

*Canada Pension Plan*

talking about these particular clauses and then asking that they should be stood because of consequential amendments, that we picked out the clauses which we thought were affected by the motions we wished to move. We felt we could proceed through the rest of the bill fairly rapidly.

At the beginning of the sitting today we passed several clauses in five minutes—they went one after the other. But I do not think we ever felt we would merely pass all the other clauses of the bill without discussion or abrogate our duty as an opposition to call attention to shortcomings which might not have been apparent earlier.

We did not go through this bill clause by clause in the special committee except by way of explanation at the beginning of the sittings in December. When we came to the report—and this is on the record—we never went through the bill clause by clause; we did the same thing, roughly, as we are doing today. We said: We have certain basic amendments which we wish to make. On that basis the clauses of the bill were passed on division except for the few we are now indicating. Surely, the duty of this committee is to proceed clause by clause as we are doing. I do not believe there are any other amendments. But can it be suggested that because we have indicated our main position the opposition is to be restricted, now, when anything else comes up, to saying: O.K. you can go ahead?

**The Chairman:** It seems to the Chair there has been considerable argument on the question of procedure. There appears to be an understanding that the clause now before us will be stood—that there will be a meeting of the representatives of all parties with the officials to discuss it further. In those circumstances, if it is the wish of the committee, we will stand the clause.

**Mr. Lambert:** Perhaps I might say a word on this subject, since I have been one of the most obdurate of those who have spoken on this particular clause. Some of these points do crop up from time to time, on re-examination, from the point of view of law and the rights of individuals. I think the minister's suggestion is an eminently sensible one, though of course I cannot bind myself absolutely should I find some point which, as a lawyer, I must raise.

**Mr. Benson:** There was no suggestion that there should be no discussion on the subsequent clauses. The only question I raised was that I should like to know whether members

of the official opposition or of other parties know of any further clauses they wish to stand.

**Mr. Chatterton:** The hon. member for Hamilton East implied that since we did not raise the question in the special committee we could not raise it here.

**The Chairman:** May I suggest that we are talking at cross-purposes now. It is understood that clause 26 shall stand?

**Some hon. Members:** Agreed.

Clause 26 stands.

Clauses 27, 28 and 29 agreed to.

On clause 30—*Decision of minister or pension appeals board final and binding.*

**Mr. Lambert:** I wish to raise one point here. I know there is a declaration that the decision of the minister or of the appeals board shall be final and binding, subject to appeal to the Supreme Court of Canada. This, of course, is an elaborate and very expensive court to which to appeal. I would just like to get an explanation as to what is the thinking of the minister in regard to these matters. Are there to be floors on the amounts or the types of appeal that may be made to the Supreme Court of Canada? Also, what is the position with regard to costs? After all, the appeal is declared to be on a matter of law or a matter of fact, and the appeal is not only to be made by an employer but may be made by an employee. The individual who finds or believes that he is aggrieved with regard to his pension should certainly have the right to take an appeal from the decision of the minister or the pensions appeal board. But for the individual himself, where all he has is a maximum pension of, say, \$104 a month, is he going to incur the potential expenses of going to the Supreme Court of Canada? These are the points to which I would like answers. In ordinary civil practice we have a floor with regard to the types of cases that may go to the Supreme Court of Canada. Is there going to be a floor in this regard; and what about costs?

**Mr. Benson:** The appeal provisions under part IV of this bill provide for appeals to the minister, first of all, and to the pensions appeal board. There is no provision for an ordinary appeal to go beyond that. The appeal to the Supreme Court of Canada is under clause 4, which deals with the matter of jurisdiction as between the federal gov-