



Social Security  
Tribunal of Canada

Tribunal de la sécurité  
sociale du Canada

Citation: *SC v Minister of Employment and Social Development*  
(formerly *Minister of Human Resources and Skills Development*) and *SP v Minister of*  
*Employment and Social Development*  
(formerly *Minister of Human Resources and Skills Development*), 2021 SST 682

Tribunal Files Numbers: GP-20-877 and GP-20-870

BETWEEN:

**S. C.**

Appellant

and

**Minister of Employment and Social Development**  
**(formerly Minister of Human Resources and Skills Development)**

Respondent

and

**S. P.**

Appellant

and

**Minister of Employment and Social Development**  
**(formerly Minister of Human Resources and Skills Development)**

Respondent

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**SOCIAL SECURITY TRIBUNAL DECISION**

**General Division – Income Security Section**

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DECISION BY: Antoinette Cardillo

Canada 

DATE OF DECISION: ~~September 9, 2021~~

**CORRIGENDUM DATE: September 22, 2021**

## REASONS AND DECISION

[1] The parties to this appeal have requested that the Member make a decision pursuant to Section 18 of the *Social Security Tribunal Regulations* based on the agreement dated September 8, 2021.

[2] The agreement says:

The Appellant (S. C.) resided in Canada from the date he landed in Canada on August 15, 1988 until December 28, 1994, and from April 14, 2010 to June 16, 2021. Therefore, pursuant to section 3(2) of the *Old Age Security Act*, he is entitled to a partial pension of 10/40th from December 2013 onwards. He is also entitled to receive the Guaranteed Income Supplement (GIS) pursuant to section 11 of the *Old Age Security Act* effective December 2013 onwards.

Based on the fact that the Appellant (S. C.) is eligible for the Old Age Security pension and the GIS effective December 2013, S. P. (the Appellant's spouse) is entitled to the Allowance benefit amounts she received from July 2014 to April 2017.

As a result, the Appellant (S. C.) was overpaid the OAS partial pension and GIS amounts he received for the period of July 2011 to November 2013. The overpayment amount is \$37, 039.59.

[3] The appeal is allowed in accordance with the agreement.

Antoinette Cardillo  
Member, General Division - Income Security