within the release date if all documents have been received from the plan member, or within 30 days of having received all the required documentation. PSPC has reported that the service buyback backlog was eliminated in October 2017.

DND continues to seek ways to improve communications with CAF members to work with various CAF stakeholders to enhance communication and education levels about the pension plans and associated processes.

**LEGION’S POSITION:**

The Legion is satisfied with the response and will assist the CAF with the communication about the pension plans and associated processes to CAF members.

**28. REVIEW THE REQUIREMENT FOR DUAL VOCATIONAL REHABILITATION PROGRAMS VSS 27**

**WHEREAS** SISIP Vocational Rehabilitation and Long Term Disability (LTD) program is a mandatory program to provide coverage for service and non-service related disabilities and while in the Canadian Armed Forces (CAF) members pay 15% of their insurance premiums and the Government pays 85%; **WHEREAS** Veterans Affairs Canada offers vocational rehabilitation and income support programs after release;

**WHEREAS** the relationship with SISIP leads to arbitrary time and benefit limits which prevent Veterans Affairs Canada (VAC) from developing the seamless, transparent, equitable and easy-to-navigate system of benefits it wants to offer Veterans and families;

**WHEREAS** Veterans report that they have to work with two distinct systems and programs which is confusing, and that they do not receive enough help to work through the process;

**WHEREAS** the Office of the Auditor General in a 2012 report states that “similar income support and vocational rehabilitation programs in each department continue to create confusion and difficulties,” and further recommends that National Defence and Veterans Affairs Canada conduct a joint analysis of the costs and benefits of each department operating similar programs; and

**WHEREAS** the Veterans Ombudsman’s recent report on the New Veterans Charter reports that the dual vocational rehabilitation and income support programs can be confusing for medically releasing CAF members. The report states; “That transition support for Veterans is complex is unquestionable; when two different government agencies provide the same program to the same Veteran, it does little to reduce the complexity”;

**THEREFORE BE IT RESOLVED** that the Department of National Defence (DND) and VAC conduct an analysis of the costs, benefits and outcomes of operating two similar programs to determine the future direction of the program with the goal of providing seamless service while reducing confusion and complexity of understanding the programs.

**RESPONSE:**

The Minister of Veterans Affairs and Associate Minister of National Defence, as part of his mandate, is working with the Minister of

National Defence to reduce complexity and strengthen partnerships between the two departments and to ensure a seamless, simpler transition for Canadian Armed Forces members to Veterans Affairs programs and services.

**LEGION’S POSITION:**

The Legion will continue to monitor this issue as there has not been much development in this area in the past four years.

**29. DETERMINATION OF CFSA SURVIVOR PENSIONS**

VSS 28

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

**WHEREAS** Canadian Forces Superannuation Act (CFSA) provides for a survivor allowance paid at only 50% of the member’s 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 pensioner’s death:

**THEREFORE BE IT RESOLVED** that CFSA survivor allowance be paid in an amount equivalent to at least 70% of the member’s pension, which is closer to the norm in private sector pension plans.

**RESPONSE:**

Honourable Harjit S. Sajjan,  
Minister of National Defence

In many jurisdictions, pension standards legislation provides that the pension at the time of retirement must be taken in the “joint and survivor” format. This means that the contributor’s basic pension benefit is reduced to ensure that funds are set aside to cover the

cost of a survivor benefit that would be paid should the retiree die before their spouse. With this type of plan, the survivor is entitled to 60 percent of the member’s reduced pension benefit. By contrast, the CFSA does not require a member to reduce his or her own pension in order to provide a survivor benefit.

Under the CFSA, 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 before their death.

In addition, the plan member’s bridge benefit is payable from retirement until age 65 when the unreduced Canada Pension Plan (CPP) benefit becomes payable, or earlier if in receipt of a CPP disability benefit. However, the calculation of the survivor allowance is not impacted by the cessation of the bridge benefit. This can result in a survivor benefit of greater than 50 percent of the amount that the member was receiving at the time of the member’s death.

When evaluating benefits under the CFSA, total benefits payable to survivors must be considered. 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.

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.

**LEGION’S POSITION:**

The Legion believes strongly that CFSA survivor pensions should be increased from 50% to 70% of the member’s pension. We will continue our advocacy of this important issue.

**30. ELIMINATION OF THE CANADA PENSION PLAN (CPP) OFFSET AT AGE 65**

**VSS 29; ONT 12**

**WHEREAS** Canadian Armed Forces (CAF) members who retire with Canadian Forces Superannuation Act (CFSA) pension benefits are subjected to an abatement in these benefits when they reach age 65 and are eligible to receive Canada Pension Plan (CPP) benefits; **WHEREAS** this in effect reduces CFSA benefits when these benefits are most needed; **WHEREAS** CAF members have in effect contributed to both the CPP and the CFSA, and that the CFSA Pension Fund has accrued a large surplus; and **WHEREAS** CAF members were never asked whether or not they wanted a “stacked approach” to CFSA and CPP benefits: **THEREFORE BE IT RESOLVED** the CPP offset at age 65 be eliminated and that CFSA surplus funds be used to pay “stacked benefits” similar to the benefits provided to Members of Parliament.

**RESPONSE:**

When the CPP was introduced in 1966, the decision was made to integrate the new universal plan with those offered to the federal public sector work force. At the time, contribution rates under the new CPP were set at 1.8 percent and those under the CFSA were reduced from 6 percent to 4.2 percent to ensure that the net income of plan members would remain unaffected.

As a result of the reduced contributions under the CFSA, there was a corresponding adjustment (reduction) in benefits. This reduction is equal to the amount referred to as the bridge benefit, which is paid to annuitants (in addition to the lifetime pension) until age 65 when unreduced CPP retirement benefits start or sooner, should they become eligible for CPP disability benefits.

Virtually all other employer-sponsored pension plans in Canada, including the provincial public sector pension plans, took the same approach in order to make participation in both pension plans affordable for members.

**LEGION’S POSITION:**

The Legion is committed to ensuring that no CAF pensioner should receive a smaller annuity at age 65 because of the bridging arrangement between CFSA and CPP. CAF members were not consulted when the Government made the decision to adopt the bridge rather than the stacked approach to pension benefits. This is an important issue of fairness for which we will continue to advocate.

**31. 10% ANNUAL REDUCTION IN PAID-UP DEATH BENEFIT UNDER SUPPLEMENTARY DEATH BENEFIT (SDB)**

**VSS 30**

**WHEREAS** with the passage of Bill C-78 in 1999, the annual 10% reduction in coverage of the paid-up Death Benefit for Public Servants now commences at age 66; however, the same reduction for Canadian Armed Forces (CAF) members starts at age 61; and **WHEREAS** this disparity in benefits clearly disadvantages CAF members who loyally served their country: **THEREFORE BE IT RESOLVED** that the annual reduction in coverage of the paid-up Death Benefits be delayed until age 66 to bring it in line with that of Public Servants.

**RESPONSE:**

**Honourable Harjit S. Sajjan,  
Minister of National Defence**

The Supplementary Death Benefit plan is funded by premiums from participants and contributions from the employer (the federal government). As part of Canada’s defence policy, Strong, Secure, and Engaged,

the provisions of the plan are undergoing review. Any changes will be based on member needs and on the cost implications for both members and the employer.

**LEGION'S POSITION:**

The Legion will continue to monitor the progress of this important issue of fairness and equity.

**32. ELIMINATE LTD CLAWBACK FROM RCMP DISABILITY BENEFITS**

VSS 31

**WHEREAS** as a result of a class action law suit initiated by Canadian Armed Forces (CAF) Veterans in January 2012 a landmark Federal Court decision rejected the reduction in disability pension payments for military members and ruled that its practical effect was particularly harsh to the most severely disabled Veterans;

**WHEREAS** the Federal Government accepted this ruling and announced that it will discontinue the offset of long term disability benefits from disability pension payments for military members;

**WHEREAS** similar to the lawsuit launched by disabled CAF Veterans, disabled RCMP members launched a class action lawsuit in 2008 challenging the Government's practice of Long Term Disability benefits available from Great West Life Insurance Company being reduced by the amount of the Veterans Affairs Canada Disability Benefit paid to compensate disabled RCMP Veterans for their pain and suffering; and **WHEREAS** the Government continues with this unfair practice for RCMP Veterans:

**THEREFORE BE IT RESOLVED**

the Government immediately cease this practice and undertake the necessary action to ensure disabled RCMP members receive the full-entitlement and compensation they so richly deserve.

**RESPONSE:**

The Federal Court approved a multimillion-dollar class-action settlement for a group of disabled RCMP veterans whose disability payments were clawed back. The case involved 1,056 Mounties whose long-term disability payments were reduced by the amount of their monthly disability benefits from the Veterans Affairs Department. The estimated value of the settlement is \$70 million. That includes \$30.6 million in retroactive payments, \$9.1 million in interest on those payments and \$30.3 million in future benefits. The proposed agreement also means the reduction would end for all RCMP veterans now receiving benefits and Mounties who are medically released in the future.

**LEGION'S POSITION:**

The issue is resolved.

**33. EVALUATE VETERANS TRANSITION PROGRAM FOR RCMP MEMBERS**

VSS 32

**WHEREAS** nearly 15 years ago, BC/Yukon Command of The Royal Canadian Legion partnered with the University of British Columbia to create the Veterans Transition Program (VTP) under the stewardship of Doctors Marvin Westwood and David Kuhl; **WHEREAS** the VTP is a group-based intervention that leverages the power of soldiers helping soldiers in providing a strength based, non-stigmatizing approach to help soldiers recover from operational stress injuries and launch into civilian lives; **WHEREAS** the program has proven to be successful throughout its 15 year history in assisting soldiers transitioning from their military careers into healthy, productive and contributing civilian lives; and



**WHEREAS** the VTP would be a valuable program to assist RCMP members suffering from an operational stress injury transitioning to civilian life:

**THEREFORE BE IT RESOLVED** on behalf of all RCMP, that the Government evaluate the Veterans Transition Program as a program to assist RCMP members transition from service to civilian life.

**RESPONSE:**

From The Honourable Steven Blaney,  
P.C., M.P. Minister of Public Safety  
and Emergency Preparedness

Thank you for your correspondence of January 16, 2015, regarding Legion resolutions that were passed at the 2014 Dominion Convention.

With regard to the Legion resolution to evaluate the Veterans Transition Program for RCMP members, it should be noted that the Veterans Transition Program is offered primarily to members and former members of the Canadian Forces under the Department of Veterans Affairs Act and the Veterans Health Care Regulations. At this point in time, members of the RCMP are not eligible to the provisions under this Program.

The RCMP remains committed to ensuring access to programs that are essential to the health and well-being of its members and retired members. To this end, as part of its overall health modernization initiative, programs similar to those offered to the Canadian- Forces through the Department of Veterans Affairs, will be explored.

Thank you again for taking the time to write.

**LEGION'S POSITION:**

RCMP members are eligible for the VTN, this issue is resolved.

**34. RCMP MEMBERS DISABILITIES**

**NB 3/C**

**WHEREAS** in 2012, an RCMP member in receipt of a disability pension (which includes a hearing disability) of one percent (1%) or more, may apply for an Attendance Allowance, if he/she is incapable or unable to assist themselves for feeding, bathing, dressing, toileting, mobility or medicating. They can apply by just telephoning or emailing to VAC. NO FORMS REQUIRED; **WHEREAS** upon receipt of the telephone or e-mail request, a VAC caseworker will contact them and arrange for a home nursing assessment. If the RCMP member is entitled to these services, they will be assigned an entitlement level applicable to their particular medical and/or degree of assistance required; and **WHEREAS** we agree that this is a positive step to assist our physically-disabled RCMP members, however, it has been our experience that those physically-disabled RCMP members are also seeking some assistance and support to assist them in their endeavours of housekeeping and grounds maintenance because they are physically disabled (as mentioned above) incapable of performing these tasks because of mobility: **THEREFORE BE IT RESOLVED** that if the RCMP member is so incapacitated to carry out and perform his/her basic physical needs (as described above) and if there is a requirement of additional benefits, such as housekeeping and grounds maintenance, that the VAC caseworker consider this during the interview and recommend such service to VAC, because of the mobility factor.

**RESPONSE:**

The RCMP still-serving and former members are not included in the Department of Veterans Affairs Act, and therefore, do not

fall under the mandate of the Minister of Veterans Affairs. The RCMP Act, RCMP Superannuation Act and the RCMP Pension Continuation Act provide for health services to members, and disability pensions to injuries sustained as a result of their service.

Although Veterans Affairs Canada does not have legislative authority for the RCMP, VAC has been partnering with this organization for more than 60 years and has entered into a Memorandum of Understanding (MOU) to administer a number of programs and services to their members at the request of, and on behalf of, the RCMP.

It remains the responsibility of the RCMP to determine whether or not it will continue to explore the issue of extending VIP to its members. VAC will continue to provide what support it can in the furtherance of this issue.

#### **LEGION'S POSITION:**

The RCMP is the only police service in Canada that has tax free disability pensions, services and benefits administered by VAC. However, all program funding is received yearly by the RCMP by way of a grant from the federal government. Therefore, any changes must be negotiated by the RCMP and Treasury Board in consultation with serving members and veterans.

RCMP members and Veterans in addition to their tax free disability pensions have additional services and benefits through VAC such as Attendance Allowance, Exceptional Incapacity Allowance, Clothing Allowance, Health Care Benefits, access to Operational Stress Injury (OSI) Clinics and 24 Hours Help Lines.

Many of the above services and benefits have some of the components of the VIP. For example the Attendance Allowance is provided for personal care which enables our veterans to remain in their homes. It includes feeding, bathing, dressing, toileting, mobility and medicating. However it does not include several coveted home maintenance services such as snow removal, grass cutting, housekeeping and

home adaptation. However the RCMP Benefit Trust Fund (BTF) does have funds for home adaptation under certain circumstances.

The Attendance Allowance does have some substantial advantage to the VIP. Attendance Allowance is tax free and there are survival benefits for the spouse. In addition, once the Attendance Allowance is approved, it is a monthly payment with no requirement for receipts. Veterans could purchase services that best suit their needs.

The RCMP management, serving member's representative and the RCMP Veterans Association have made proposals to develop and fund a VIP style program which would include home maintenance services.

The Legion is satisfied that the RCMP has the means to implement VIP availability for its members but possibly note the will to do so.

## **RESEARCH**

### **COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014**

#### **35. VETERANS HEALTH RESEARCH**

VSS 33

**WHEREAS** founded in 2008, CIMVHR is a pan-Canadian network of 26 Canadian universities focused on facilitating new partnerships, collaborations, funding and access to data and study populations to establish a sustainable and independent Canadian military and Veteran health research program;

**WHEREAS** the institute exists to harness the national research capacity to ensure the men and women who serve and have served our country have access to the most current healthcare knowledge possible; and **WHEREAS** the long term effect of independent research on military and Veteran health is significant to ensure a successful transition and a lifelong quality of life:

**THEREFORE BE IT RESOLVED**

that the Government provide sufficient funding to CIMVHR to establish itself and ensure its long term success as a truly Canadian independent centre of expertise for military and Veteran health research.

**RESPONSE:**

Budget 2019 prioritized funding for research focused on the unique health challenges faced by military members, veterans and their families. To enable the Canadian Institute for Military and Veteran Health Research (CIMVHR) to continue responding to the unique health needs of military members, veterans and their families, Budget 2019 proposes to provide Veterans Affairs Canada with \$25 million over 10 years, starting in 2020-21, to fund CIMVHR's ongoing operations. They are also planning to invest \$20.1 million over the next 5 years, and \$5 million annually thereafter, to create a centre of excellence on chronic pain research.

**LEGION'S POSITION:**

The Legion is very pleased with this budget announcement.

**36. CANADIAN INSTITUTE OF HEALTH RESEARCH (CIHR) TO ESTABLISH VETERANS AS A PRIORITY SUBPOPULATION GROUP**

VSS 34

**WHEREAS** CIHR is Canada's leading health research funder and allocates funding for health research in Canada; **WHEREAS** there is a lack of research on military Veterans health research focused on the unique Canadian military operation experience; and **WHEREAS** the long term effect of research on military and Veteran health is significant to ensure a successful transition and a lifelong quality of life: **THEREFORE BE IT RESOLVED** that CIHR identify Veterans as a priority subpopulation for research to ensure that

funding is allocated to meet the needs of military and Veteran health research in Canada.

**RESPONSE:**

**From The Hon. Rona Ambrose, P.C., M.P.**

Our government understands the urgent health challenges faced by Canadian military personnel, veterans and their families. This past November, at the CIMVHR Forum 2014, and in partnership with the True Patriot Love Foundation, I announced a significant investment in research devoted to the health of those who protect and serve Canadians at home and abroad.

The funding of health-related research in this area will lead to increased evidence-based results and practices and will ultimately improve the healthcare supports offered to Canada's military personnel, veterans and their families. The Government of Canada has also continued to support CIMVHR researchers through the CIHR. Since 2006, the CIHR has invested over \$113 million in projects involving CIMVHR researchers, including more than \$24 million in 2013-14 alone.

On 24 November 2014, our government also announced almost \$200 million in new and expanded mental health initiatives for serving military members, veterans and their families.

**LEGION'S POSITION:**

The Legion is satisfied with the response as Budget 2019 prioritized funding for research focused on the unique health challenges faced by military members, veterans and their families. To enable the Canadian Institute for Military and Veteran Health Research (CIMVHR) to continue responding to the unique health needs of military members, veterans and their families, Budget 2019 proposes to provide Veterans Affairs Canada with \$25 million over 10 years, starting in 2020-21, to fund CIMVHR's ongoing operations.

## SENIORS

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 37. LEGISLATION FOR PENSION PROTECTION

VSS 35

**WHEREAS** many large corporations are in financial trouble and individual pensions are at risk; and

**WHEREAS** the Federal Government is able to pass legislation to modify pension, corporation and bankruptcy laws:

**THEREFORE BE IT RESOLVED** that the Federal Government enact legislation to better protect individual pensions.

#### **RESPONSE:**

**From The Honourable Ken Sorenson,  
Minister of State Finance**

Thank you for your correspondence of January 16, 2015, which was referred by the Office of the President of the Treasury Board, the Honourable Tony Clement, to the Minister of Finance, the Honourable Joe Oliver. In my role as Minister of

State (Finance), I am pleased to respond. Please excuse the delay in replying.

Private workplace pension plans provide an important source of retirement income for employees and their families. Registered Pension Plans (RPPs) in federally regulated businesses such as banking, telecommunications and interprovincial transportation are subject to the Pensions Benefits Standards Act, 1985 (PBSA). The provinces have established similar legislative frameworks.

The Government of Canada seeks to protect federally regulated pension plans through the funding requirements of the Pension Benefits Standards Regulations, 1985 (PBSR). Promised benefits are subject to a

required actuarial valuation to determine the plan's liabilities, which in turn determines the required contribution levels. Should the value of a plan's liabilities exceed that of its assets, employers are typically required to remit to the plan additional funds to return the plan to fully funded status. Actuarial valuations are conducted using two different sets of actuarial assumptions: "solvency valuations" use assumptions consistent with a plan being terminated on the valuation date, while "going concern valuations" are based on the plan continuing in operation.

In your correspondence, you indicate that the Government should enact legislation to better protect individual pensions. I would like to share with you some changes that we have made in recent years to support pension plans and provide strong regulatory supervision.

In October 2009, our Government announced a series of measures to strengthen the legislative and regulatory framework for federally regulated private pension plans. The package includes measures to enhance protections for plan members; reduce funding volatility for defined benefit plans; make it easier for participants to negotiate changes to their pension arrangements; and improves the framework for defined contribution plans and for negotiated contribution plans. More information is available on the Department of Finance Canada website at [www.fin.gc.ca/n08/09-103-eng.asp](http://www.fin.gc.ca/n08/09-103-eng.asp).

A number of legislative amendments to the PBSA were made through the Jobs and Economic Growth Act, which received royal assent in July 2010, and through the Sustaining Canada's Economic Recovery Act, which received royal assent in December 2010. To set out the details and to fully implement many of these measures, amendments to the PBSR were made in June 2010, with a second tranche of amendments issued in March 2011. Some of these measures include: requiring that plans

be fully funded on plan termination; limiting employer contribution holidays; eliminating the ability for a sponsor to declare partial termination; and requiring immediate vesting of benefits. More information on these changes can also be found on the Department's website at [www.fin.gc.ca/n11/11-032-eng.asp](http://www.fin.gc.ca/n11/11-032-eng.asp).

On March 25, 2015, a third tranche of amendments to the PBSR was published in the Canada Gazette to improve the framework for defined contribution plans, modernize pension investment rules, and enhance disclosure and protection for employees and pensioners. These changes can be found at [www.gazette.gc.ca/rp-pr/p2/2015/2015-03-25/pdf/g2-14906.pdf](http://www.gazette.gc.ca/rp-pr/p2/2015/2015-03-25/pdf/g2-14906.pdf).

Regarding your organization's concerns with the protection of individual pensions and the Government's authority to amend bankruptcy legislation, under the PBSA, pension plan assets must be held separately from the employer, and are not considered part of the employer's assets. Because plan assets are not considered part of the employer's estate on bankruptcy, they cannot be seized by creditors.

Canada's two main bankruptcy statutes, which are the responsibility of the Government and Industry Canada in particular, are the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act. The Winding-up and Restructuring Act is a third statute that is primarily used by financial institutions. As bankruptcy law is the responsibility of the Minister of Industry, the Honourable James Moore, I have forwarded a copy of your correspondence to him.

Our Government will remain focused on creating jobs, spurring economic growth, and helping the middle class. We will remain committed to being prudent with taxpayers' dollars in order to leave more money in the pockets of hard-working Canadians.

#### **LEGION'S POSITION:**

The Legion is satisfied with the response but will continue to monitor pension plan protection.

#### **38. CANADA SENIORS INDEPENDENCE PROGRAM VSS 36**

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

**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 follow up on a recommendation of The Royal Canadian Legion adopted by the Prime Minister's (PM) Task Force on seniors that a national Seniors Independence Program be implemented to assist seniors to live independently in their own homes and communities for as long as they are able.

#### **RESPONSE:**

**From The Honourable Alice Wong, P.C., M.P.**

We all recognize and appreciate the important role that seniors play in our communities. The Government of Canada continues to help address the needs of seniors and is committed to ensuring that all seniors receive the benefits to which they are entitled. For seniors who are homeless, this can be particularly difficult.

But for seniors who are homeless and have mental health problems, ensuring that they receive the benefits for which they are eligible can be an extreme challenge.

Earlier this year, I was pleased to introduce a new initiative that will help vulnerable seniors receive their Old Age Security (OAS), Guaranteed Income Supplement (GIS) or Canada Pension Plan (CPP) benefits. There are seniors in our communities who are incapable of managing their own affairs because of a mental or physical illness or impairment and who may be homeless or at risk of becoming homeless. This initiative allows individuals and organizations, such as municipalities, established charities and non-profit organizations, to apply to act as third-party administrators on behalf of vulnerable seniors.

As an organization that is involved in issues related to seniors' vulnerability and homelessness, you or your staff may already know of such vulnerable seniors in your community. My hope is that you may consider acting as a third party for them. Our government needs your help to reach this particular group of vulnerable seniors. I encourage you to share the enclosed fact sheet with colleagues and partners, and to apply to become a third-party administrator on behalf of a senior who needs assistance in receiving OAS, GIS or CPP benefits.

To learn more about third-party administration, please visit <http://www.servicecanada.gc.ca> and follow Services for you > Seniors > Helping vulnerable seniors > More, or call 1-800-277-9914. You can also contact Mr. Michael Kidd, Executive Director, CPP and OAS Operations, at 819-654-7784 or [michael.a.kidd@servicecanada.gc.ca](mailto:michael.a.kidd@servicecanada.gc.ca).

Our government is committed to the well-being of Canada's seniors. For more information, please visit <http://Canada.ca/Seniors>.

#### **LEGION'S POSITION:**

The response does not answer the resolution and The Legion will continue to advocate for a national Seniors Independence Program be implemented to assist seniors to live independently in their own homes and communities for as long as they are able. The Dominion President sent a letter to the Prime Minister dated 11 December 2018 highlighting the importance of seniors' health care. Health Canada responded that as part of this commitment, the PM announced a Minister of Seniors. As announced in Budget 2018, the GoC has invested \$75 million in the Healthy Seniors Pilot Project in New Brunswick to fund a range of applied research initiatives that will focus on helping seniors to be active, live safely and enjoy good health. It will provide useful information for governments and stakeholders across the country on how to better support seniors in their homes, communities and care facilities. The Legion was very pleased with this investment in seniors' health and will closely monitor the Healthy Seniors Pilot Project.

## POPPY AND REMEMBRANCE

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 39. NAVY LEAGUE OF CANADA – SUPPORT FOR FUNDING FROM DND BC/YUKON 1/C

**WHEREAS** in each Community where there is a Navy League Cadet program, the funding necessary for the program needs to cover: housing, Cadet uniforms, Officer uniforms, Cadet activities, and this falls onto the Navy League Cadets. AS WELL as the expectation of their support of the Royal Canadian Sea Cadet Program; **WHEREAS** there is no Department of National Defense financial support for any factor of the Navy League Cadet Program, as there is for the Air Cadet Program, the Army Cadet Program and the Sea Cadet Program; **WHEREAS** in the past the Navy League of Canada has depended on financial support from The Royal Canadian Legion and other community organizations; and **WHEREAS** with the decline of membership in The Royal Canadian Legion and the Legion's increased expenses and restrictions on the use of donations from the Legion's Poppy fund, this creates a hardship to the funding of the Navy League Cadet Program: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion will support the Navy League of Canada, in their application for support for funding from the Department of National Defense.

#### **RESPONSE:**

This has been implemented.

#### 40. ANNUAL VETERANS VISIT – MEAL COST SASK 7/C

**WHEREAS** costs continue to increase every year: **THEREFORE BE IT RESOLVED** the amount allowed to be spent on a meal for a Veteran be increased from up to \$18 to up to \$25 from the Poppy fund.

#### **RESPONSE:**

This has been implemented. The Poppy Manual Section 403 h. has been amended to reflect this change.

#### 41. USE OF POPPY FUNDS NS/NU 2

**WHEREAS** the Poppy Fund ensures that Veterans and their families are cared for, provide assistance to, and treated with respect that they truly deserve; **WHEREAS** the Poppy Trust Fund may be used once a year to provide an annual visit to a Branch for any local Veterans to offer a meal and camaraderie up to eighteen dollars (\$18) excluding alcoholic beverages or other services such as entertainment; and **WHEREAS** the Poppy Trust Fund may be used once a year to cover the reasonable transportation expenses of Veterans to and from the local Branch: **THEREFORE BE IT RESOLVED** that the Poppy Trust Fund may be used once a year to offer a meal up to eighteen dollars (\$18) for a spouse/caregiver accompanying a Veteran.

#### **RESPONSE:**

This has been implemented. The Poppy Manual Section 403 h. has been amended to reflect this change.

### 313. POPPY FUND – SECTION 1116

BC/Yukon 11

**WHEREAS** The General By-Laws of The Royal Canadian Legion allow for the use of Poppy Funds under section 1116, for the purpose of funding Veteran Transition Programs, make allotments not exceeding 50 percent of the balance in the Poppy Trust Fund on the thirtieth (30th) day of September in the Poppy Year preceding the expenditure; **WHEREAS** The General By-Laws of The Royal Canadian Legion allow for the use of Poppy Funds under section 1107, to support the RCEL, by making allotments not exceeding twenty-five percent of the total available in the account on the date prior approval is requested; **WHEREAS** BC/Yukon Command established the VTP with UBC and in 2013 it became its own entity under Veterans Transition Network and is now supported nationally and is one the most vital programs offered to our Veterans; and **WHEREAS** BC/Yukon Command has had to deny acceptance of SUE requests from branches as the requests were above the 50% entitlement under section 1116, yet would have been approved if the same formula was used as in section 1107. **THEREFORE BE IT RESOLVED** that Article XI Poppy Fund of The General By-Laws be amended to change the amount in section 1116 to read, not exceeding twenty-five percent of the total available in the account on the date prior approval is requested preceding the expenditure.

**RESPONSE:**

This has been implemented.

### 316. USE OF POPPY TRUST FUNDS FOR VETERAN'S SUFFERING FROM POST TRAUMATIC STRESS DISORDER (PTSD)

ALTA-NWT 14

**WHEREAS** Veteran's diagnosed with PTSD as a result of Service; **WHEREAS** it has been proven that service dogs are a direct benefit to the general and mental health of a Veteran; and **WHEREAS** the Government will compensate Veterans for medication only and that the Veteran has to bear the total cost associated with service dogs: **THEREFORE BE IT RESOLVED** that, subject to the prior approval of the Provincial Command Office, a District or Branch may, for the purposes of supporting costs associated with service dogs, expend a portion of the money in the Poppy Trust Account, not exceeding twenty-five percent (25%) of the total available in the account, on the thirtieth (30th) day of September in the year preceding the expenditure.

**RESPONSE:**

This has been implemented. The Poppy Manual Section 403 m. includes the initial cost to purchase of a service dog.



**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2016**

**5. USE OF POPPY ON VETERAN'S OBITUARY  
ONT 2/C**

**WHEREAS** there is no identification on an obituary that is a Veteran; and **WHEREAS** the use of the poppy on Veterans license plates identifies it's a Veteran: **THEREFORE BE IT RESOLVED** that the use of the poppy on a Veterans obituary will identify it as a Veteran's death notice.

**RESPONSE:**

This has been implemented.

**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2018**

**6. JUNIOR CANADIAN RANGER PROGRAM  
BC/Yukon 6**

**WHEREAS** The Royal Canadian Legion recognizes Air cadets, Army cadets and Navy cadets as members of the Canadian Cadet Organizations; **WHEREAS** The Royal Canadian Legion allows for financial support of the Air cadets, Army cadets and Navy cadet programs from Poppy funds; and **WHEREAS** the Junior Canadian Rangers are recognized by attached National Defense document 1901-260/5 (D Res 2-3) dated 23 June 1998 as cadet organization pursuant to section 46(1) of the National Defense Act: **THEREFORE BE IT RESOLVED** that the Junior Canadian Rangers be recognized by The Royal Canadian Legion as a member of the Canadian Cadet Organization; and **BE IT FURTHER RESOLVED** that the Junior Canadian Ranger program

be recognized as being eligible for financial support from the Poppy funds of The Royal Canadian Legion

**RESPONSE:**

This has been implemented. Forms part of article 403.ii.g. in the Poppy Manual.

**8. POPPY MANUAL - SECTION 402 V. - SEMINARS  
ALTA-NWT 3/C**

**WHEREAS** We are an organization, in place, to take care of our Veterans, RCMP and their families in time of need; **WHEREAS** Mental Health Issues arising from traumatic events has become a real and relevant issue in our society and group gatherings for discussion & peer support, training or courses for mental health, its first aid and suicide prevention are all important aspects to the health and well being for those members and their families; and **WHEREAS** Our Branches and locations were established to be a comfortable environment for those affected by Mental Health issues and should be a venue for supporting and de-stigmatizing those said issues of our Veterans and their families and that proper training courses are required to adequately assist those affected: **THEREFORE BE IT RESOLVED** that the Poppy Manual, Section 402 (v) Seminars include the following provision: (b) reimbursement of reasonable expenses incurred by Branches in hosting any type of Mental Health seminar, education program, OSI/PTSD program or any type of Mental Health First Aid training to acquire the skills necessary to assist any Veteran and their families who may be in need of this assistance within their communities.

**RESPONSE:**

This has been implemented. The Poppy Manual Section 402 v. b has been amended to include this expense.

**9. POPPY MANUAL – ADD MEMORIAL WALLS AS ACCEPTED MONUMENTS**

**ALTA-NWT 8**

**WHEREAS** The Poppy Manual (Page 53 Glossary; Cenotaphs) currently excludes Memorial Walls as accepted “Monuments” if they have a secondary wall function; **WHEREAS** Memorial Walls are generally accepted as monuments “which honour persons or groups whose remains are elsewhere” (Page 53 Glossary; Cenotaphs), as in the recognition afforded the Peacekeepers Wall in Peacekeepers Park in Calgary, the Canadian Vietnam Veterans Memorial Wall and the Canadian Afghanistan Memorial Wall; **WHEREAS** A Monument in the form of a Memorial Wall “Salute to our Veterans” has been constructed by the Town of Okotoks, located on Veterans Way, with the advice and assistance of the Okotoks Legion Branch; the Wall including laser etched granite images (names and faces) of 165 Okotoks WWII soldiers, sailors and airmen, as well as historical text in English and French; and cast, powder coated poppies having been approved by the Dominion Command Poppy and Remembrance Committee; **WHEREAS** Despite funding having been provided by Veterans Affairs, the Okotoks and District Historical Society and the Town of Okotoks, the Branch was prevented from contributing from its Poppy Trust Funds under the definition of a Cenotaph; and **WHEREAS** A Monument is different in its very purpose from a Cenotaph (Chaplain presiding over the dedication of the Wall): **THEREFORE BE IT RESOLVED** that the Poppy Manual be amended to allow

the interpretation of “Monuments” to include Memorial Walls, that may or may not have a secondary wall function.

**RESPONSE:**

This has been implemented.

**10. POSTER & LITERARY CONTEST VIDEO ENTRY**  
**SASK 3/C**

**WHEREAS** fostering Remembrance is one of the primary goals of the Royal Canadian Legion and has been since the Legion’s inception; and **WHEREAS** the remembrance contests focus on creative ways to cultivate participation by youth in many parts of Canada: **THEREFORE BE IT RESOLVED** that the Royal Canadian Legion expand the remembrance contest to include video contest in which students may participate. The video contest would encourage students to use modern technology to creatively honour the memories of those who have sacrificed greatly for our nation and more student participation in remembrance contests would result. In this way the Royal Canadian Legion would be including modern means to promote the message of remembrance throughout Canada as well as providing a wider platform for student participation.

**RESPONSE:**

This program is being developed as part of the Legion Foundation’s mandate.

**11. POSTER & LITERARY CONTEST – HONOURABLE MENTION**  
**ONT 1/C**

**WHEREAS** at Branch, Zone, District and Provincial Levels, a monetary prize and certificate are always provided to the first, second and third place winners of the Poster, Poem and Essay competitions;

**WHEREAS** at Dominion Command, a monetary prize and certificate are provided to the first and second place and only a certificate is provided to the honourable mention of the Poster, Poem and Essay competitions;

**THEREFORE BE IT RESOLVED**

that Dominion Command provides not only certificate but also monetary prize to the honourable mention of the Poster, Poem and Essay competitions;

**THEREFORE BE IT FURTHER**

**RESOLVED** that Dominion Command change the honourable mention category to read third place to align with the other levels of the Poster and Literary competitions.

**RESPONSE:**

This has been implemented.

**12. OCEAN WAR GRAVES**

**ONT 9**

**WHEREAS** Canada does not have any designated laws to protect sunken Naval Vessels (ocean war graves);

**WHEREAS** scuba diving and pillaging of these sunken vessels is becoming a popular sport;

**WHEREAS** these graves are increasingly vulnerable to grave robbers, with rumours of someone displaying a human skull on their mantelpiece; and

**WHEREAS** there is no headstone amongst the flowers for those who perish at sea:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion, recommend and most strongly urge Canada's Government to legally recognize Ocean War Graves that would put the loss of a Sailor on the same standing as the loss of Soldiers and Airmen/Women.

**RESPONSE:**

No response from government yet received.

**LEGION'S POSITION:**

Will continue to pursue.

**13. POSTER AND LITERARY CONTEST PERMISSION**

**ONT 10**

**WHEREAS** Item D of the current Entry Form for Poster and Literary Contests under the heading Student Consent states "I give The Royal Canadian Legion permission to reproduce my entry for the sole purpose of promoting this program and the Legion for the current contest year. The Royal Canadian Legion does not rent or sell the names of applicants to any organization or advertiser";

**WHEREAS** Item E of the current Entry Form for Poster and Literary Contest under the heading Parent or Guardian's Permission states "I hereby give my child permission to complete the entry form in full for the Poster or Literary Contest sponsored by The Royal Canadian Legion"; **WHEREAS** there is no rule acknowledging the entry has been completed solely by the student himself; and

**WHEREAS** there is no rule acknowledging the permission was authorized by a Legal Guardian:

**THEREFORE BE IT RESOLVED** that beginning the 2019 campaign Item D of the Entry Form for Poster and Literary Contests under the heading Student Consent be amended to include the following wording "I am the sole creator of the entry";

**BE IT FURTHER RESOLVED** that item E of the Entry Form for Poster and Literary Contests be amended to read the heading "Parent or Legal Guardian's Permission"; and

**BE IT FURTHER RESOLVED** that Item E of the Entry Form for Poster and Literary Contests be amended to include the following wording "I acknowledge that my child was the sole creator of the entry."

**RESPONSE:**

This has been implemented.

**14. POSTER & LITERARY CONTEST –  
POSTER MATERIALS**

**ONT 11**

**WHEREAS** Item #3 of the current nation Youth Education Programs Booklet for the Poster and Literary Contest states “Please use only the following for the contest entered:  
Colour Poster: Full Colour  
Black and White: Pencil, charcoal  
and/or India Ink. and

**WHEREAS** Item #3 does not state what poster materials can be used and is acceptable:

**THEREFORE BE IT RESOLVED** that Item #3 of the Youth Education Programs Booklet for the Poster and Literary Contests also include “We will only accept entries done on PAPER or BRISTOL BOARD. Entries done on other materials such as canvas, or photographs and three dimensional entries made of tinsel, cotton or wooden sticks for example, will not be accepted. Computer Generated posters for both colour and black and white posters contests are not accepted”.

**RESPONSE:**

This has been implemented.

**15. POSTER & LITERARY CONTEST RULES AND REGULATIONS**

**ONT 12**

**WHEREAS** the current Rules and Regulations for the Literary Contest state that, “Entries will be marked on the basis of originality of thought, expression, presentation, grammar, spelling and Canadian content”; and

**WHEREAS** there is no rule addressing, the copying and reproducing of previously published works;

**THEREFORE BE IT RESOLVED** that the Rules and Regulations for the Literary Contest be amended to include the rule:

“The copying or reproducing of previously published works in whole or in part, without either the written permission from the author/source or, without identifying the author/source in the work will result in the work being automatically disqualified.”

**RESPONSE:**

This has been implemented.

**308. LAV III MONUMENT**

**ONT 2**

**WHEREAS** the Dominion Executive Council of The Royal Canadian Legion has determined that Poppy Trust Funds cannot be used for the LAV III Monument to Afghanistan Veterans initiated by various Branches of The Royal Canadian Legion because by their definition the LAV III project does not constitute a monument;

**WHEREAS** Webster’s dictionary defines monument “as something erected in memory of a person or event i.e. any structure which acquires a memorial value with the passing of time”;

**WHEREAS** the Poppy Trust Fund can be used for memorial projects to honour Veterans as per article 403 section II para e of the Poppy Manual; and

**WHEREAS** Veterans Affairs Canada recognizes the LAV III monument project by providing fifty (50%) percent of the funding for any Branch undertaking this memorial to Afghanistan Veterans:

**THEREFORE BE IT RESOLVED** that the Dominion Executive council rescind their objection and fully support the use of Poppy Trust Funds for the LAV III monument project to honour Afghanistan Veterans as allowed in article 403-ii-e of the Poppy Manual.

**RESPONSE:**

This has been implemented.

### 310. VISITING HOSPICE PROGRAM

ONT 5

**WHEREAS** donations to hospitals are made through the Poppy Trust Fund and hospital services support Veterans and all community members; and

**WHEREAS** Veterans, and the community benefit from the Visiting Hospice Program which is provided to these individuals where ever they live:

**THEREFORE BE IT RESOLVED** that the Royal Canadian Legion include the Visiting Hospice Program as an authorized Special Use expenditure supported by the Poppy Trust Fund.

**RESPONSE:**

This has been implemented.

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021

#### 5. POPPY MANUAL – UPDATE SECTION 402 II. BC/Yukon 16

**WHEREAS** Section 402 (ii) of the Poppy Manual allows for acquisition, maintenance or rental of medical alert systems for Veterans and their widows/widower to a maximum of \$300.00 annually;

**WHEREAS** Veterans Affairs Canada does cover payment for the Emergency Call Devices for some Veterans but not all Veterans; and **WHEREAS** the annual cost of monitoring medical alert systems often puts undue financial burdens on Veterans:

**THEREFORE BE IT RESOLVED** that Section 402(ii) of the Poppy Manual be modified to include the monitoring of medical alert systems to a maximum of \$1,500.00 annually.

**RESPONSE:**

This has been implemented. This has been incorporated into section 402(ii) of the Poppy manual.

#### 6. POPPY STATUS REPORT

ALTA-NWT 1/C

**WHEREAS** Article 130(b) of the General By-Laws states that the financial year for the Poppy year shall commence on the 1st day of October each year and terminate on the 30th day of September the following year, except for Dominion Command;

**WHEREAS** Article 208(h) of the Poppy Manual states the Branch President shall ensure that the Branch Status Report, Poppy Trust Funds is completed by 31st October and submitted to the appropriate Provincial Command;

**WHEREAS** Current policy results in Branches reporting after the annual campaign has already commenced placing undue burden on Poppy and financial staff; and

**WHEREAS** General Accounting Practices and accrual accounting dictate that having the Poppy year terminate on 31st December each year is more productive:

**THEREFORE BE IT RESOLVED** that Dominion Command be approached to amend Article 130(b) of the General By-Laws and Article 208(h) of the Poppy Manual to amend the Poppy Year for all Branches to read commencing on the 1st day of January each year and terminating on the 31st day of December each year.

**RESPONSE:**

This has been implemented. This has been incorporated into the Poppy Manual Article 208(h) and General By-Laws Article 130(b).

**7. TIMING OF POPPY YEAR**

**ALTA-NWT 2/C**

**WHEREAS** Article 130(b) of the General By-Laws states that the financial year for the Poppy year shall commence on the 1st day of October each year and terminate on the 30th day of September the following year, except for Dominion Command;

**WHEREAS** Article 612(a) of the Poppy Manual states that Provincial Commands are required to submit an annual audited statement of the Command Poppy Trust Fund Account for the previous fiscal year by 31st December each year;

**WHEREAS** Article 1206(b) of the General By-Laws states that each Provincial Command shall submit, to Dominion Command, annually by the 31st day of December an audited statement of its Poppy Trust Account for the previous year;

**WHEREAS** current policy results in Branches having to report statistics to the Provincial Command after the annual campaign has already commenced. This places undue burden on Poppy, Command and financial staff; and

**WHEREAS** general accounting practices and accrual accounting principles dictate that having the Poppy year terminate on 31st December each year is more productive:

**THEREFORE BE IT RESOLVED** that Dominion Command be approached to amend the General By-Laws and Poppy Manual for the Poppy Year for all Provincial Commands to be the calendar year;

**BE IT FURTHER RESOLVED** that Dominion Command be approached to amend Article 130(b) of the General By-Laws to read: “The financial year for all poppy accounts will be the calendar year.”; and **BE IT FURTHER RESOLVED** that Dominion Command be approached to amend Article 612(a) of the Poppy Manual to read: “Provincial Commands are required to submit

an annual audited statement of the Command Poppy Trust Fund Account for the previous fiscal year by 31st of March each year.

**RESPONSE:**

This has been implemented. Article 612(a) of the Poppy manual as been amended

**8. POPPY FUNDS FOR EDUCATION 402 VI. A.  
ALTA-NWT 6**

**WHEREAS** the granting of bursaries from Poppy funds is limited to students who are veterans, children, grandchildren or great-grandchildren, per Section 402 vi (a) of the Poppy Manual;

**WHEREAS** the Poppy Manual, Section 401, states that the basic purpose and obligation of the Poppy Trust funds are to assist a Veteran as defined in subsection 101.d of the General By-Laws, and their families; and

**WHEREAS** the spouse of a veteran is an integral part of a family:

**THEREFORE BE IT RESOLVED** that the inclusion of “spouse” be added to Section 402 vi (a) to allow the granting of bursaries to a spouse of a veteran.

**RESPONSE:**

This has been implemented. Section 402 vi(a) of the Poppy manual has been amended to include “Spouse.”

**9. POPPY MANUAL 403. II. K. –  
COIN SORTING MACHINES MAINTENANCE  
ONT 6**

**WHEREAS** section 403 ii (k) allows for 10% of the purchase price of a coin sorting machines used for the Poppy Campaign with an approved Special Use Form to be paid for out of the branch Poppy account; and

**WHEREAS** it is good practice to keep these sorting machines properly maintained so that they may be used fully and without the risk of malfunction when needed during the Poppy Campaign: **THEREFORE BE IT RESOLVED** that 10% of the cost of maintenance for coin sorting machines designated to count/sort/wrap coins collected during the annual Poppy Campaign be included in Section 403 ii (k) along with the purchase of same.

**RESPONSE:**

This has been implemented. The Poppy manual Section 403 ii (k) has been amended.

**10. E-TRANSFERS INTO POPPY TRUST FUNDS**

**ONT 7**

**WHEREAS** People are using contactless payment methods more than cash; and **WHEREAS** The Legion's Poppy Campaign and Donations have been adversely affected; and **WHEREAS** Dominion Command has been moving towards electronic donations using a tap feature on Poppy Boxes; and **WHEREAS** The Branches which provide front line services for Veteran Support have not been afforded a similar opportunity; **THEREFORE BE IT RESOLVED** that the option of electronic money transfer, contactless payment and tap donation for direct deposit into Poppy Trust Funds of Branches for poppy donations be immediately made available to all Branches.

**RESPONSE:**

This has been implemented. The option of electronic money transfer, contactless payment and tap donations for direct deposit into Poppy Trust Funds of Branches for poppy donations are now available.

**11. SCHOOL CURRICULUM**

**NB 3/C**

**WHEREAS** Canadian Veterans have answered the call to duty by Canada in time of Peacekeeping; **WHEREAS** Canadian Veterans have answered the call to duty by Canada in time of war; **WHEREAS** Canadian Veterans of World War II are now in their mid-nineties and very few remain; **WHEREAS** the sacrifices made by our Canadian Veterans have never been forgotten by the citizens who they have freed from oppression; and **WHEREAS** the same cannot be said that here in Canada their memory is being passed on to the younger Canadian generations as part of our school curriculum: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion should be lobbying our Provincial and Territorial Governments to have their Canadian Veterans sacrifices made part of the school curriculum, so that their memory will never fade away and will forever be REMEMBERED.

**RESPONSE:**

Action will be taken. This will be incorporated beginning in 2022 and continue on in the coming years.

## MEMBERSHIP

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 43. ABILITY TO APPLY FOR MEMBERSHIP VIA ELECTRONIC MEANS

##### Membership 2

**WHEREAS** currently all applications to the Legion must be made in writing;  
**WHEREAS** the increasing use of electronic correspondence, such as e-mail, is widely accepted as replacing solely written forms of correspondence and other transactions/communications/agreements are taking place over video conferencing solutions such as SKYPE and Facetime; and  
**WHEREAS** by agreeing to terms and conditions as stipulated in an electronic document, such as an e-mail, PDF or scanned documents, or other forms of electronic correspondence, may be accomplished by clicking a check-box or having a person reply with their acceptance and that such acceptance is recognized as legally binding;  
**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion should also accept applications for membership, renewal or reinstatement by electronic means as those described above.

##### **RESPONSE:**

This has been implemented

#### 44. EXTEND THE NUMBER OF YEARS OF SERVICE A MEMBER IS ABLE TO BUY BACK

##### Membership 3

**WHEREAS** Legion By-Law 1204 a. stipulates that a lapsed member may buy back their current year's membership and/or the preceding two years only;

**WHEREAS** this same By-Law recognizes extraordinary cases where, with proper documentation, lapsed members may renew and buy back exceptional numbers of years of service; and

**WHEREAS** in an effort to facilitate the process of reinstating lapsed members the Legion recognizes the need to extend the years of service a lapsed member may buy back:  
**THEREFORE BE IT RESOLVED** that this By-Law be changed to reflect that a lapsed member will be eligible to buy back the current year and any years of unpaid dues.

##### **RESPONSE:**

This has been implemented

#### 45. TO CHANGE QUALIFICATIONS FOR RCMP MEMBERS TO JOIN THE LEGION

##### Membership 4

**WHEREAS** under General-Bylaw 206 e. a member of The Royal Canadian Mounted Police must have served a minimum of one year with the Force before being eligible to apply to the Legion for membership;  
**WHEREAS** a member of the RCMP, upon graduating from training at Depot, is considered by the Force as being a full-fledged member of the RCMP;  
**WHEREAS** these same individuals will meet all the age and citizenship requirements to become members of the Legion; and  
**WHEREAS** there is no time restriction for members of the Canadian Armed Forces to have served before being able to join the Legion:  
**THEREFORE BE IT RESOLVED** that this By-Law be changed to reflect that members of the RCMP are eligible to join the Legion upon graduation from training at Depot.

##### **RESPONSE:**

This has been implemented



**46. MEMBERSHIP FORMS**

**BC/Yukon 8**

**WHEREAS** The Royal Canadian Legion's very existence is dependent on the renewal and recruitment of members;

**WHEREAS** it is an onerous task of ensuring this information is delivered in a timely fashion to meet the deadlines set out by Dominion Command;

**WHEREAS** it is reliant on volunteers, either elected or appointed into the position as membership chair to complete the numerous forms that are required for new applicants, transfers, data changes and death notification; and

**WHEREAS** this is a very arduous task for branches regardless of membership numbers:

**THEREFORE BE IT RESOLVED**

that Dominion Command develop a simplified single form that will address all the necessary information for membership input requirements; and **BE IT FURTHER RESOLVED** that Dominion Command also provides the ability for electronic submission of the new form by branches.

**RESPONSE:**

This has been implemented

**47. MEMBERSHIP – ELECTRONIC PAYMENT AND PRE-AUTHORIZATION OF DUES PAYMENTS**

**BC/Yukon 16**

**WHEREAS** recruitment and retention programs have been developed and implemented at both Dominion and Provincial Command levels to focus efforts on membership recruitment and retention;

**WHEREAS** The Royal Canadian Legion continues to see a reduction in membership numbers;

**WHEREAS** some Commands have successful recruiting campaigns bringing in new members while renewal and retention efforts fail; and

**WHEREAS** there are electronic and pre-authorized methods of payment in the finance industry:

**THEREFORE BE IT RESOLVED**

that Dominion Command develop and implement a program to permit payment of membership dues online or through an automatic dues deduction system from the member in their preferred method; and

**BE IT FURTHER RESOLVED**

that Dominion Command develop and implement a program to permit automatic renewal of membership dues through pre-authorized payments.

**RESPONSE:**

This has been implemented

**48. FREE ONE YEAR MEMBERSHIP TO NEWLY RETIRED VETERANS**

**ALTA-NWT 5/C**

**WHEREAS** The Royal Canadian Legion created a program in June 2008 that offers newly retired Veterans a free one year membership;

**WHEREAS** a holding branch has been set up at Dominion Command for these newly retired Veterans;

**WHEREAS** membership in this holding branch is valid for one year and, once the free membership period has expired, members are notified and asked to transfer their membership to a local Branch of their choice;

**WHEREAS** members who do not transfer their membership to a local Branch at the end of the one year free membership are moved into Branch 13-013;

**WHEREAS** section 224 of The General By-Laws states in part “upon approval of the application, the applicant upon initiation shall become a member. Initiation shall include the declaration of loyalty to the Sovereign”; **WHEREAS** the purpose of the initiation is twofold: to have the member declare his/her loyalty to the Sovereign and to welcome the new member to The Royal Canadian Legion fraternity; **WHEREAS** membership in the holding branch does not provide the new member with the opportunity to declare his/her loyalty to the Sovereign nor does it provide for the initiation of the member as stipulated in section 302 of the Ritual and Insignia Manual; and **WHEREAS** discussions with a large number of these new members, who recently retired from CFB Wainwright, indicate that they do not renew their membership at the end of the one year free term as they do not feel they are a part of our organization: **THEREFORE BE IT RESOLVED** that the free one year membership to Newly Retired Veterans Program be continued. However, the membership should be at the Branch nearest to the declared address on release or at a Branch of the member’s choice. Upon receipt of the one year free membership card, it would then be that Branch’s responsibility to conduct the initiation ceremony including the declaration of loyalty.

**RESPONSE:**

This has been implemented

**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2018**

**312. ONE YEAR FREE MEMBERSHIP FOR  
ALL QUALIFYING VETERANS  
ONT 3**

**WHEREAS** free membership for a Veteran will receive an electronic edition of *Legion magazine* instead of a printed version is offered to those retiring from the military, The Royal Canadian Legion offers a 1 year free membership to thank members for their service; **WHEREAS** free membership is offered to graduating Cadets in recognition of their service a 1 year free membership in the Legion; **WHEREAS** a graduating cadet is only 18 years of age and comes from an organization of about 60,000 cadets. Members of the Canadian Armed Forces do not receive this invitation until they are at least 37 years of age; **WHEREAS** the Legion specifically defines a veteran as “any person who is serving or who has honourably served in the Canadian Armed Forces, the Commonwealth or its wartime allies or as equal Member of the Royal Canadian Mounted Police, or as a Peace Officer in a Special Duty Area, or on a Special Duty Operation, or has served in the Merchant Navy or Ferry Command during wartime”; **WHEREAS** less than 13 percent of veterans that join the Canadian Forces stay until retirement age (only 7 percent of females say beyond 25 years). The average career in the Reserve Force is 4 to 5 years, and for the Regular Force it is 11.5 years; **WHEREAS** The Royal Canadian Legion continues to decline in membership numbers and is unable to recruit most of the 603,000 living veterans in Canada. **WHEREAS** based on the number of living veterans vs the number that reach retirement age The Royal Canadian Legion is filing to

reach out and offer a membership to more than 525,000 living veterans in this country when it come an invite by free membership.

**THEREFORE BE IT RESOLVED** that any person who has met the criteria of Veteran and has never been a member be given a 1 year free membership with The Royal Canadian Legion.

**RESPONSE:**

Upon further investigation, the cost of an electronic edition of *Legion Magazine* is similar to the cost of the printed version of *Legion Magazine* as it is administered by a 3rd party and charged in US dollars. As a result, the printed copy of *Legion Magazine* will be offered.

**LEGION’S POSITION:**

This has been implemented.

**COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021**

**13. CONTINUOUS SERVICE ON LAPEL PINS  
ONT 1/C**

**WHEREAS** currently the lapel pin reflects the number of continuous years of membership that a member has been in their current category; and **WHEREAS** a number of members have changed category including the members who were previously in the “FRATERNAL” category and have their start date amended: **THEREFORE BE IT RESOLVED** that Dominion Command provide the number of years on the lapel pins to reflect the total number of continuous membership that a member has regardless of previous category.

**RESPONSE:**

This resolution has been implemented. Resolution was passed and has been implemented with corresponding years of service Lapel Pins now available through Supply.

**15. DOMINION COMMAND DELEGATES  
NB 4**

**WHEREAS** Article 903(a) states every branch shall be entitled to send to a convention, one delegate for every 100 voting members or fraction thereof; **WHEREAS** membership in Branches is getting smaller and smaller; **WHEREAS** Branches with less than 100 voting members cannot send more than one (1) delegate this stopping other voting members the right to attend convention as accredited delegates; and **WHEREAS** more than one (1) voting member of a small branch should be able to vote at convention: **THEREFORE BE IT RESOLVED** that Article 903(a) be changed to read “Every Branch shall be entitled to send to a convention two (2) delegates for every 100 Voting members or fraction thereof and 1 delegate for the remaining 100 members or fraction thereof.”

**RESPONSE:**

This resolution has been implemented. Resolution was passed and the Generals By-Laws have been updated.

## RITUAL AND AWARDS

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2016

#### 307. CHAPTER 3 ARTICLE 306 OF THE RITUAL AND AWARDS MANUAL ALTA-NWT 3

**WHEREAS** the explanation of Legion Emblems explains the National Flag of Canada represents our country throughout the world. The red and white are the colours of Canada. The Maple Leaf has been regarded as a Canadian Emblem since 1700, if not before; **WHEREAS** the explanation of the Canadian Red Ensign reads “the Canadian Red Ensign holds a special place in the hearts and minds of Veterans and all Canadians, The 1922 to 1957 version flew over Canada during World War II, the Korean War and the reigns of George V and George VI and the coronation of Queen Elizabeth II; **WHEREAS** There is no reference to the conflicts in which Canada has been involved in since the Korean Conflict such as the Gulf War, the Afghan War on Terrorism, the many United Nations and NATO Missions; and **WHEREAS** Many of Canada’s military personnel sacrificed their lives, many of them suffered honourable wounds and disabilities in these conflicts; these Veterans, are not recognized as referred to with the Canadian Red Ensign: **THEREFORE BE IT RESOLVED** That the explanation of the National Flag of Canada, Chapter four (4) page 65 be amended to read; The National Flag of Canada represents our country throughout the world. The red and white are the colours of Canada. The Maple Leaf has been regarded as a Canadian Emblem since 1700. Since it’s inauguration in 1965, it has flown over Canada during the

Gulf War, the Afghan War on Terrorism and many United Nations and NATO Missions.

#### **RESPONSE:**

This has been implemented.

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2018

#### 19. INITIATION/WELCOMING CEREMONY NS/NU 10

**WHEREAS** The Ritual, Awards and Protocol Manual, Chapter, Article 404 has been amended to include an abbreviated Initiation/ Welcoming Ceremony as approved by DEC; **WHEREAS** Any reference to loyalty to the reigning Sovereign or to Canada has been removed from the ceremony; **WHEREAS** It is considered to be a general principle of membership in The Royal Canadian Legion to pledge allegiance to the reigning Sovereign and to Canada; and **WHEREAS** The Legion badge symbolizes loyalty to our Sovereign and our remembrance of our fallen comrades and fellow Canadians: **THEREFORE BE IT RESOLVED** that Article 404 (second paragraph of the Presiding Officer’s remarks) be amended as follows:  
“The Legion shall stand for loyalty to the reigning Sovereign and to Canada, for strong and united Comradeship....”

#### **LEGION’S POSITION:**

This has been implemented.

#### 319. WAYS AND MEANS BAR BC/Yukon 3

**WHEREAS** Ways and Means committees at Branch levels are vital for fund raising and make it possible for Branches to make donations; and

**WHEREAS** Ways and Means Chairmen are still not recognized by a Committee Bar:

**THEREFORE BE IT RESOLVED**

that Dominion Command strikes a Ways and Means Bar.

**RESPONSE:**

This has been implemented.

**21. CADET MEDAL OF EXCELLENCE FOR JUNIOR CANADIAN RANGERS**

**ONT 13/C**

**WHEREAS** section 129 of the Ritual, Awards and Protocol Manual refers only to each Cadet Corps/Squadron;

**WHEREAS** both the Cadet Corps/Squadron and Junior Canadian Rangers are both

Government of Canada youth programs (12 to 18 years of age) funded by the Department of National Defence, the Canadian Armed Forces and community organizations; and

**WHEREAS** members of the Junior Canadian Rangers and Cadet Corps/Squadron are under the leadership of members of the Canadian Armed Forces and the Junior Canadian Rangers receive no recognition for their individual endeavours:

**THEREFORE BE IT RESOLVED** that the awarding of The Royal Canadian Legion Cadet Medal of Excellence be amended to include the awarding of the medal to our Junior Canadian Rangers based on the same criteria as the Cadet Corps/Squadron.

**RESPONSE:**

This has been implemented.

**COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021**

**216. LEGION MEDALS**

**BC/YUK 4/C**

**WHEREAS** the government of Canada as well as the Canadian Armed Forces have long recognized honors and awards by awarding decorations and medals to its members.

Everything from the Victoria Cross to anniversary and commemorative medals are awarded. These medals can be worn on the left hand side of the Legion blazer as per protocol;

**WHEREAS** The Royal Canadian Legion has also recognized honors and awards by awarding decorations and medals. Everything from the meritorious service medal and palm leaf to anniversary medals can be worn on the right hand side of legion dress as per protocol;

**WHEREAS** the general public has often confused legion medals with service medals although they are worn on different sides of the legion blazer and are different in appearance;

**WHEREAS** these medals are awarded for service or recognition. This situation should not be confused by mixing in medals that can be purchased for collection or vanity;

**WHEREAS** Legion members work hard for, and are very proud of the medals and awards they receive. Mixing them in with medals that have been purchased reduces their significance. Wearing purchased medals on the same uniform or blazer as awarded military medals reduces the significance of the military medals as well; and

**WHEREAS** mixing together these highly valued awarded medals with medals that can be purchased, greatly reduces the perceived or intrinsic value of the awarded medals.

**THEREFORE BE IT RESOLVED** that all medals, including commemorative medals, distributed and sold by Dominion Command to Branches, Districts, Zones, Ladies Auxiliary's and Provincial Commands, be clearly identified as not for resale; and **BE IT FURTHER RESOLVED** that no Legion medals be sold to the public or individuals outside of replacement of these medals.

**RESPONSE:**

This has been implemented.

## **CONSTITUTION AND LAWS**

### **COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014**

#### **49. ELECTIONS**

ALTA-NWT 16

**WHEREAS** section 6. b. of the Rules of Procedure For Legion Meetings contradicts the fundamentals of a democratic society in matters respecting the conduct of elections by not ensuring that each member has the opportunity to cast a ballot for each candidate, particularly in the case of advance polling, e.g., a Vice-President who has dropped down to the next level having not been successful at the first level nominated;

**WHEREAS** section 1303 of The General By-Laws respecting Matters of Procedure states in part "In all matters of procedure not provided for in the By-Laws of any command or branch, the provisions of the Legion's "Rules of Procedure for Legion Meetings" shall apply..."; and

**WHEREAS** the fundamentals of a democratic society include competitive elections that are fair both substantively and procedurally and each vote has an equal weight, each citizen an equal opportunity to vote and each candidate has an equal right to support from those who chose to vote for him:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion replace section 6. b. of the Rules of Procedure for Legion Meetings with wording that ensures that all Branches in all Commands conduct their elections in the same manner thus ensuring consistency in the conduct of an election and that each member has an opportunity to cast a ballot and that each candidate has an equal opportunity to receive support after having dropped to a lower level.

**RESPONSE:**

This has been implemented.

## COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2016

### 308. MANDATORY EXPULSION UPON CONVICTION FOR THEFT OR MISAPPROPRIATION NS/NU 7

**WHEREAS** theft or misappropriation of Poppy funds, Legion funds or property is a deliberate and heinous crime against The Royal Canadian Legion, Veterans and the communities served by the Legion;  
**WHEREAS** any member who steals from The Royal Canadian Legion is in serious breach of the purposes and objects of the Legion;  
**WHEREAS** theft or misappropriation of Poppy funds, Legion funds or property is a criminal offence that should be dealt with by the criminal justice system;  
**WHEREAS** when such offence is dealt with by the criminal justice system and the offence is proven and results in a conviction, the offender is deemed to have had the benefit of due process;  
**WHEREAS** when guilt is proven in a court of law there should be no need to further establish guilt nor penalty under Article III of The Royal Canadian Legion ; and  
**WHEREAS** there is precedence in Article 203 of The General By-Laws to cease the membership of anyone who is proven by trial or admission that he or she has contravened the objects of the Legion:  
**THEREFORE BE IT RESOLVED** that any person convicted under the Criminal Code of Canada of theft or misappropriation of Poppy funds, Legion funds or property shall be automatically expelled from The Royal Canadian Legion upon the superior command having received notification and documentation of such conviction from the respective branch or Command;  
**BE IT FURTHER RESOLVED** that Article III be amended to remove the obligation

to further pursue a determination of guilt or disciplinary action when a conviction for theft or misappropriation of Poppy funds, Legion funds or property has been determined by the criminal justice system; and  
**BE IT FURTHER RESOLVED** that Article II – Membership General, be amended to include expulsion when a conviction for theft or misappropriation of Poppy funds, Legion funds or property has been determined by the criminal justice system.

#### **RESPONSE:**

The immediate expulsion of a member without Legion review was deemed to be problematic in that there may be extenuating circumstances to be considered. Therefore the amendment to the General By-Laws at article 202 reflects more lenient approach that gives the Dominion President some flexibility when making decisions involving expulsion for the crimes listed in this resolution.

## COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2018

### 20. GENERAL BY-LAW 122 B BC/Yukon 8

**WHEREAS** General Bylaw 122 b currently provides the criteria under which Provincial Commands may use Incorporation as a means to undertake a housing and/or domiciliary care program in its own right or to approve a branch of the command so doing;  
**WHEREAS** it is stated that if a Branch or a Provincial Command wishes to build a new building and/or one that contains a housing component, and that project cost exceeds \$500,000, Dominion Command approval must be sought;  
**WHEREAS** present construction costs range between \$250 to \$350 per square foot;

**WHEREAS** the financial limitation of \$500,000 for the value of the project above which approval of Dominion Command must be sought is unrealistically restrictive; and **WHEREAS** Provincial Commands are fully capable of assessing the viability for such projects and assuming responsibility for them: **THEREFORE BE IT RESOLVED** that the \$500,000 limitation in the above cited General Bylaw be removed and that it be necessary to require only Provincial Command approval for all such projects; **FURTHER IT BE RESOLVED** that if a Branch or Provincial Command wishes to enter into a building and/or housing development project, where incorporation may or may not be required, approval must still be obtained from Provincial Command; and **FURTHER IT BE RESOLVED** that Provincial Command understand that where any use of the word LEGION is to be used in the name of the facility authorized and approved as specified above, permission must be requested and approval obtained from Dominion Command before the word LEGION may be used.

**RESPONSE:**

This has been implemented.

**321. HARASSMENT ARTICLE 3**

**BC/Yukon 7**

**WHEREAS** Harassment and Sexual Harassment belittles, demeans and is very harmful psychologically to those subjected to it; **WHEREAS** Harassment and Sexual Harassment erodes public and member confidence in The Royal Canadian Legion to promote a Harassment and Sexual Harassment free environment; **WHEREAS** the current General By-Laws Article 3 in their current form do not adequately or clearly cover the

process to properly lodge a complaint of Harassment or Sexual Harassment;

**WHEREAS** the current General By-Laws Article 3 in their current form require those subjected to Harassment and Sexual Harassment to guess under which sub-paragraph to lodge a complaint;

**WHEREAS** Harassment and Sexual Harassment by their nature are very traumatic events for the complainant including those involved that the 15-day limit in the General By-Laws Article 304, c, i is insufficient; and **WHEREAS** because it may take longer than 15-days for the complainant to be able to come forth with their complaint due to the trauma are victimized again by the Legion due to a technicality in the existing General By-Laws:

**THEREFORE BE IT RESOLVED**

that the General By-Laws Article 304, a, be amended to include Harassment and Sexual Harassment as a separate complaint subject as Article 304, a, vii; and

**BE IT FURTHER RESOLVED** that General By-Laws Article 304, c, be amended with the addition of a separate sub paragraph to state: “Where a complaint alleges Harassment or Sexual Harassment it must be lodged within 90 days from the time the alleged incident occurred to constitute a valid complaint.”

**LEGION’S POSITION:**

This has been implemented.

**COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021**

**16. GENDER EQUALITY**

**NB 1/C**

**WHEREAS** the Chaplain’s Manual (p.1) states: “In fact it is the policy of the Legion to be open to accepting of Comrades from all walks of life”;



**WHEREAS** The Royal Canadian Legion’s General By-Laws under purposes and objects specifically item (b) to bring about unity of all who have served and item (w) to engage only in activities which will be to the credit and benefit of the Canadian Community and which will encourage and promote the positive reputation of the Legion;

**WHEREAS** all members are to “have equal privilege and standing” as stated in By-Law 101(b);

**WHEREAS** The Royal Canadian Legion By-Laws under interpretation 101 (p) indicates masculine words include the feminine, may now be outdated language as the Legion has evolved over the years to modernize the interpretation of spouse and Veteran, among others, to keep up with the current culture of Canada and our evolving understanding of what it means to be human;

**WHEREAS** The Government of Canada returned to the original version of “O Canada” which was originally written with gender neutral language and are becoming more aware of social justice issues throughout Canada;

**WHEREAS** The use of masculine pronouns provide an impression that women are excluded from the organization or excluded from various leadership positions such as chairman;

**WHEREAS** equality is better for everyone;

**WHEREAS** Gender neutral language such as “Chairperson” or “Chair” indicates inclusivity for all; and

**WHEREAS** The Royal Canadian Legion actively promotes membership in the Legion through new member recruitment and retention campaigns and the use of gender neutral language may help to increase and retain new members:

**THEREFORE BE IT RESOLVED**

A) The Royal Canadian Legion remove By-Law 101 (p); and

B) The Royal Canadian Legion revises their General By-Laws to reflect the use of gender neutral language.

**RESPONSE:**

All Legion publications will reflect gender neutral terminology. The General By-Laws have been revised to reflect gender neutral terminology.

## SPORTS

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2016

#### 7. DOMINION SPORTS CHAMPIONSHIPS

QUE 5/C

**WHEREAS** only six Commands participate in the National Curling; **WHEREAS** Cribbage is doing very well for all Commands; it makes a profit and many seniors participate; and **WHEREAS** Darts is extremely popular and profitable for all Commands and many young members participate: **THEREFORE BE IT RESOLVED** that Curling be cancelled at the National level; and **BE IT FURTHER RESOLVED** that Darts and Cribbage remain as they are at the National level so as not to adversely affect the Commands that rely on these events.

#### **RESPONSE:**

Dominion Curling was officially cancelled in 2016.

## DEFENCE AND SECURITY

### COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2014

#### 326. VETERAN IDENTIFICATION CARD

ONT 8

**WHEREAS** various companies and government agencies have begun offering special considerations to veterans but ask for proof of service; **WHEREAS** those of our veterans who completed service more than twenty years ago were given their service documents and these are not easily carried at all times; and **WHEREAS** the government, when asked to issue a suitable, i.e. wallet size identification card, has sited cost as the first impediment: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion be prepared, and so indicate to DND and VAC to issue such a card; **BE IT ALSO RESOLVED** this would be handled in the same manner as various Provincial Commands dealing with the issuing of veterans license plates and Dominion Command would issue a wallet size card indicating the bearer did serve honourably in Her Majesty's Forces.

#### **RESPONSE:**

**Honourable Harjit S. Sajjan,**  
**Minister of National Defence**

The Canadian Armed Forces (CAF) introduced a new Veteran's Service Card (VSC) on September 11, 2018, in response to a call for action by CAF members, veterans, and the Veterans Ombudsman. The VSC was rolled out in close consultation with Veterans Affairs Canada (VAC) and will be distributed to former and releasing Canadian Armed Forces members who completed basic training and have been honourably released.

The new VSC provides a tangible symbol of recognition for former CAF members, encourages an enduring affiliation with the CAF, and ensures linkages to VAC support programs as members transition to post-service life as veterans. The VSC is intended for distribution to currently releasing CAF members, approximately 26,000 eligible veterans who released between 2016 and 2018, and as many as 450,000 eligible veterans who released prior to 2016.

The new VSC displays the veteran's name, photo, former service number, and rank on release. It has no expiry date. It is important to note that the VSC is not intended for use as an official ID card, pursuant to Treasury Board Secretariat policy and other guidelines on official identification cards.

The VSC is not intended to replace the CFOne card, which is used by veterans, CAF members, and their families to access programs and services delivered by Canadian Forces Morale and Welfare Services, including the CANEX Rewards Program and the official discount program offered through the CF Appreciation Program.

Specific questions about the implementation of the VSC can be directed by email to

P-O TG.VSCquestions@forces.gc.ca. More information on the VSC is available online: [www.canada.ca/en/department-national-defence/services/benefits-military/transition/service-card.html](http://www.canada.ca/en/department-national-defence/services/benefits-military/transition/service-card.html).

#### **LEGION'S POSITION:**

The Legion is satisfied with the response; however will continue to monitor the release of the new Veteran's Service Card. Veterans released between February 2016 and September 2018 can now request their Veteran's Service Card, with the downloadable, mail-in application. The new Veteran's Service Card (VSC) helps you stay connected to military and veteran

support programs during your transition from military to civilian life. This card also recognizes your previous service as a Canadian Armed Forces (CAF) member. This staged approach allows the Department of National Defence and Veterans Affairs Canada to ensure that the necessary resources are in place to verify, produce, and distribute the Veteran's Service Cards.

## **COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2016**

### **305. CANADIAN MILITARY VOLUNTEER SERVICE MEDAL (CMVSM)**

#### **BC/YUKON 6**

**WHEREAS** Remembrance and support of our Canadian Military and their families are central to the goals and objectives of The Royal Canadian Legion;

**WHEREAS** Veterans Affairs Canada considers a Veteran to be "any former member of the Canadian Armed Forces who is released with an honourable discharge and who successfully underwent basic training." ;

**WHEREAS** thousands (estimates vary between 30,000-50,000) of Canadians have volunteered for service in the Canadian Armed Forces and because they served less than 12 years and were not posted to a war zone or a peace keeping zone have not and are not recognized for their service to Canada;

**WHEREAS** there is an annual significant decline in the membership of The Royal Canadian Legion and there is increasing need to support our Veterans, an increase in membership would be an asset;

**WHEREAS** many of these military volunteers do not see The Royal Canadian Legion to be relevant to them, recognition of their service would encourage interest and involvement in the Legion; and

**WHEREAS** several other military organizations (ex. Royal Canadian Airforce Association among others) have, and continue to, petition the Federal Government for recognition of the voluntary military veterans: **THEREFORE BE IT RESOLVED** that The Royal Canadian Legion petition the Federal Government for a medal to recognize all Canadian military veterans who have volunteered to serve in the Canadian Armed Forces.

**RESPONSE:**

Honourable Harjit S. Sajjan,  
Minister of National Defence

Over the last decade, numerous similar proposals have been discussed by both the military and government interdepartmental honours policy committee.

The CAF is a volunteer force, and the provision of aid to the civil power in Canada is an integral part of the CAF mission and responsibilities. For this reason, medals have not been created for joining the Canadian military, for taking part in domestic operations, or for the defence of our country itself.

In order to maintain the established standards of the Canadian Honours System and to protect the prestige and integrity of official honours in the eyes of recipients, there are two honours policy requirements that are looked for when considering a proposal to create a new medal for military service: the medal must be respected and it must be credible.

To be valuable in the eyes of the troops and the Canadian public, our medals must represent service performed either in a theatre of active operations, in an operational setting (with the presence of danger, threat, hardship, or operational intensity), or under exceptional circumstances. If service is comparable in nature and setting to normal duty that is performed from the safety of a country distant from a theatre or that could be

performed in Canada, it falls outside the scope of campaign and overseas service medals.

Members of the Regular Force and the Reserve Force receive the Canadian Forces Decoration (CD) in recognition of 12 years of military service and good conduct. Those who perform above and beyond the call of duty may be nominated for a wide range of individual or group honours, such as meritorious service decorations, bravery decorations, Chief of the Defence Staff and Command commendations, and other departmental awards.

**LEGION'S POSITION:**

The Legion accepts the government's decision.

**COMMENTS ON RESOLUTIONS DOMINION  
COMMAND CONVENTION 2018**

**314. RE-INSTATE CANADIAN  
VOLUNTEER SERVICE MEDAL  
ONT 7**

**WHEREAS** the Royal Canadian Legion is a Veterans organization and comprised of Veterans, their families and those who support the cause;

**WHEREAS** the current state of the Canadian Honours and Awards leaves many deeds of the Canadian Armed Forces members un-recognized;

**WHEREAS** at one time the Government of Canada issued "The Canadian Volunteer Service Medal' (CVSM), a Volunteer Service Medal to recognize Canadian s who served voluntarily in the Canadian Forces;

**WHEREAS** this honourable and noteworthy acknowledgment of volunteerism by our Veterans and our Troops abruptly stopped on March I, 1947;

**WHEREAS** Veterans Affairs Canada considers any former member of the Canadian Armed Forces who releases with an

honourable discharge and who successfully underwent basic training to be a Veteran; **WHEREAS** in the current Honours and Awards System some of the established awards include: Peacekeeping Service Medal, United Nations Headquarters Medal, Queens Medal for Champion Shot, and commemorative medals; **WHEREAS** Veterans and Legion Members expect the Legion to advocate on behalf of Veterans and the Military; and **WHEREAS** over 2000 Canadians have signed Parliament of Canada E-Petition 1418 in support of the reinstatement of the Canadian Volunteer Service Medal; **THEREFORE BE IT RESOLVED** that the Royal Canadian Legion's Defence and Security Committee, as a government stakeholder, immediately advocate through the Chancellery of Honours their support of the Canadian Volunteer Service Medal's reinstatement and issue.

**RESPONSE:**

Honourable Harjit S. Sajjan,  
Minister of National Defence

Over the last decade, numerous similar proposals have been discussed by both the military and government interdepartmental honours policy committee.

The CAF is a volunteer force, and the provision of aid to the civil power in Canada is an integral part of the CAF mission and responsibilities. For this reason, medals have not been created for joining the Canadian military, for taking part in domestic operations, or for the defence of our country itself.

In order to maintain the established standards of the Canadian Honours System and to protect the prestige and integrity of official honours in the eyes of recipients, there are two honours policy requirements that are looked for when considering a proposal to create a new medal for military service: the medal must be respected and it must be credible.

To be valuable in the eyes of the troops and the Canadian public, our medals must represent service performed either in a theatre of active operations, in an operational setting (with the presence of danger, threat, hardship, or operational intensity), or under exceptional circumstances. If service is comparable in nature and setting to normal duty that is performed from the safety of a country distant from a theatre or that could be performed in Canada, it falls outside the scope of campaign and overseas service medals.

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**LEGION'S POSITION:**

The Legion accepts the government's decision.

**316. ELIGIBILITY AND CRITERIA FOR  
THE MEMORIAL CROSS  
NS/NU 7**

**WHEREAS** Eligibility and criteria for the Memorial Cross: VAC and DND have created three different timelines for the eligibility and criteria for when, who, and how many family members may be granted The Memorial Crosses;

**WHEREAS** Case 1: For members who retired or transferred to the Supplementary Reserve before 7 October 2001 and died before 12 December 2008 the Memorial Cross is granted to the mother (if living) and/or the widow (if legally married or common law) of a CAF member that either: dies in a Special Duty Area (SDA); dies while proceeding to

or returning from a SDA; or dies from causes directly attributable to service in a SDA;

**WHEREAS** Case 2: For members who retired or transferred to the Supplementary Reserve before 7 October 2001 and died on or after 12 December 2008, the Memorial Cross is granted to up to two recipients previously identified by the former member whose death is directly attributable to service in a SDA;

**WHEREAS** Case 3: For members who served in the Canadian Armed Forces (other than the Supplementary Reserve) on or after 7 October 2001, the Memorial Cross is granted to up to three recipients previously identified by the member whose death is the result of an injury or disease related to military service, regardless of location; and

**WHEREAS** The three different sets of eligibility and criteria have created three different levels of recognition of sacrifice for our fallen CAF members:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion petition the Federal Government to remove the date of 7 October 2001 therefore having the same level of recognition and grant three Memorial Crosses to each and every family who has lost a loved one while serving Canada.

**RESPONSE:**

Honourable Harjit S. Sajjan,  
Minister of National Defence

The Memorial Cross is an important Canadian symbol of remembrance dating back to 1919. With the evolution of society, particularly in the makeup of the modern family, it was felt for many years that this Canadian memento was in need of modernization. With this in mind, the Department of National Defence and Veterans Affairs Canada set to work together with a view of cancelling the old Orders-in-Council and replacing them with one modern document with unified criteria. However,

after much work and research, and upon consideration of the legal advice received from legal advisors from both departments as well as from the Department of Justice, it became clear that major obstacles made it impossible to proceed further in this direction.

Any new Order-in-Council must be in line with modern Canadian laws and trying to apply such new rules back in time, when several of the current legal concepts did not exist, posed significant difficulties and litigation risks. That is why new Orders-in-Council usually become effective on or around the date they are promulgated. As time passes, society and the values it cherishes evolve. Therefore, not going back in time with new rules ensures that events and actions are judged by the standards and values of the time, compared with other contemporary examples, and that past decisions are not second-guessed.

Consequently, a fresh start was made to enable modernizing the rules for the Memorial Cross for recent deaths and going forward. The most current rules apply for deaths of persons who served in the CAF on or after October 7, 2001, and died as a result of their military service. This start date was selected as it marked the beginning of the Canadian contribution to the campaign against terrorism, thereby ensuring that all our Afghanistan casualties would be treated under the same set of rules.

While the new rules governing the grant of the Memorial Cross cannot apply back in time, you may rest assured that this in no way diminishes the sacrifice of those who came before and the loss that their families have suffered or the respect that we have for them.

**LEGION'S POSITION:**

The Legion accepts the government's decision.

## COMMENTS ON RESOLUTIONS DOMINION COMMAND CONVENTION 2021

### 402. CANADIAN ARMED FORCES (CAF)

#### D&S 1

**WHEREAS** the Royal Canadian Legion is concerned over the allegations of sexual misconduct at all levels of the CAF and the need for long lasting cultural change, the need to improve the reporting and investigation of sexual misconduct incidents and to provide support to survivors in the CAF;

**WHEREAS** in a 2018 Statistics Canada Survey, in the 12 months preceding the survey, 900 members of the Regular Force and 600 members of the Primary Reserve Force reported that they had experienced sexual assault in the military workplace or by a CAF member, DND employee or civilian contractor;

**WHEREAS** there is a need for an independent external oversight body to ensure that initiatives to change the culture and eliminate sexual misconduct are implemented by the CAF;

**WHEREAS** there is a need for independent investigations, that there must be a safe, secure and supportive environment for victims to report and that those who are found to have committed the misconduct be held accountable.

**WHEREAS** many previous studies have stated the need for an independent oversight body including:

- The 1995 Report on the Study of Mechanics of Voice/Complaint Resolution in the Canadian Armed Forces by Brigadier General (Retired) Larry T. Doshen which recommended that the establishment of an Inspector General office would give members confidence that their voice would be heard;

- The 1996 Report of the Special Advisory Group (SAG) on Military Justice and Military Police Investigation Services by the late former Chief Justice of Canada, Brian Dickson recommended the establishment of an independent office of complaint and review system;
- The 1997 Report of the Somalia Commission of Inquiry recommended that the National Defence Act be amended to establish an independent Inspector General office with a well-defined and independent jurisdiction, comprehensive powers and reporting directly to Parliament;
- The 2015 Report, External Review into Sexual Misconduct and Sexual Harassment in the Canadian Armed Forces by Former Supreme Court Justice Marie Deschamps recommended the establishment of independent centre for accountability for sexual assault and harassment outside of the CAF with the responsibility for receiving reports of inappropriate sexual conduct, as well as prevention, coordination and monitoring of training, victim support, monitoring of accountability, and research, and to act as a central authority for the collection of data.
- The 2021 Report of the Third Independent Review Authority to the Minister of National Defence by Justice Morris Fish on the provisions of the National Defence Act related to military justice recommended the review of the independent oversight and redress mechanisms of the CAF; and
- The 2021 House of Commons Status of Women Committee Report, Eliminating Sexual Misconduct within the CAF: Report 4 recommended the establishment of a fully independent Inspector General Office.

**THEREFORE BE IT RESOLVED**

that to effect meaningful change that the Dominion President of the Royal Canadian Legion call on the Government to establish a fully independent Office of the Inspector General of the Canadian Armed Forces and the Department of National Defence reporting to Parliament.

**RESPONSE:**

No response from the government received.

**LEGION'S POSITION:**

The Legion will continue to advocate for independent oversight.