

Government Organization Act, 1970

about that. Perhaps it is a considerable period of time for one piece of legislation to be before Parliament, but I am sure it will be said by those who write about this institution that this is a bill which has demonstrated the value of the parliamentary process.

Whether we entirely agree with the bill in its present form or not, the fact is it is considerably better than it was when it was introduced. This is true in particular with respect to the provisions for the appointment by the government of ministers and ministries of state. This is no time to use such words as "victory" or "defeat." The fact is that as a result of debate and consideration, as a result of collective bargaining among the representatives of the parties, that portion of the bill was changed so that the Prime Minister (Mr. Trudeau) will not possess the unquestioned right to name ministers of state and give them departments without first obtaining parliamentary approval. This is an improvement which we welcome. There are two or three other improvements as well, so all told the bill is better than it was when it was first introduced.

However, there is one portion of the bill—and like so many of the pieces of legislation which this government brings in, it has both its good side and its bad side—concerning which I should like to say a few additional words. I refer, as hon. members would expect, to the portion of the bill which deals with changes in the Public Service Superannuation Act.

May I say, as I have said on previous occasions, that we welcome the provision for early retirement of public servants on a voluntary basis. We believe that in some cases the provision made for the pensions to be drawn by public servants who retire early is good. In other cases the provision is not very generous. At least, though, we are getting started on the practice of public servants retiring at an early age with the right to start drawing pensions from the time of their retirement. To this extent we welcome the provision which has been made.

However, the bill also makes it possible for public servants to be retired compulsorily and as a consequence to be obliged to take a reduced pension. May I qualify what I have said to this extent: it is not the bill before us which makes it possible for the government to retire public servants compulsorily; the government already has that power. During times of squeeze the government has been known to dismiss public servants who have been in its employ for many years. What this bill does is to say that persons over 50 years of age who in future are retired compulsorily may receive pensions, and this makes it easier for the government to retire them. But their pensions are subject to a severe reduction.

In the course of the debate I have drawn attention to the extreme case, a case in which it would be possible for a person to find the pension he would otherwise have enjoyed reduced by 50 per cent. This is the case of a person who is 50 years of age who has put in 20 years of service. Normally he would receive a pension equal to 40 per cent of the average of his salary during his six best years. But under the provisions of this bill, that 40 per cent pension would be reduced by 50 per cent. In other

[Mr. Knowles (Winnipeg North Centre).]

words, it would be a 20 per cent pension, only 20 per cent of his six year average salary. I submit that to impose such a reduction on a public servant who is retired compulsorily because the government is carrying out some reorganization, or squeezing out certain employees, is quite unfair. There are those who think it is unfair for such people to be required to accept a reduction in their pensions even if they retire voluntarily, and I agree. But at least those people are free to make a decision.

In the case of those who do not enjoy the freedom to make such a decision, in the case of those who are fired for reasons of public policy, it is altogether unfair that there should be any reduction in the amount of the pension they would otherwise be entitled to receive. Let it be clear that we are not now talking about persons who are dismissed because of misconduct. There are already provisions in the legislation to deal with that situation. A person retired for misconduct receives only the return of his pension contributions—no pension of any sort. But there are times in its history when the government has resorted to the dismissing of public servants in rather large numbers, and this may well happen again. It is true that it is better that they get a reduced pension than no pension at all, but we think that to force a reduction in the pension is quite unfair.

This brings me immediately to the amendment I wish to move. It is not necessary to spin out this debate since we have argued this point on second reading and two or three times in committee of the whole. I move my amendment at this time because I believe that this House would like to do the fair thing and to have the bill altered so that it will not provide that the pensions of those who are compulsorily retired are to be severely reduced. I point out that the matter was dealt with in committee of the whole. In particular, on March 30, 1971, as reported at page 4739 of *Hansard* I moved an amendment to clause 27 of the bill; it was debated at some length but when the vote was called the amendment was defeated.

● (4:50 p.m.)

I have drafted my amendment for today in words that are not exactly those which would be put into the bill itself. Rather, it is in general terms that would achieve the same purpose, once the bill is referred back to committee. I hope hon. members have done some thinking about this since March 30 and that although they voted against the request for fair play and justice on that date, they will vote for this amendment today. Therefore, seconded by the hon. member for Vancouver East (Mr. Winch), I move:

That Bill C-207 be not now read a third time, but that it be referred back to the committee of the whole House for the purpose of reconsidering the provisions of subclause 1 of clause 27 in so far as they relate to employees who do not retire voluntarily from the public service.

Mr. Speaker: Is the House ready for the question?

Some hon. Members: Question.