

*Superannuation*

Those two amendments are required to get away from these regressive and absolutely unacceptable Sections which fly in the face of constitutional rights that Canadians have.

Section 15, as we all know, came into force in 1985. Yet today we have a Bill that says that one could discriminate because of age, or marital status, and discriminate even though a person may be 60 years old and have a child from a marriage following retirement or following the death of the eligible contributor. However that child is not entitled to receive any benefits of the pension.

I believe that the Minister should really look at the possibility of amending that Act when it comes before us. There are divorce laws in this country. We have in Ontario the Family Law Reform Act which deals with separation. Any obligation incurred to support the children remains. In the Divorce Act of Canada it is mandatory that both parents contribute to maintenance, according to each person's ability to pay. The obligation cannot be wiped out. Every relevant piece of legislation that I looked up, for every province, has as a prerequisite that the best interest of the child is of paramount concern. As it should be. Why do we allow inequities to stay on the Statutes of Canada? We know that in some provinces there are laws dealing with the Family Law Reform Act, et cetera. Yet inequities are still maintained.

I would like to ask the Minister to look at all these pension laws. I focused on only a few here because I did not have enough time to research the whole spectrum of pension entitlements. But I know that when the Government came before the House in 1985 with amendments to the Pension Benefits Standards Act, they corrected all those things for Crown corporations. It made sure that the 60 per cent entitlement to pensions for the spouse was included. We still do not have that for the Public Service, the RCMP or the Armed Forces, et cetera.

I am saying to the Government, if we all accept that the Charter of Rights and Freedoms came into force in 1985, why not allow retroactivity for those who were hurt, possibly severely, through no fault of their own, by a lack of concern on the part of the employer? Why do we not allow retroactivity to at least start with the adoption of the Charter of Rights and Freedoms in 1985. It would not seem to me to be very costly, to be

somewhat considerate and understanding of the need to go back and provide retroactivity.

I have correspondence from the Superannuation Association. I have letters that I could read to the House concerning people who have lived through these difficult situations. For example, I have a letter here from a pensioner who tells me that if he lived common law, he would have been able to transfer his entitlement to his surviving spouse. However if he marries, no, he is not entitled to it. It does not make any sense. So let us look at these things and make sure that we deal with them in the Fall.

I just want to touch on one last item. Because of the aging population of Canadians, a lot of people in Canada have federal pensions. They will go to their lawyer and the lawyer will say, "Give me power of attorney over your pension in case you fall sick, or need some assistance, or need to have some expenditures looked after while you are indisposed." You cannot do that in this country. A lawyer cannot have a power of attorney over a federal pensioner's pension. There are arguments for and against, but I think we need to have a debate in this House because our population is aging and we need to look at the rights of these people. Perhaps we should have less bureaucracy and more understanding as to what we can allow in terms of having pensioners give power of attorney to their lawyers, such lawyers as they trust and who would operate under professional standards.

Having said all that, I congratulate the Government for its effort on the question of Bill C-24, wanting to correct some anomalies and some inequities. There are still lots of things to do. We have done a bit. We have gone a short way down the road toward parity, equity and justice, but we have a long way to go yet on many of these Bills before we reach equity and justice for all Canadians who receive pensions from the federal Government.

• (1210)

**Mr. Crosby:** Mr. Speaker, I rise to ask you to now seek the unanimous consent of the House to move to Committee of the Whole and permit officials to be present so that we can now proceed.

**The Acting Speaker (Mr. Paproski):** Is the House ready for the question?

**Some Hon. Members:** Question.