

glance one would think these two conditions in the present law are being repealed. I hasten to say that the first condition, that of holding office during pleasure only, will remain, because after the enactment of the present bill these officers will be subject to section 24 of the Interpretation Act, R.S.C. 1952, Chapter 159, which reads:

All officers now appointed or hereafter appointed by the Governor General, whether by commission or otherwise, shall remain in office during pleasure only, unless it is otherwise expressed in their commissions or appointments.

I am not officially informed by the Government of the reason for the proposed amendment, but I have reason to believe that the Government contemplates a reorganization of penitentiaries in accordance with the report of the Honourable Mr. Justice Fauteux, and that the Government would, if possible, like to keep the Commissioner in office after he attains the age of 65 years, which is in the very near future.

Evidently these officers benefit by the provisions respecting retirement age under the Public Service Superannuation Act, Statutes of 1952-53, Chapter 47. If they hold office after the age of 65, new regulations will have to be approved in accordance with this act. This is the reason why the proposed amendment will come into force on proclamation only, in order that the necessary amendment to the regulation can be made in the meantime.

Hon. Mr. Roebuck: May I ask a question?

Hon. Mr. Méthot: Yes.

Hon. Mr. Roebuck: Is there any provision in the bill against this job becoming a monopoly?

Hon. Mr. Méthot: May I be permitted to say that I am not entirely familiar with penitentiaries, but I do not think it has become a monopoly. I am under the impression that the Government would like the Commissioner to remain in office, for example, to attend meetings of the Attorneys General of the various provinces to discuss the question of certain reorganization regarding penitentiaries. The Commissioner is an experienced man and I believe this is the reason why it is desired to retain him in office beyond the age of 65 years.

Hon. Mr. Roebuck: Notwithstanding the provisions of free enterprise?

Hon. Mr. Méthot: The law as it stands now does not entitle him to remain in office after the age of 65.

Hon. Mr. Roebuck: May I ask a further question? Is there any candidate of the Conservative party looking for this job?

Hon. Mr. Méthot: Not that I know of.

Hon. Mr. Pearson: You never can tell.

Hon. Arthur W. Roebuck: Honourable senators, I would like very much to comment on this bill, notwithstanding the questions I have just asked. Apparently there is a distinction between the office of the Commissioner of Penitentiaries and that of the auditors of the Canadian National Railways; one is a monopoly, and I don't know what you would call the other one.

Hon. Mr. Lambert: An accident.

Hon. Mr. Roebuck: I am in favour of this bill for two reasons. I recall the occasion some years ago when we amended the Civil Service regulations to reduce the age of retirement from 70 to 65 years, with of course some qualifications for continuation under exceptional circumstances. I opposed that measure as strongly as I could, on the ground that we were dispensing with the services of our most experienced civil servants, and I am still of that opinion. For instance, I think it would ruin this house were we to have such a provision apply here. When I attain the age of 65 years I hope to be in a position to carry on after that time.

Hon. Mr. Macdonald: You have done very well up to now.

Hon. Mr. Aseltine: Keep up the good work.

Hon. Mr. Roebuck: Evidently I have not monopolized anything.

As I say, I opposed that measure as strongly as I could, and I had the support of some other honourable senators on that occasion. But the rule was passed, and I think that in the interim it has done great harm. I have noticed a tendency in modern times to consider the plight of the older members of our working force, and there is a little edging away from the objectionable rule that has been adopted in industry and in the Civil Service of throwing them out. One of the unkindest of actions is to take a man from an employment for which he has fitted himself, perhaps by long years of application, and to tell him, while he is still in perfect health, with a large experience behind him, and quite capable of carrying on that now and henceforth his time is of no value, his services are no longer required. The rule, I say, is a most unkind one; it is one which is not necessary and should, I think, be abolished or ameliorated in all instances, as well as in this.

Another reason why I strongly favour this bill is that we have appointed a very distinguished and capable head commissioner—I forget his exact title—

Hon. Mr. Aseltine: Major General Gibson.