

*Civil Service Act*

On section 13—Retirement from office of present civil service commissioners. Tenure of office of commissioners.

Mr. CAHAN: In this connection I am about to suggest an amendment, which I shall ask one of my colleagues to move. The suggestion has been made that a civil servant might be appointed a member of the Civil Service Commission, that there are men who as civil servants have had a wide experience in the administration of the Civil Service Act, and that such men should not be debarred from appointment to the commission. However these civil servants are now entitled to superannuation under the Civil Service Superannuation Act. From time to time they have paid in to the pension fund, and if appointed as members of the Civil Service Commission they should not be debarred from the benefits to which they are entitled under the Civil Service Superannuation Act.

I am not making any promises on behalf of the government. I have not discussed with my colleagues the matter as to whether or not a civil servant is to be appointed a member of the commission, but I do say that a number of representations have been made by hon. members on both sides of the house that the government might favourably consider the appointment of at least one civil servant as a member of the Civil Service Commission.

The amendment which I am about to suggest, and which I will ask one of my colleagues to move, is that section 13 of the bill be amended by adding to the new subsection (3) of section 3 of the Civil Service Act a paragraph which I shall read in a few moments. Subsection 3 of section 3 now reads:

Each commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, save that his tenure of office shall cease upon his attaining the age of sixty-five years.

The amendment proposes to add the following words:

Provided that if a civil servant, who is a contributor under the provisions of the Civil Service Superannuation Act be appointed to be a commissioner, he shall be eligible, notwithstanding the provisions of the Civil Service Superannuation Act, to continue to be a contributor under the said act; his tenure of office as commissioner shall be counted as service in the civil service for the purposes of the said act, and he, his widow and children, or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said act; and in case his tenure of office shall cease as in this subsection provided, or in the event of his being retired from the said

[Mr. Speakman.]

office of commissioner for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the said act as if his office as commissioner had been abolished.

Mr. RYCKMAN: I so move in amendment.

Mr. VENIOT: On what basis do you fix the amount he shall contribute? Will it be on his salary as commissioner?

Mr. CAHAN: The salary he is receiving.

Mr. STEWART (Edmonton): Mr. Chairman, is not the minister erecting a preference for the appointment of a civil servant to this position, inasmuch as he is not providing for superannuation or retiring allowance for the commissioners. It seems to me that there should be no bar to a civil servant acting as a commissioner, but I believe further that unless he is willing to accept the position on the same basis as the other gentlemen who will occupy the position with him, it would be somewhat unfair. There would be a preference to the civil servant accepting the position. I see no reason for interfering with his superannuation, which would take effect the moment he accepted the position on that basis. It does strike me that unless the three commissioners are permitted to contribute to the superannuation fund on the same basis, a preference is being offered that is quite unwarranted.

Mr. HACKETT: I heard the question asked by the hon. member for Gloucester, but I had some difficulty in reconciling the answer given with the act as I recall it. The act provides for contributions by civil servants on certain well-defined salaries. I could understand that a commissioner, during his period in office, might be permitted to continue to contribute to the superannuation fund as if he were still a civil servant. That could be done without amending the act, but if I correctly understood the answer of the Secretary of State it is suggested that the civil servant who might become a civil service commissioner would contribute on the basis of his salary as a civil service commissioner, which might be considerably higher than his previous salary.

Mr. CAHAN: I was wrong if I made that suggestion; the bill itself says he may continue to contribute on the same basis as though he were still a member of the service.

Mr. HACKETT: I might also say to the hon. member for West Edmonton that this is not an innovation. As an example, the