

Superannuation

Official Opposition believe that an unindexed pension is no pension at all. Without indexation the investment value is simply an illusion for contributors.

Second, the federal pension plan must be credited with a rate of return at least comparable to the best managed private pension plan. This is not the case now. Existing rights and benefits must not be forfeited in exchange for equity and return on investment.

Last, the pension fund must be managed jointly by the employer and the contributors. This will ensure the recognition that all parties "own" the fund.

Bill C-42 is a positive first step on the long road to federal pension reform. I commend the employees and the pensioners for their persistence in seeking equity. I also commend my colleague, the Hon. Member for Ottawa—Vanier (Mr. Gauthier) for his unwavering support of their cause, and the Minister for acting before the courts forced it upon him.

However, I must remind the House that this is an area in which the Government has a long way to go towards properly providing for its own employees. The shoemakers are far from taking proper responsibility for their employees and for paying proper attention to the needs, wants, and working conditions of their workers.

Some Hon. Members: Hear, hear!

Mr. Jack Whittaker (Okanagan—Similkameen—Merritt): Mr. Speaker, first, it is a pleasure to speak in a positive manner from the opposition benches on this Bill. The Government is to be commended for bringing forward these long overdue provisions to ensure that surviving spouses are included.

This long overdue reform restores benefits to about 6,700 surviving spouses of public servants whose benefits have been discontinued upon their remarriage. Reform to survivors' benefits is especially important to women in Canada. Some 60 per cent of women in Canada aged 65 and older live below the poverty line. A majority of these women, approximately 70 per cent, live their final years alone. The reality is that women are most often the recipients of survivor benefits, and women have the most need for legislation to protect those benefits.

In its 1985 report, the parliamentary committee on equality rights recommended the repeal of the provisions of the Canada Pension Plan and federal superan-

uation plans which required the termination of benefits to surviving spouses upon remarriage, and the reduction of benefits for survivors 20 or more years younger than the deceased contributor. To terminate benefits for survivors who remarried and to reduce benefits for survivors more than 20 years younger than their spouses clearly discriminated on the basis of marital status and age in violation of Section 15 of the Charter of Rights and Freedoms.

In its response to its report the Government indicated that these changes would be introduced to the Canada Pension Plan to take effect in January 1987, and that they would be studied in the course of the public service pension reform process. It has been almost four years since the committee on equality rights first tabled its report, and more than a year since the recommended changes were introduced to the Canada Pension Plan. While the reforms contained in Bill C-24 are certainly welcome, we must not forget the frustrating period of delay which preceded the introduction of this Bill.

The frustrations of the delay prompted action. In April of this year the Federal Superannuates National Association, which represents 250,000 Canadians who receive federal pensions, launched a Charter challenge based upon discriminatory provisions of the survivors' benefits legislation. The FSNA should be congratulated for its hard work on behalf of federal superannuates and for launching a challenge which provided an impetus for the legislation now before the House.

It is important to note, however, that in the statement of claim filed with the challenge, the federal superannuates asked not only for reinstatement of survivor benefits which had been terminated upon remarriage but also for full payments of all benefits lost as a result of the disentitlement. I refer specifically to the case in the Federal Court of Canada, Trial Division, *Nona Horswill v. Her Majesty The Queen in the right of Canada*.

In the statement of claim, specifically paragraph 8(d), judgment for such amount of the annual allowance as the plaintiff has not received as a result of the payment having been suspended is asked for. In other words, in that particular case retroactivity is being asked for. Bill C-24 makes no provision for such retroactivity. If we are to recognize the entitlement of remarried survivors to future benefits following the passage of this legislation,