

Pension Act

argued by the hon. member for Winnipeg North Centre (Mr. Knowles). If there were any way in which I could see that this was a veiled attempt to circumvent any provincial law I would certainly oppose the bill and every section of the bill. I am unable to see that and therefore I am supporting this measure.

The Deputy Chairman: Shall the clause carry?

Mr. Knowles: On division.

Clause carried on division.

Title carried on division.

Bill reported on division.

The Acting Speaker (Mr. Applewhaite): When shall this bill be read a third time?

An hon. Member: Next sitting of the house.

The Acting Speaker (Mr. Applewhaite): Next sitting.

PENSION ACT

AMENDMENTS TO PROVIDE FOR ADOPTED CHILDREN, CHANGES IN ADMINISTRATION, ETC.

Hon. Hugues Lapointe (Minister of Veterans Affairs) moved that the house go into committee to consider Bill No. 339, to amend the Pension Act.

Motion agreed to and the house went into committee, Mr. Applewhaite in the chair.

The Deputy Chairman: House in committee of the whole on Bill No. 339, an act to amend the Pension Act, together with resolution relative to said act.

Shall clause 1 carry?

Clause 1 agreed to.

On clause 2—*Salaries*.

Mr. Brooks: Mr. Chairman, as hon. members know, this bill has been before the veterans affairs committee and there were quite a number of amendments proposed. I might say that amendments have been made which were more or less agreeable to the majority of the committee, with the exception of amendments relative to clause 2.

As hon. members will recall, when the resolution introducing this bill was before the house strenuous objection was taken to the principle as set out in clause 2 that the salaries of the commissioners be fixed by order in council. That is entirely contrary to the principle which has been followed since the inception of the act.

Certain groups of veterans organizations appeared before the committee and gave evidence, and the Canadian Legion, which as hon. members know speaks for the great majority of veterans across Canada, took

very serious objection to clause 2. I might add that all the opposition members on the committee and one member of the government shared that serious objection to the principle as set out in clause 2. I do not feel I should review all the objections which were taken in committee at this time. They are already on record in this house and on the record of the veterans affairs committee. The chief objection taken was that it infringed the basic principle of the Canadian Pension Act in that it took away the independence of the commission as far as this matter was concerned.

I mentioned a moment ago that since the inception of this act the salaries of commissioners have been fixed by parliament. Under this new clause they would be fixed by order in council. It was also contended in committee, as it was here in the house, that the Canadian pension commission is a judicial body and if there is one body outside the judiciary of our country which should be absolutely independent it is the Canadian pension commission. The members of that commission sit and hear evidence which has to do almost entirely with the granting of pensions, and they hear that evidence for and against the granting of a pension before arriving at their decision, in the same fashion as a judge hears evidence and makes his decision. Now, the salaries of judges are not fixed by order in council and I think we would consider it an unheard-of procedure if the salaries of judges were so fixed. Along with veterans organizations across this country we feel that parliament should not in any way lose control of the administration of the Canadian Pension Act.

As I have already pointed out, it is not my intention to enlarge on these arguments which are well known to all hon. members, and particularly to those members who sat on the committee. When this matter was before the committee I listened for arguments in favour of the action we are asked to take under clause 2, that is to fix salaries by order in council, and I must say, Mr. Chairman, that I failed to hear one logical argument in favour of this procedure. A number of hon. members representing the government spoke, but not one of them presented an argument which could be termed logical in favour of clause 2. They talked all around it and tried to belittle the argument made by opposition members and others, but no sound argument was presented as to why this should be done.

I believe, Mr. Chairman, that it is the feeling of the majority of the members of this committee that clause 2 should not be allowed to pass and in order to bring this matter again before the committee I move:

That clause 2 of Bill No. 339 be deleted.