

Canada Pension Plan

cannot say I have heard either minister say so, there will be a provision for the integration of these plans. People have been led to believe that it will be possible to have integration of these plans.

Now, the minister says that the government does not have jurisdiction to force other plans to come into the Canada pension plan. We ask, will they not consider providing facilities so that these plans can come in if they wish to do so?

Miss LaMarsh: May I just add one thing about the Canada pension plan? The white paper, dated August, 1965, reads in part as follows, page 22:

The adjustment of private pension plans cannot be prescribed through the Canada pension plan. Those responsible for each private pension plan, will be free to decide whether or not they wish to make some modification in their plan.

This has been the government's position from the beginning to the end, since it knows its constitutional position. No person has misled the house or the country as to what it is we are legislating upon.

Mr. Woolliams: May I ask a question? If that statement in the white paper is correct, does it mean that if the minister or the government is unable to come to an agreement with these private pension plans, whether they are union plans or other private plans, the people concerned will be paying double for their pension?

Miss LaMarsh: I am glad to give my hon. friend the lecture in law which he needs. The federal government has nothing to do with private pension plans. It is not possible for the federal government to deal with employers or employees regarding their private contractual rights.

Mr. Woolliams: I have no doubt that hon. members agree we have one of the most distinguished counsel in the Minister of National Health and Welfare and we realize we are able to take lectures in jurisprudence from the minister, but we realize also she is not always the best witness. I am going to ask her this question again: Are these people exempt, that is the people who pay into private pension plans, or do they pay double, not only under the federal plan but under their union or provincial plan or any other plan?

Miss LaMarsh: I am going to give my hon. friend credit for asking a legitimate question to which he wants an answer. Unless any province, by 30 days after the proclamation

[Mr. Simpson.]

of this act declares that it intends to pass comparable legislation to the Canada pension plan—I should say, in the absence of such action by any province or provinces, the Canada pension plan will apply to all individuals who are in pensionable employment as described earlier in the bill and referred to many times in the past two or three weeks. This means that it applies to individuals who may very well already have private pension plans. I think we have mentioned a figure of about 5,000 pension plans. I have used this figure which I heard the premier of Ontario use many times. Pension plans are of a dozen different kinds; almost every one is different. As I understand it, most pension plans have come into being by the joint action of the employer and the employee, with either insurance companies, trust companies or in some cases the annuities branch of the federal government as the third party, that is the carrier or in some cases the trustee.

In other instances there are private pension plans where the employer alone holds the funds. There are other plans, such as I think some teachers plans, in which there is really just a bookkeeping entry. There is no fund anywhere. It is by bookkeeping alone that certain moneys are set aside for the superannuation of some employees. Almost every plan in every province is different from the next one. Each of these is a private contractual right which is the business of the people who are covered by the plan and their employer. It is just as if the provision related to the wages of an individual employee. The federal government cannot and does not propose to step between employer and employee to dictate, to persuade or otherwise attempt to influence what they do with respect to those plans. In many cases there will be, as my colleague explained, decking—that is, the Canada pension plan, as a basis, will move in and there will remain in existence without any change the private pension plan which is already in existence.

However, some very poor pension plans may, in some instances, be dropped and possibly other pension plans may be changed in that the provision of benefits to individual workers will be enriched by the Canada pension plan. Some pension plans will be integrated as the federal superannuation scheme will be with the Canada pension plan, so that the individual who gets his pension will get it all in one bunch, as it were, without being aware that there are two different schemes. The federal government's business is not to say what should happen in any individual