

### Pensions

I now quote from a letter written by the Minister of National Defence (Mr. Danson):

As stated in previous correspondence there is no legal way whereby authority could be obtained to change the date of a person's release as to extend the duration of service in the regular force by one day.

When computing total years of service, partial years are calculated by days and each full year by year. Leap-years are not taken into consideration by providing extra days.

The letter goes on to deal with Chief Petty Officer Howell's leave and his entitlements. Before continuing to read from the letter, I remind hon. members that the "commencement of time" was May 6, 1965, "period of time" was one year, and "date of release" was May 6, 1966. Further on the minister's letter reads:

It is unfortunate that the release date of May 4, 1967 resulted in his total service being only 26 years 364 days. CPO Howell was aware of his release date and years of service but had no reason at that time to question it.

● (1710)

Of course he had no reason to question it. After consultation with the appropriate authorities, national defence, he believed that he had served a full 27 years. I again quote:

The requirement for full completed years of service could not be foreseen and the loss of one day's service at that time had no effect on his financial benefits.

Once a release date has been established, it cannot be adjusted within existing regulations. Any change would require legislation which particularly would not be acceptable in today's climate concerning escalation of pensions generally.

In view of this, unfortunately, your constituent's date of release will remain as May 4, 1967 and he will qualify for benefits under the Supplementary Retirement Benefits Act in 1980 on reaching age 59.

For the sake of one day, my constituent would have been receiving his supplementary benefits in 1979 at age 58. That was the basis of his calculations. The minister shot it down.

There is the very similar case of Chief Petty Officer (retired) S. J. King, another constituent of mine in Dartmouth. The circumstances are almost identical. He sought assurance with regard to a date which would have given him a full 27 years. He was given that assurance and on that basis made his plans to retire. He was subsequently advised, on having signed his release, that he did not have 27 years but 26 years, 364 days. He too was rejected by the ministry, this time for different reasons. As personalities change, you get different interpretations and approaches. The consequences were the same.

In both these cases and in other cases I have sought departmental opinions and other opinions as to whether retired members of the Canadian armed forces could elect to serve one, two or three days in the reserve forces, whatever was required for them to qualify for that one extra day. I was shot down on those grounds. I was also shot down on grounds of sheer compassion, understanding and good will.

I bring this matter before the House in the form of a notice of motion to seek guidance and assistance. Surely this fund can treat retired members of the Canadian armed forces with every advantage. In the case of Mr. Howell and Mr. King, they served with distinction during World War II and in the years following the war. Both had excellent careers yet this is the way they are being rewarded.

[Mr. Forrestall.]

I can suggest a simple remedy. For the purpose of calculating pension entitlement we should use the Julian calendar, which I understand counts the extra day during leap year. When calculating both these careers with that method, you find they have served an extra four or five days. However, they are still being denied this benefit. I admit this is technically correct. I can find no way around it. Nevertheless, losing that one day which would entitle them to full benefits means they will not get their full entitlement one year earlier. It is as a result of this stumbling block.

This is not an earth shattering matter. However, it would give to the Canadian armed forces the perspective that we in this chamber are not callous or indifferent to individual needs. Sometimes with a little care, effort and concern for the welfare of members of the Canadian armed forces, a matter like this can be corrected.

I hope that in bringing this forward members who have had similar experiences will take up the cudgel, privately or otherwise, to the end that if present situations cannot be redressed to the satisfaction of individuals concerned, at least in the future we can devise a scheme that does not seem to be in conflict.

I have heard of sufficient cases to wonder whether the choice is not deliberate. Possibly someone on a Friday afternoon could unthinkingly decide that an effective date of release would be March 29, for example, because the Monday would be April 1, when in fact a March 30 release date was required in order to complete the full year. There are at least two or three documented cases like that. I sometimes wonder whether it is accidental, just a bit of laziness somewhere along the line, or whether in fact it is deliberate.

On examination, I find that this does not constitute a substantial saving to the fund, but it is a major irritant to those directly concerned. It undermines the confidence that members of the Canadian armed forces have in their departmental authorities, in government and in parliament when they consistently see situations like this with no corrective action being taken.

I hope hon. members will give serious consideration to this matter. I look forward to hearing the views not only of my colleague from Esquimalt-Saanich (Mr. Munro) but of those on the government side as to whether this or some other method of correcting this anomaly and injustice can be found.

**Mr. Leonard Hopkins (Renfrew North-Nipissing East):** Mr. Speaker, this is a knotty problem before us this afternoon, one where a person lacks one, two or three days of service in order to qualify for a benefit.

● (1720)

This motion proposes that Canadian armed forces personnel who fall short by a few days of the minimum completed years of service required to permit them to receive pension indexing payments under the Supplementary Retirement Benefits Act at a date earlier than the normal age of 60, be permitted,