

## DELAYED ANSWER TO ORAL QUESTION

**Hon. John Lynch-Staunton (Deputy Leader of the Government):** Honourable senators, I have a response to a question raised on September 15, 1992 by the Honourable Senator Molgat regarding a variation between the French and English texts in the Charlottetown agreement.

### THE CONSTITUTION

CONSENSUS REPORT—OFFICIAL LANGUAGES—DIFFERENCE BETWEEN ENGLISH AND FRENCH TEXTS

(Response to question raised by Hon. Gildas L. Molgat on September 15, 1992).

The word "commitment" recurs several times in the Canada clause in the context of ideal or values (parliamentary system of government, racial and ethnic equality, respect for individual and collective rights and freedoms, equality of female and male persons) and not just in the context of linguistic duality. In each case, it is translated by the word "attachement".

The use of "attachement" rather than "engagement" in the French version is correct and in accordance with proper French.

The government is satisfied that the courts will not find any substantive difference between the two language versions.

There are no discussions with provincial, territorial and aboriginal representatives on this specific issue.

The government is confident that the linguistic duality clause will enable the further development of official language minority communities throughout Canada.

## OFFICIAL RECORD

### CORRECTION TO HANSARD

**Hon. Nathan Nurgitz:** Honourable senators, I rise on a point of order. Yesterday, during our proceedings on Reports of Committees, I reported Bill C-46 without amendment. At the conclusion of the report the Speaker asked when the bill would be read the third time. I recall well, as will Senators Frith and Molgat, that I did not have the courage of my colleague Senator Barootes, so I said, "at the next sitting."

**Senator Barootes:** No one has my courage.

**Senator Nurgitz:** We know that—and other things as well.

**Senator Gigantès:** Will you tell us?

**Senator Nurgitz:** In any event, as reported at page 2070 of yesterday's *Hansard*, although the Acting Speaker did not say it, it states: "When shall this report be taken into consideration?" That is an error. The *Minutes of the Proceedings of the Senate* are very clear that the question put was when would the bill be read the third time.

I point that out as an error in *Hansard*.

[Senator Murray.]

## ORDERS OF THE DAY

### AN ACT TO AMEND CERTAIN ACTS IN RELATION TO PENSIONS

### AND TO ENACT THE SPECIAL RETIREMENT ARRANGEMENTS ACT

### AND THE PENSION BENEFITS DIVISION ACT

THIRD READING—DEBATE ADJOURNED

**Hon. C. William Doody** moved the third reading of Bill C-55, to amend certain Acts in relation to pensions and to enact the Special Retirement Arrangements Act and the Pension Benefits Division Act.

**Hon. Royce Frith (Leader of the Opposition):** Honourable senators, I spoke on this bill at second reading before it was referred to committee. At third reading, after some introductory comments, I should like to deal with three points. First, the regulation-making authority that is provided for, and the possibility of de-indexing as a result; second, the pension credit splitting on breakdown of marriage; and, third, disability pensions. I will then have a word or two to say in conclusion.

[Translation]

Honourable senators, when I spoke at the second reading stage of Bill C-55, I referred to the ageing of Canada's population and the role of governments with respect to the financial situation of retirees. I also remarked that the bill deals with this responsibility and was designed to promote fairness and equity in our pension legislation.

Bill C-55 proposes to amend federal pension legislation and, as I said on second reading, deals with problems such as pension-credit splitting on marriage breakdown, allowing part-time employees to contribute to a pension plan and improving leave-without-pay provisions vis-à-vis pension contributions.

At the time, I expressed my concerns about these provisions and hoped that these concerns would be dealt with when the bill was examined by the National Finance Committee, but although certain problems were clarified, others we had pointed out were not.

My first point concerns regulatory authorities. The provisions of Bill C-55 with respect to new regulatory powers were one of the subjects I pursued in committee with the minister. I received quite a few letters from individuals and groups concerned by the clauses on "changes by regulation".

• (1450)

[English]

In a letter to me dated July 28, 1992, E. W. Halayko, National Chairman of the Armed Forces Pensioners'/Annuitants' Association wrote: