Superannuation

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, the House went into committee thereon, Mr. Paproski in the chair.

Mr. Gauthier: Mr. Chairman, I rise on a point of order. I just want to make a correction. In my speech I said that the Charter of Rights came into effect in 1985. I meant that Section 15 of the Charter of Rights was proclaimed or came into effect on April 15, 1985. I think I may have over–stretched it.

The Deputy Chairman: Order. House in Committee of the Whole on Bill C–24, an Act to amend certain legislation respecting superannuation and other pensions.

Clause 2 agreed to.

On Clause 3—

Mr. Gauthier: Clauses 3 and 4 are the two operative clauses of the Bill. Both of them, if I am not mistaken, do away with the discrimination under Section 15. Am I right?

Mr. Crosby: Yes, Mr. Chairman. Not to mislead the Member, if you put all the clauses together, the net result is that the prohibition with respect to remarriage is eliminated and the consequential provisions are removed so that in the result the prohibition is terminated. And this is repeated throughout the Bill with respect to the other legislation involved.

Clauses 3 to 22 inclusive agreed to.

[*Translation*]

On Clause 23—

Mr. Gauthier: Mr. Chairman, I would like to ask the parliamentary secretary why in all our legislation, including the retiring allowances for Members of Parliament and defence services and Canadian Forces pensions, the provision dealing with the rights of children still contains the following:

> is eighteen or more years of age but less than twenty–five years of age and is in full–time attendance at a school—

In Clause 23, we see that—

[*English*]

—Royal Canadian Mounted Police Pension Contribution Act, we have changed it. It is 21 years of age or more for the RCMP but less than 25 years. Why 21 years for RCMP and 18 for all the others?

Mr. Crosby: Mr. Chairman, I do not know if I can answer the question in exact terms. The Royal Canadian Mounted Police Pension Continuation Act, to which the provision relates, is an Act of very limited application and it goes back in time. I cannot account for all the cases involved, but basically it applies to RCMP personnel who were recruited before 1949. My mathematics are not that great, but if you work it out from there I think you come up with the answer, and if you don't, let me know.

Mr. Gauthier: I am going to let him know that I have not come up with the answer yet. Maybe he is a better calculator than I am. Please tell me the answer. Why is it different for them than for the others?

Mr. Crosby: It is simply that it goes back to 1949, the provision was in force in 1949 and there is no particular reason to change the age provision. It is proper to say that it would not apply to anyone. I do not know if it could even in theory.

Mrs. Catterall: Mr. Chairman, I would like to know why a benefit continues for a child who has been in university continuously since the death of a parent, but not to someone who goes back to school six months hence or a year hence. Did the Government look at that provision at all and consider changes to it or is it part of what will be considered in future reform?

Mr. Crosby: Mr. Chairman, the question is valid. The policy was simply intended to gather in as many as possible, bearing in mind the balance of the grant of rights, or restoration of rights if you prefer, in relation to the expenditure that would accumulate. The group that is in university at present, in a sense, can be identified and targeted. If we were to permit persons to return to university we would have a group of indefinite number which might cause people to take a course of action which they are not now pursuing.

I recognize that that may well be a valid consideration but it will have to await a broader–based reform of the pension law when more investigation is available and more specific documentation of the potential liability can be ascertained.