

[Texte]

• 1530

Mr. McCleave: I was going to suggest on this point that we seem to have had pretty fair doubts registered by all sides. I presume the Minister will be back from Victoria at the end of the week and this legislation is going to have its go in here. I do not think there is going to be any debate on third reading if we can get our affairs settled in here, so why not ask the Minister of Justice to examine our complaints. They can be cured at the report stage and we can give fair warning so that if he does not cure them that some of us will make an attempt to do so anyway.

The Chairman: That is exactly what I was going to suggest, Mr. McCleave. The points that have been brought up certainly have merit. They should be discussed. I do not think we are now in a position to bring in amendments to change it, but if we pass the clauses that certainly does not mean it cannot be changed at the report stage. Between now and the report stage I would think these representations should be brought to the attention of the Minister and perhaps brought personally to his attention.

Mr. McCleave: Yes. I think then the only thing would be an undertaking that it not be brought forth until at least we are given some indication by the Minister whether he is going to act on it or not which then will give us a chance to exercise our own wits. If we had that undertaking I would be...

Mr. Béchard: I will discuss that with the Minister and I will let you know, Mr. McCleave.

The Chairman: Mr. Fairweather.

Mr. Fairweather: I agree with what Mr. McCleave said that hopefully, and I am new on this Committee, a very large cross-party would look at a very important bill, but what surely the administration is doing is using this technique as a lure to get people off the bench at 70, let us not kid ourselves. I think that is great. I was a minister once and had the problem of people not 70, but over 80, and I can tell you that all we could do was threaten them with impeachment and it is not a very pleasant thing to have to do.

However, in the last amendment to the British North America Act having to do with the age of 75, which I think was in 1960, it may interest the Committee members to know that the legislatures were asked whether or not they would agree to this change to the British North America Act making 75 the age, and I with some trepidation took this proposal to the provincial cabinet in New Brunswick. They jumped all over me because it was not 70. The dilemma I was in was that the federal people had said 75 and many of the provinces had said 75, and to start getting out of step at that stage was awkward. As some of you know, my main dilemma is on the business of the people, and I need some information from your assistants here as to the number of people who since December 31, 1970 have retired without pension.

Mr. Woolliams: I wonder before that—I do not want to be rude, of course—if we could just settle this one point.

Mr. Fairweather: I thought we had settled it.

[Interprétation]

M. McCleave: Le doute semble régner un peu partout. Le ministre sera probablement de retour de Victoria à la fin de la semaine et ma question sera débattue. Il n'y aura pas de discussion à la troisième lecture si nous pouvons nous organiser; pourquoi ne pas demander au ministre de la Justice d'étudier nos plaintes. Les problèmes peuvent être réglés au niveau du rapport; nous pouvons avertir le ministre que s'il ne fait rien, nous ferons quelque chose.

Le président: C'est ce que j'allais dire. Les questions qui ont été soulevées sont valables. On devrait en discuter. Nous ne pouvons pas présenter d'amendement, mais si nous adoptons les articles, nous pourrions modifier le tout au niveau du rapport. D'ici à ce que le rapport soit présenté, le ministre sera informé.

M. McCleave: Nous devrions agir afin que rien ne soit fait avant que le ministre nous dise s'il va faire quelque chose; sinon, nous devons agir. Si...

M. Béchard: J'en parlerai avec le ministre et je vous dirai ce qu'il en est.

Le président: Monsieur Fairweather.

M. Fairweather: Je suis de l'avis de M. McCleave; l'administration fait en sorte que les députés ne puissent plus siéger après 70 ans. Je crois que c'est très bien. J'ai déjà été ministre et j'ai eu à traiter avec des gens de 80 ans et plus; je vous assure que ce n'est pas très drôle.

Toutefois, dans le dernier amendement à l'Acte de l'Amérique du Nord Britannique, on parle de 75 ans; c'était en 1960; les membres du Comité sont peut-être intéressés à savoir qu'on nous a demandé si nous serions d'accord pour inscrire 75 ans dans l'Acte de l'Amérique du Nord Britannique; j'en ai parlé au Cabinet provincial du Nouveau-Brunswick. Tout le monde a été fort surpris que ce ne soit pas 70 ans. Les gens du gouvernement fédéral et la plupart des provinces s'entendaient pour dire que 75 ans était valable; je faisais face à un dilemme. J'ai besoin de votre aide; vous devez me dire combien de gens ont pris leur retraite depuis le 31 décembre 1970 sans pension.

M. Woolliams: Je me demande s'il ne serait pas possible de régler un seul problème à la fois.

M. Fairweather: Je croyais que c'était fait.