

Auditor General's Report.

recommending the postponement of the dates of superannuations as established by Council on the Report of the Treasury Board, and to ask whether, under any circumstances, superannuations, once established by Council, may be reopened—always presuming that no clerical errors have been made.

Your obedient servant,

The Deputy Minister of Justice. J. M. COURTNEY, *Sec. Treasury Board.*

DEPT. OF JUSTICE, OTTAWA, Dec. 12, 1883.

SIR,—I have the honour to acknowledge your letter of the 7th, asking whether, under any circumstances, superannuation once established by Council may be reopened—always presuming that no clerical error has been made.

The Superannuation Act provides that under the circumstances mentioned therein, the Governor in Council may grant to a person who has served in an established capacity in the Civil Service a superannuation allowance, and that the Order in Council made in the case shall be laid before Parliament. If the grant was made by Letters Patent, the latter could not be cancelled by authority of an Order in Council, except they had been issued in the name of the wrong party, or contained a clerical error or misnomer, or wrong description of a material fact. (*See 38 Vic., cap. 13.*) As the grant in the case of a member of the Civil Service is made by an Order in Council, I am of opinion that in practice it would be well to adhere to the same rule, and not to cancel or amend the Order in Council, except in cases mentioned in the Act referred to (*38 Vic., cap. 13*).

Your obedient servant,

The Secretary Treasury Board.

GEO. W. BURBIDGE, *D.M.J.*

(Circular.)

OTTAWA, July 31, 1891.

SIR,—I have the honour to inform you, for your guidance in future, that the Governor General in Council, on the 21st instant, approved of the following regulation of the Treasury Board:—

“That no person be hereafter appointed to a position in the Civil Service which would entitle him to the benefit of the Superannuation Act unless at the time of his appointment he produces medical testimony, to the satisfaction of the Treasury Board, showing that he is then in good health.”

I am your obedient servant,

The Auditor General.

J. M. COURTNEY, *Sec. Treasury Board.*

Order in Council, Oct. 9, 1895.—That in future all cases in which application is made for the superannuation of any Government employee there shall be given with the application, for the information of the Treasury Board, the reason or reasons for such superannuation, whether on account of age, or ill-health, or abolition of office, or to promote efficiency and economy—also the age, length of service, present salary, average salary during past three years, and the proposed retiring allowance of the officer recommended for superannuation. Also whether in any case it is intended to fill the vacancy caused by such superannuation by appointment or promotion, and if so, at what remuneration, and generally such information as will enable the Board to determine whether the superannuation asked for should be granted.

The Board further recommend that if the above meets with the approval of Council, a copy of the Order in Council founded hereon be furnished the several departments for their guidance.

JOHN J. MCGEE, *C.P.C.*