

## THE SENATE

### STANDING COMMITTEE ON CIVIL SERVICE ADMINISTRATION

#### EVIDENCE

Ottawa, Tuesday, December 12, 1967

The Standing Committee on Civil Service Administration, to which was referred Bill C-184, to amend the Government Employees Compensation Act, met this day at 11.10 a.m. to give consideration to the bill.

**Senator Donald Cameron (Chairman)** in the Chair.

**The Chairman:** Honourable senators the first item is the usual motion to print the proceedings of the committee, 800 copies in English and 300 in French.

The committee agreed that a verbatim report be made of the committee's proceedings on the bill.

The committee agreed to report recommending authority be granted for the printing of 800 copies in English and 300 copies in French of the committee's proceedings on the bill.

**The Chairman:** You will recall that on second reading a number of questions were asked which I, as sponsor of the bill, was not qualified to answer, not being a lawyer, and so on. We have with us this morning Mr. J. H. Currie, Director of the Accident Prevention and Compensation Branch of the Department of Labour. I will ask Mr. Currie to deal with the questions that were raised in the house the other night.

**J. H. Currie, Director, Accident Prevention and Compensation Branch, Department of Labour:** Mr. Chairman, honourable senators, I think it might be useful to give a brief explanation of the specific points raised the other evening, and then I should be glad to elaborate them if you wish, or any others that may occur to you.

In connection with the employment of locally engaged persons, in all our embassies and other locations abroad there may be a number of people of the community native to that land—let us say it is New Delhi—who are engaged, for example, by the High Commissioner. These people are covered in one of

two ways. Under the general provisions of the Government Employees Compensation Act they are workers and employees of the Canadian Government. If there is a local workmen's compensation scheme in that country, the Canadian Government as the employer pays the premiums, or whatever contributions an employer in that land has to pay to provide this protection to native workers. If there is not any local industrial accident scheme or workmen's compensation scheme, under section 6 of the Government Employees Compensation Act, my own branch here in Ottawa handles the claim of an injured employee and awards compensation just as if he were an employee in Canada, having regard to all the circumstances, so that persons who are locally engaged outside of Canada by the Canadian Government are covered in one of those two ways.

**Senator Roebuck:** I presume they contribute as though they were here.

**Mr. Currie:** The employees themselves are not required to make any contribution. Their employer makes the total contribution. That is why they are excluded from this particular amendment. This only applies to Canadians who are assigned abroad and while there contract some disease or disability as a result of their environmental conditions. It is really an extension of the notion of industrial disease or occupational disease.

With regard to retroactivity, I think Senator Grosart hit the nail on the head. It is not so provided, and it is not intended that the amendment should have any retroactive effect whatever. It will apply only to cases of this kind that arise in the future.

**Senator Grosart:** On that point, you do not have any outstanding claims?

**Mr. Currie:** There are one or two cases which we were regretfully unable to accept under our existing legislation. These occurred in the last year or two in Indo-China, or Vietnam I suppose it is now, where the ailment was diagnosed very competently locally