

Statute Law Amendment Act, 1970

statement on motion No. 10, and that we then go back and take the order Your Honour has suggested from the Chair.

Mr. Speaker: If it is agreeable to the House, it will be understood that we will first put the motion standing in the name of the President of the Privy Council and allow him to make his statement, following which we will return to motion No. 1 standing in the name of the hon. member for Winnipeg North Centre.

Hon. Donald S. Macdonald (President of the Privy Council) moved:

That Bill C-194, an act to provide supplementary retirement benefits for certain persons in receipt of pensions payable out of the Consolidated Revenue Fund and to amend certain acts that provide for the payment of those pensions, be amended by striking out lines 32 and 33 on page 17 and substituting the following:

"Widow is dead, eight-tenths of the basic allowance." and by striking out line 10 on page 18 and substituting the following:

"in approximately equal instalments commencing immediately after the death of the member or former member, and in the case of an allowance payable to the widow shall continue during her natural life but shall cease on her remarriage."

He said: Mr. Speaker, first of all may I express my appreciation to the House for its courtesy in permitting me to take precedence to present these two amendments. Both amendments arose out of the committee discussion on the bill and from questioning that took place at the time.

As the House will notice, there are two amendments: the first to extend the benefits that would be payable to the orphaned children of a deceased Member of Parliament; the second deals with the situation of the widow of a deceased Member of Parliament who subsequently remarries. I think the first will probably be found to be generally acceptable; the second, I agree, perhaps may be the subject of debate.

The bill, as originally presented to the House, by clause 21 sought to amend section 23 of the Members of Parliament Retirement Allowances Act. At page 17, that clause provided that in the event of the children of a deceased Member of Parliament being orphaned—that is to say, in the event that the other spouse either predeceased the Member of Parliament or surviving him died after she and the children had commenced to draw benefits—then the children of a deceased Member of Parliament would be entitled to share in the surviving allowance to the extent of two-tenths each, up to a maximum of six-tenths.

[Mr. Knowles (Winnipeg North Centre.)

The change proposed retains the two-tenths formula per child, but raises the maximum to eight-tenths—that is to say, 80 per cent of the deceased member's pension rather than 60 per cent. This change results from discussion in the committee which indicated that the lower 60 per cent level was not one that was observed in other government of Canada pensions, for example the Public Service Superannuation Act where the maximum was set at 80 per cent. That is the first of the changes. Because it would involve a further demand on the consolidated revenue fund, a recommendation was sought from His Excellency, and hon. members will note that, pursuant to Standing Order 75 (6), the recommendation is printed immediately after motion No. 10.

The second amendment resulted really from a drafting oversight. The previous Members of Parliament Retirement Allowances Act section contained the provision that when a widow or, in a conceivable case, the widower of a deceased member who became entitled to a surviving benefit remarried, then the benefit would cease to be payable. As I say, there was a drafting oversight in the bill and this restriction was not included as far as Members of Parliament were concerned, though it was included with regard to senators. My information is that most other government of Canada pension plans—for example, the Public Service Superannuation Act—contain this stipulation.

It may well be argued that there should not be this restriction on a surviving spouse who is drawing a benefit and remarries. Some legitimate arguments, I think, can be made in this regard. However, it seems to me that they should apply across the general field of government of Canada pension plans, and therefore the government feels that for the time being the structure should be kept consistent. This is without prejudice, of course, to subsequent discussion regarding whether or not this provision should be changed.

It is for these reasons, Mr. Speaker, that I put forward on behalf of the government the two amendments which I would commend for the consideration of the House.

Mr. McBride: Mr. Speaker, would the hon. gentleman permit a question before he resumes his seat?

Mr. Macdonald (Rosedale): Yes.

Mr. McBride: In view of the fact that when we discussed this bill in committee it was generally assumed that the pension would accrue to the widower of a female Member of