

Judges Act

now, then I will yield my place to him to facilitate his timetable which he cannot alter.

Mr. Woolliams: Mr. Speaker, I have other commitments and I have agreed to catch a plane, but I intend to make some remarks on third reading of the bill. I am sure the remarks of the hon. member for Edmonton West (Mr. Lambert) would be in order at that time. Perhaps he would be prepared to agree to these amendments and to get to third reading of the bill. My remarks will take no more than five minutes.

Mr. Lambert (Edmonton West): So long as I am not prevented from going into details.

Mr. Deputy Speaker: I will put the question on motion No. 2 and see how fast we can proceed.

Shall motion No. 2, as amended, carry?

Some hon. Members: Agreed.

Motion No. 2, as amended, agreed to.

Hon. Mitchell Sharp (for the Minister of Justice) moved:

That Bill C-47, an act to amend the Judges Act and certain other acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island, be amended in Schedule IV

(a) by striking out the first line of paragraph 19(b) thereof and substituting the following:

“(b) one hundred and seven judges and”;

(b) by striking out the first line of paragraph 19(h) thereof and substituting the following:

“(h) thirty-one judges and junior judges”; and

(c) by striking out the first line of paragraph 19(k) thereof and substituting the following:

“(k) eighteen judges of the District Court”.

Mr. Deputy Speaker: Are there any amendments to this motion?

Mr. Knowles (Winnipeg North Centre): In response to your question, Mr. Speaker, I will say what I want to say on the substance of this bill when we get to third reading; but so far as the form of motion No. 3 is concerned I find no procedural errors in it. Perhaps that is an accident, but at any rate that is it.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt motion No. 3?

Some hon. Members: Agreed.

Motion No. 3 agreed to.

Mr. Sharp (for the Minister of Justice) moved that the bill be concurred in.

Mr. Deputy Speaker: Is that agreed?

Mr. Knowles (Winnipeg North Centre): On division.

Motion agreed to.

Mr. Deputy Speaker: When shall the bill be read the third time, by leave now?

Some hon. Members: By leave.

Mr. Sharp (for the Minister of Justice) moved that the bill be read the third time and do pass.

• (1510)

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, I will be very brief this afternoon. This bill, as we know the procedure, came up for second reading and we had a debate at that time. It went before the Standing Committee on Justice and Legal Affairs and was carefully studied clause by clause. The committee met on May 27. We sat overtime, and the bill was analysed very carefully. I just want to repeat our position. We believe that judges should have an increase. We said that at second reading. I and all hon. members in the committee, with one exception, took that position.

I repeat that we have a very high calibre of judges in all our courts at all levels in this country. As a senior lawyer before the bar of Alberta and the bar of Saskatchewan I can say that we can be very proud of our judiciary from coast to coast, and particularly of our Supreme Court of Canada. We believe that the judiciary of Canada must always maintain its independence, not only from political institutions but also from any conflict of interest.

We believe judges should be secure in their jobs so that they can carry out their duties and responsibilities with the degree of independence we expect the judiciary to have, which separates it as an institution from other democratic institutions in the country.

In reference to the increases, perhaps it might have been better to discuss the question of income tax in this House on another occasion. My chartered accountant looked at the salaries of judges, and I have a chart of present and proposed judges' salaries and allowances, 1974 to 1976, which was prepared by the Department of Justice, and in checking the bill I find that it is accurate. My hon. friend from Winnipeg North Centre mentioned at second reading that there was a \$3,000 difference in my figures. That \$3,000 is a special allowance to judges under another statute, so I think that explains it.

I am taking the salary of the Chief Justice of Canada at the total rate as of 1974. He was paid \$50,000. His increase will bring his salary to \$68,000. His total federal and provincial taxes on \$50,000 could be \$21,126, and on \$68,000 could be \$31,772. These are based on Alberta figures, and I might say that in Ontario they are higher because our province has the lowest personal income tax of any province outside of one.

An hon. Member: New Brunswick has the highest.

Mr. Woolliams: I am prepared to accept that. These figures may be approximations only to the extent that deductions are made in reference to any contributions which are now paid on pensions and so forth.

For the Chief Justice of Canada to gain \$18,000 he is going to pay \$10,600 more taxes. Really we are only increasing the salary of the chief justice by \$8,000.

Let us consider the other judges of the Supreme Court of Canada. This bill moves their salaries up from \$45,000 to \$63,000. Their taxes on \$45,000 were \$18,181, and on \$63,000 at the same federal and provincial rates they will be \$28,785.