

should know that Bill C-176 had higher priority at the crucial time in late June. However, I am directed to say on behalf of the hon. member for Calgary North (Mr. Woolliams) that this party at that time did give an undertaking that this bill would be considered and passed within a certain time, as there is today, and we are adhering to that undertaking.

The other matter I wish to talk about is this. Unfortunately, I have to hang my remarks on this particular clause rather than on clause 14 of the bill since that clause is not before us on report stage. I want again to make a plea to the government to remove forever from the members of this House, members of the armed forces and the Royal Canadian Mounted Police the disadvantage they suffer and have suffered since *anno domini*, it seems, regarding any pension they might have arising out of service to the public.

For example, if these people go to another position in the public service, they cannot carry their pensions with them. As far as Members of Parliament are concerned, we recently have had the cases of the hon. member for Brant and prior to that of the then Solicitor General. I know of two former colleagues of the Minister of Justice (Mr. Turner) who are presently in the public service of Canada. One of them has had many years' service in this House, but unfortunately he has not been entitled in any way to enjoy that which he had earned and to which he had contributed.

If he had been in private industry, then he would have been able to contribute to a pension or retirement plan of his own, take up his position with the public service of Canada, and thus benefit from his own contributions to and participation in a pension plan. But we have this anachronistic and hoary rule that says that a Member of Parliament cannot enjoy or take with him his pension entitlement should he take a position in the public service of Canada, whether as judge or to an appointment on a government commission. The exception is service with a provincial administration.

This is where the whole thing breaks down. He has a pension from the Crown in the right of Canada, and if he becomes a provincial judge or, say, head of the civil service commission, or even an ombudsman, as the former commissioner of the Royal Canadian Mounted Police did in the province of Alberta, he can draw his full pension to which he is fully entitled on his retirement from the federal service. He can then take up this other position because he is qualified to do so and discharges the duties of his office with efficiency and competence.

The point I want to make is this. Some of the members of this House will in the future be appointed to the bench, and it is for these people that I make this plea. As I understand it, any member of the House who is a lawyer and is appointed to the bench—there have been many instances of this in the past and these members have made extremely competent and good judges—receives the return of his contributions to the pension plan. In this bill there is some slight relief. Although they personally will not enjoy this relief, it is possible that there might be a residuary passing to their estate after these members die, and this certainly is a halfway step. I have talked to a great number of members on both sides of the House as

well as to the minister's colleagues, and they share this opinion.

• (2:40 p.m.)

I have spoken to the minister but I am not going to suggest what he thinks. I will tell him what some of his colleagues think. The point I am trying to make is absolutely justified. We must wipe away this rule. A man in the armed services who has put in his full time and retires with the rank of Warrant Officer first class is entitled to keep his full pension should he go into the Public Service of Canada. The man who has been in for the same length of time and retires with the rank of Major or Lieutenant-Colonel can avail himself of the allowance up to the category of Warrant Officer first class. The difference between the W.O. 1's pension and the pension of a Lieutenant-Colonel is subject to reduction under that formula should he accept civilian employment with the government of Canada. I think out of sheer enlightened self-interest, it would be more than worth while for the government of Canada to employ these men who have been trained at great expense. Many of these senior officers have taken extensive staff courses and have valuable administrative experience and capability. They should be placed in the Public Service of Canada. They will not build up any additional pension during the next 12 or 18 years.

Provincial administrations are getting the entire benefit of these trained men at this time. It seems the whole purpose of this rule is out of keeping with the situation today. Let me conclude by saying very briefly that if a man is going to go to the Bench he should be allowed to keep whatever pension he has earned. If we want top men on the Bench we must increase the pay scale. A judge is not allowed to participate in business and will have to sacrifice a higher income. Some people ask how that can be the case, but that is a fact of life. Many men in this country who are competent in their fields, including lawyers, engineers, architects and others who are not professionals can make much more money than is now offered judges. Many lawyers who are prudent make certain investments. Judges can enjoy the results of such investments while they are judges. A lawyer who has become a Member of Parliament and serves for a long time must sacrifice a legal practice. That is the situation in at least nine cases out of ten. His capital disappears. Surely, they should be compensated in some way. If a man has served for some time in this House and is appointed to the Bench, he should be entitled to receive as a judge any pension he has earned or is entitled to.

The law says that after a man has served a certain length of time as a Member of Parliament he has an entitlement, just as though he had purchased an investment policy, and he should be entitled to receive that while he is a judge, just as a man who is appointed to the Bench right from a legal practice is entitled to receive the benefits of any investment he has made. It seems to me the positions have to be equated. We must do away with this nonsense rule. We have people appointed to the Immigration Appeal Board. They have had to put aside their business dealings, and that is wrong.