

Am I Eligible for CPP Disability Benefits?

The Canada Pension Plan Disability Program provides financial assistance to CPP contributors who are incapable of working due to disability. Benefits are paid monthly to eligible applicants and their dependant children.

In order to qualify for CPP Disability, you must meet the following criteria:

- be under age 65;
- have earned a specified minimum amount and contributed to the CPP while working for a minimum number of years (4 out of the last 6 years, or 3 out of the last 6 years if you have 25 or more years of contributions); and
- have a severe and prolonged disability according to the CPP legislation.

As long as you meet the minimum contributory requirements, then all you must establish is that you meet the test for disability as defined by the Act by the date of your Minimum Qualifying Period (MQP). The definition of disability used by the Canada Pension Plan is explained at Section 42(2) of the Act. This states that:

(a) a person shall be considered to be disabled only if she is determined in prescribed manner to have a severe and prolonged mental or physical disability, and for the purposes of this paragraph,

i) a disability is severe only if by reason thereof the person in respect of whom the determination is made is incapable regularly of pursuing any substantially gainful occupation, and

ii) a disability is prolonged only if it is determined in prescribed manner that the disability is likely to be long continued and of indefinite duration or is likely to result in death.

It is important to realize that the onus is on the Applicant to establish his or her case for entitlement; that is, the responsibility lies with you to ensure that all relevant medical documentation is submitted with your application.

The government does not provide an advocacy service to assist you in the appeals procedure, however this does not mean that you have to go through this process alone. Our firm will personally prepare you for your CPP Disability Claim. We can assist you with your initial application, and represent you at your hearing before the Review Tribunal, and at the level of the Pension Appeals Board if required.

Contact our office for your free consultation today.