

*Reconsideration of cases of retirement of Public Servants.*

OTTAWA, 2nd October, 1882.

SIR,—I have the honour to request for the Treasury Board an opinion from your Department on the following point :

Under the Act of last Session respecting the Civil Service it is enacted by Sec. 54 that the Superannuation of any Civil Servant shall be preceded by an enquiry by the Treasury Board, and in consequence thereof all recommendations for superannuation are transferred to the Board for report, frequently after the Board has reported and the reports have been adopted by Council, applications are made by retired officials to have their cases reconsidered, the reasons given for the same being various, such as that the time of service or the average salary has been wrongly computed, or that the allowance granted is not deemed sufficient in consideration of past service. The point the Board desires to be advised upon is this: Can cases be reconsidered where no clerical error has been made in computing the service or the allowance.

I have the honour to be, Sir,

Your obedient servant,

J. M. COURTNEY,

*Deputy Minister of Finance.*

G. W. BURBIDGE, Esq.,

Deputy Minister of Justice,

Ottawa.

DEPARTMENT OF JUSTICE, CANADA,

OTTAWA, 9th October, 1882.

SIR,—I have the honour to acknowledge receipt of your communication of the 2nd instant, requesting an opinion for the Treasury Board as to the reconsideration of Superannuation Allowances under the Civil Service Act, 1882, the point on which the Board desires to be advised being this: Can cases be reconsidered where no clerical error has been made in computing the service or the allowance?

For the reasons stated in the Report of the Minister of Justice to the Treasury Board on the 7th day of August, 1882, in the case of Romain, I am of opinion that when the Superannuation Allowance has been once properly fixed by Council, according to the rules established by the Acts bearing on the subject of these allowances, it cannot be reconsidered.

I am, Sir,

Your obedient servant,

GEO. W. BURBIDGE,

*D.M.J.*

J. M. COURTNEY, Esq.,

D. M. of F. and R. G.