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CIVIL SERVICE LEGISLATION

The consolidated and amended Civil Service Bill having been introduced in the House of Commons on May 29 by the Honourable Mr. White, the editors of *The Civilian* decided to devote the issue of June 12 to the texts of that Bill and the Superannuation Bill. The latter Bill not being introduced until June 12, and therefore not available until a day or two after that day, the present issue is delayed in reaching the subscribers. The contents of this number will surely compensate for the delay. As the Honourable Mr. White has issued an invitation to the service to study the proposed Bills during the recess, the editors considered that it would be advisable to present not only the Bills but the debates in the House relating thereto. This great mass of reading matter, the greatest in the experience of the service, is presented to our readers in the hope that it will receive most serious study and consideration.

This number contains the debate on the C. S. Bill of May 29, and on the Superannuation Bill of June 12; also the texts of the Civil Service Bill (No. 217) and the Superannuation Bill (No. 229).

Debate in the House of Commons on the Civil Service Bill, on May 29.

(From Revised Hansard.)

On motion of Hon. W. T. WHITE (Minister of Finance), the House went into Committee to consider the following proposed resolution; Mr. Blondin in the Chair:

Resolved, that it is expedient to amend and consolidate the Civil Service Acts to change the classification of members of the inside service; and to increase the salaries and annual increases in certain cases both in the inside and outside service; and to provide that during the present financial year there may be paid out

of the Consolidated Revenue Fund of Canada, such sums as have not been voted by Parliament but are required for the payment of such increases of salaries as may be prescribed by the proposed Act to consolidate the Civil Service Acts.

Mr. LEMIEUX: Would my hon. friend please give us an outline of the proposed measure?

Mr. WHITE: My hon. friend has asked me to give an outline of the Bill to be founded on this resolution. The Bill I propose to introduce is, in the main, a consolidation of the existing Acts, and preserves the provisions and language of the present legislation as far as is consistent with the amendments made. I think it will be generally agreed that it is desirable that there should be a consolidation of the legislation relating to the Civil Service. Sir George Murray, in his report two years ago upon the system of administering the Canadian Civil Service, made the following observations with regard to our legislation on this subject:

The provisions of the law are extremely difficult to follow, as the Civil Service Act (R. S. 1906, chapter 16) has been amended in 1908, 1909, 1910 and 1912. In the latter year, indeed, no less than seven Acts amending it in various respects were placed on the statute book.

The Bill, therefore, will be a consolidation of existing legislation respecting the Civil Service. Some important amendments, however, have been introduced. The legislation will provide for the organization of the several departments to be determined and defined by Order in Council, regard being had to the importance and responsibility of the work of each division. Such organization is to be considered and reported upon by the Civil Service Commission, which is, of course, retained, before being approved by the Governor in Council.

I might draw the attention of the House to the chief changes to be made by the proposed legislation. There is to be a change in classification of the inside service and a rearrangement of the salaries of certain classes in the inside and in the outside services. The present classification is as follows:

First division—subdivision A, \$2,800 to \$4,000; subdivision B, \$2,100 to \$2,800.

Second division—subdivision A, \$1,600 to \$2,100; subdivision B, \$800 to \$1,600.

Third division—subdivision A, \$900 to \$1,200; subdivision B, \$500 to \$800.

And then there are the messengers, sorters and packers not now in a class, with salaries from \$500 to \$800.

That is the classification, and the maximum and minimum salaries under the existing Civil Service legislation. We are, as I stated, making a change in the classification of the inside service and we propose under the new Bill that there shall be four classes, with three grades in each of the first three classes. The salaries in these grades will be as follows:

First division—Grade A,	\$3,500 to	\$4,000
" " " B,	2,900 "	3,400
" " " C,	2,200 "	2,800
Second division—Grade A,	\$1,650 to	\$2,100
" " " B,	1,350 "	1,600
" " " C,	1,000 "	1,300
Third division—Grade A,	\$1,250 to	\$1,800
" " " B,	1,050 "	1,200
" " " C,	600 "	1,000

The fourth class, which is to consist of messengers, packers and sorters, is graded as to salary from \$500 to \$1,000.

The new classification will apply to new entrants into the service. Those who are in the first division, grade A, to-day will proceed as they do now from \$2,800 to \$4,000 without any intermediate break at \$3,400; in other words, we are not interfering with the existing situation. Under the new legislation all those entitled to an annual increase will receive \$100 a year, which at the present time is only given to those in the first division, all others receiving only \$50 a year increase. With regard to the lower divisions of the service, it is found difficult to get men to accept appointments at the minimum salary now provided, \$500.

Sir WILFRID LAURIER: You find it difficult?

Mr. WHITE: We find it difficult to get men of promise and ability to accept appointment at the minimum grade of salaries of the lower divisions. I am sure I need not elaborate that point; we all know the demand throughout the country for young men of promise and ability in commercial, financial and industrial walks of life. It is a fact that it is increasingly difficult to get men of the right quality and promise to enter the Civil Service in the lower grades at the minimum salary provided by the existing legislation. That legislation may have been proper or not at the time it was introduced. I pass no opinion as to that;

but conditions have changed since then. We therefore propose to increase the minimum in the second class to \$1,000 and in the third class to \$600.

The salary of deputy heads has been left at \$5,000. I may say that I had under consideration the question of increasing the salaries of deputy heads, but I find that there is such a variety in their employment, such varying responsibilities in the different positions they occupy, that, in my judgment, it would be better that individual cases requiring special consideration should be dealt with by Parliament rather than that a salary rate should be fixed at the same for all occupying the position of deputy heads. There is a provision in the new legislation that any deputy head whose duties are of a professional or technical character and involve great responsibility may be paid such larger salary as Parliament may provide. It is my observation that there are deputy heads in the service who are paid too small salaries.

Mr. McKENZIE: Does the minister mean that these cases would have to be provided for by a vote being placed in the Estimates?

Mr. WHITE: It would have to be initiated in that way, as in the past. My point is that in my judgment it would not be proper to establish a salary rate of \$5,000 for all the members of the Civil Service at present occupying the position of deputy heads, because their responsibilities vary greatly. I know some deputy heads who, in my view, are paid too little, having regard to their abilities and the responsibility of their positions.

On the other hand, there are those occupying the position of deputy heads to whom the \$5,000 is, in my opinion, a fair remuneration. The same remarks would apply to the assistant deputies. The duties and responsibilities of their position vary greatly. I express only my own opinion; I have an assistant deputy head in my department, and I have no hesitation in saying that he is not paid the amount he should be paid. The matter of salaries of deputy heads, in my opinion, may better be dealt with by legislation in the usual way and the Government will take that matter under consideration in the next session of Parliament. The new law also provides—I am sure this provision will meet with the approval of the House—for a separate class to consist of technical officers and such other classes

of persons and officers possessing professional skill and having technical experience as may be specified by the Governor in Council. The Dominion at the present time is under a great disadvantage in the engagement of experts possessed of technical knowledge as compared with commercial, industrial, and railway corporations who are not fettered as to the salaries which they may pay such officials. The maximum salary that can be paid in the first division at the present time is \$4,000. I need not say to this House that under modern conditions it is not possible to obtain, say, a first-class engineer or a barrister or solicitor of repute and of experience at the bar for a salary of \$4,000. This new provision was, I think, recommended by Sir George Murray.

Mr. LEMIEUX: At what page in his report?

Mr. WHITE: My recollection is that this provision was recommended by Sir George Murray, but whether recommended by him or not I think it is wise legislation if the Dominion is to carry on efficiently its business throughout the country. Provision is also made in the new legislation for control of the employment of temporary clerks and for regulating holidays and sick leave.

Mr. LEMIEUX: I suppose this new legislation extends the time during which a temporary clerk may be continuously employed. I understand that the present regulations limit his employment to a period of six months.

Mr. WHITE: We are not extending the period, but if it is desirable that that question should be considered I shall be glad to consider it.

Mr. LEMIEUX: I understood my hon. friend to say there was a change in that respect?

Mr. WHITE: No.

Mr. LEMIEUX: They remain under the Commission?

Mr. WHITE: We have not modified the powers of the commission. The commission will still examine applicants under the competitive system, and will continue to issue certificates in connection with promotions. The new legislation provides for the control, under the Treasury Board, of the number of temporary clerks that may be employed, the idea being to exercise a greater measure of control than is possible under existing legislation.

When my hon. friend interrupted me I was about to speak of the provisions as to compulsory retirement. At present, there is no provision in the Civil Service legislation for compulsory retirement of officials. It has been thought desirable that an age limit should be fixed. There is much precedent for a provision of this kind, and I believe it is generally the view of those competent to express an opinion on the matter that it is not possible to have an efficient Civil Service unless there is provision for compulsory retirement at a certain age and provision for a retiring allowance. When we have disposed of this resolution, I will refer to that matter at greater length on the next resolution, and also deal with the question of superannuation. The new legislation fixes the age limit at 65, but persons now in the Service of 55 years or upwards will be permitted to remain until 70, and those now 70 may be given two years' additional service. We desire to interfere as little as possible with the status of those now in the Service, but to enact legislation which will be for the benefit of the Service in regard to new entrants.

It is proposed to extend the competitive examination system to the Outside Service at Ottawa and to such branches of the several departments as may be practicable. The Government will give consideration to that question during recess and in the future.

Mr. McKENZIE: Why Ottawa more than any other city?

Mr. WHITE: One reason is that the commission has its seat at Ottawa. To extend the system to all the cities of the Dominion would not be practicable at the present time, although it might be possible to extend it further than to the city of Ottawa. I hope to see the system extended to the Outside Service in respect of certain branches, with a view to gradually enlarging the scope of the commission with respect to the Outside Service.

Mr. McKENZIE: Why not extend the system to Toronto and Montreal as well as Ottawa?

Mr. WHITE: We do not regard it as practicable at the present time. I had not intended to go so much into detail with respect to the Bill, but upon the request of my hon. friend from Rouville (Mr. Lemieux) I have done so, and perhaps it is just as well, for it will not be possible for the Government to proceed with the

Bill this session. That is quite apparent from the amount of legislation which stands on the order paper for consideration. This, to me, is a matter of very sincere regret. During the past two years—in fact, ever since I came here—I have been interested in the Civil Service. I have not approached this matter from any political standpoint. I shall hope that this Bill will be regarded entirely on its merits, and I believe that will be the case. It appears to me that it is of supreme public interest that the Civil Service should be made as efficient as possible. Governments may come and governments may go, ministers may appear upon the scene and disappear, but the Civil Service, changing only in individuals, remains from week to week, from month to month, and from year to year, carrying on the business of the Dominion.

Mr. CARVELL: And their salaries are increased proportionately.

Mr. WHITE: There may be some members of the Civil Service whose salaries are too high.

Mr. CARVELL: It is a question of geometrical progression.

Mr. WHITE: In a service of this kind that is inevitable. My own view of the Civil Service is that it is on the whole a body of which the Dominion might feel proud. I have been very much impressed, speaking of my own department—and I have had some experience in a business way—with the spirit with which the work is carried on. I have never had an officer fail to respond with alacrity at any hour, day or night, that I might requisition his services. I am very glad indeed to pay that tribute to the officers of my department. Personally I have a high opinion of the public service of the Dominion as a whole. In any service there will be defects; there will be elements of injustice; some will be overpaid and some underpaid; but, speaking on the whole, I do not believe that the service is overpaid, and I believe that it is an efficient service. That is my individual view.

As I said, I have been greatly interested, not from any political standpoint, in the Civil Service, and it has been my desire, in so far as I could accomplish it, to render it more efficient by taking such steps as might be suitable to put it upon a proper basis. There cannot be a proper basis unless that basis is founded on justice and equity. On account of my illness during the month of February, I have been unable to proceed as I had hoped with this legislation and

to carry it through this session. Probably my legislative programme was too ambitious. If I had been an older parliamentarian, I might have been wiser, but it is impossible in my view to carry this Bill through during the present session. It is a most important measure, which will require careful consideration on the part of the House and on the part of the committee to which it may be referred. This is legislation which affects a very numerous and widespread service, a service with a variegated classification, existing under legislation that is quite complicated, and I think a measure of this kind might very well stand from one session to another in order that any defects in the proposed legislation may be detected and remedied.

During the recess I shall be glad to take into consideration any representations that may be made on behalf of the service, or any classes of the service, as to the Bill. When the matter comes before the House next session, I shall, therefore, have had the advantage of such criticism as may be directed towards the Bill in the meantime. The Government will be ready to hear any representations that may be made, and give them fair consideration, because our desire is to introduce a Bill which will be beneficial to the service and in the public interest. As certain salary increases have been provided in the lower division, and as the annual increase has been made \$100 instead of \$50, I think it might be proper, by reason of the fact that there has been delay in introducing this measure, and that it cannot be enacted at this session, that the Government should take into consideration, when the Bill is introduced next session, the advisability of making it retroactive from the beginning of this fiscal year. That is something that we shall consider.

Mr. McKENZIE: I understand that there is an organization among civil servants such as we find in other classes of labour throughout the country. I presume that organization is composed of competent and efficient men, and, while I would not expect that the hon. Minister of Finance (Mr. White) would be entirely guided by what they would say, I think it would be a fair proposition to submit this legislation to the executive of that body in order that they should have a voice with the minister in framing the regulations that govern their lives, wages and conduct, just as any other organization of the kind would have in the country. The voice of labour in any kind

of service throughout the country, whether it is employed in mines, factories or any other place, must be heard. Legislation as to wages, life and conduct generally, is submitted to it in order that its opinion may find expression. The Civil Service servant is not the independent individual that the man who works in the coal mine is. There is, happily, a strong vein of independence running through our labour classes. I can understand that the civil servant is not in that class. He is under surveillance, so to speak, all the time. He does not possess that independence which characterizes other departments of labour; at all events, if he does possess it he does not exercise it. The minister may be an autocrat in the department if he wants to be; what he says is law, and there cannot be very much disputation about it. The personality of the individual civil servant should be recognized as much as possible, because such recognition will have a tendency to promote the efficiency of the service. For that reason I would respectfully suggest to the minister that the executive of this organization, composed as it is of capable men, should have some opportunity of suggesting to the minister possible amendments to this legislation. The minister mentioned a moment ago that the entrance salary was too small. I think it is entirely too small; under the present conditions I do not think the minister should expect any capable young man to go into the service at \$500 a year. I certainly think the salary should be made something substantial, and, if necessary, increase the requirements accordingly, get a good man and pay him a good salary. I think that is what the minister should have in view. I remember when the Prime Minister was leading the Opposition a very terse and laconic statement made by him about the Civil Service, which was, that the Civil Service was overmanned and underpaid. I would suggest to the Minister of Finance that he should bear that in mind. I am not so particular about the overmanned part of it, but I certainly feel interested in whether or not men are underpaid. I hope the minister will bear in mind that a living wage should be paid to every man who is with capacity serving the country.

Mr. LEMIEUX: I have listened with a great deal of interest to the remarks of the Minister of Finance, and while I sympathize with him in his statement that owing to illness during this session he has been

unable to promote this legislation, I must regret that, even at this late hour of the session, he cannot give the civil servants the relief they were expecting from the Government. The hon. gentleman has been able to promote legislation involving huge sums of money, such as the \$45,000,000 to the Canadian Northern Railway Company, such as the \$14,000,000 which will be spent this year for militia purposes, such as the millions in the main and the supplementary Estimates, all of which will add greatly, I am afraid, to the net debt of Canada; but when the time comes to give the army of civil servants the much-needed relief that they have been clamouring for during these days of high cost of living, the Government simply says: Oh, we will introduce the Bill, but the civil servants must wait until next year to get the benefit of that Bill. That is a very sorry substitute for the expectations of our civil servants.

The Minister of Finance can perhaps well afford to delay the increase of salaries in the higher divisions, but I am speaking now for the under dog; I am speaking for the messengers who receive \$500 a year; I am speaking for those in the lower grades who receive a paltry \$1,000 a year, and who have to meet the rents, the grocery bills and the other necessities of life out of that. Could not this Government of millionaires, so liberal, so lavish with the big corporations, have given one day during the session to find the means of alleviating the sufferings of the thousands and thousands of poor civil servants in the city of Ottawa and elsewhere who are at present unable to pay for the necessities of life with their pittance?

There are some features of the Bill, as announced by the Minister of Finance, that are commendable. It is, however, impossible to pass judgment on a Bill until it is printed. I believe there should be a substantial increase, not so much to those at the top of the ladder as to those at the bottom. The Minister of Finance must read every day in the labour columns of the Journal, the Citizen, and the Free Press, of this city, the lamentations of men and women who are in the Civil Service, working at miserable wages. Surely the Minister of Finance will do something this year to alleviate the sufferings of those poor people. I cannot understand how my hon. friends who represent the city of Ottawa and who support the Government, will let this session pass without obtaining for the civil servants a substantial increase.

I am glad to hear that the Minister of

Finance contemplates placing the outside service on a footing of equality with the inside service, and, as I understand it, the competitive system will extend to both the outside and the inside service. I quite agree with him that it is better to begin with the city of Ottawa in certain branches of the outside service; I agree with him also that the commission would have to be a roving commission to embrace at once all the larger centres of the Dominion; but possibly a system may be evolved which would apply to the larger cities and the larger outside Government offices. I never could understand why the Customs officials—for example, in Montreal, Toronto, Vancouver, Winnipeg, Halifax, St. John, and other large cities—should not come under the Civil Service Commission just as do the civil servants in the Customs departments in Ottawa. The same remark would apply to the higher officials in the post offices of the large cities.

As regards the age limit, I agree with the Minister of Finance that, provided there is a reasonable superannuation for civil servants, they should be given that superannuation so as to provide for a more efficient and a younger service. I have been a Minister of the Crown for seven years, and I have had a number of employees under my care in the Post Office Department. It is one of the largest departments of the Government, and I know that there are poor officials who have been in harness for thirty-five and forty years, who are out of joint with the times. They cannot be retired because they have large families to support on relatively small incomes, and no pension to look to. It is therefore a commendable feature of the legislation that a system of superannuation is to be established so as to enable the older civil servants to retire.

As regards the deputy heads, my hon. friend may be quite right in stating that some of them may deserve an increase on account of the special nature of their work, and that some others might well remain at the present figure, namely, \$5,000; but my hon. friend is fresh in the Government, although he is very able, and certainly during the last three years he has gathered wonderful experience; but if he begins to differentiate between the deputy heads—I do not know if he believes in purgatory—I hope he does, although he comes from Toronto—he will know what purgatory in this world is.

Mr. WHITE: What about the deputy Minister of Justice last year?

Mr. LEMIEUX: Exactly. You have differentiated between the Deputy Minister of Justice and the others. If I mistake not, there is a marked difference in their salaries. In the case of the deputy Minister of Justice, Mr. Newcombe, you have given him a larger salary than his minister, a salary equal to that of the Prime Minister; but do you believe that the other deputy heads are satisfied with that? If you persist in differentiating, you will accumulate on your head any amount of trouble. I cannot say that I shall be sorry for it.

Mr. WHITE: What about the Deputy Minister of the Department of Naval Service and the Deputy Minister of the Department of Agriculture, who is also Deputy Commissioner of Patents, under the late Government?

Mr. LEMIEUX: It is always the 'tu quoque' argument.

Mr. WHITE: Had you purgatory?

Mr. LEMIEUX: No, we had something better than purgatory. If the hon. gentleman differentiates and lays down the principle that some deputy heads must remain at \$5,000, while some others shall get \$6,000, \$7,000, or \$8,000, I can only predict for him all sorts of trouble in the future, but it will be his own fault.

I hope that the hon. gentleman will change his mind. He might wait until next year to frame a schedule of salaries for all the classes of the Civil Service; but surely this year, with the hard times, the high cost of living, he should think of the under-dog—the messenger at \$500, the other poor fellows at \$800, \$900 or \$1,000. Can he afford to leave them with these salaries? My hon. friend has a tender heart, and will surely think of the families of these poor civil servants, and give them this year the much-needed relief.

In a memorial sent by the Civil Service Federation there are some good suggestions.

Mr. WHITE: I have that memorial.

Mr. LEMIEUX: As regards promotion, the memorial states:

The present method of effecting promotions is discouraging and unsatisfactory; influence and favouritism being frequently more potent factors than merit. The remedy desired is the appointment of an independent promotion board with power to investigate and report upon all recommendations or applications for promotion—promotion to depend upon a favourable report. The Civil Service Commission, reconstituted with three members and endowed with all necessary powers, would be an acceptable

board, though in the opinion of many the scheme would be incomplete without provision being made for an appeal from the decisions of the board.

I would ask my hon. friend to consider well this proposal of the Civil Service Federation during the vacation. I am glad to hear that he intends spending some time during the summer and the fall in looking after the Civil Service, but he should at once do something for the lower division of the service.

Mr. FRIPP: I feel that I ought to say a few words on this question, which is of very great importance, not only to the Civil Service of Canada, but directly to a large section of the people in the city of Ottawa whom I have the honour to represent.

I would like to congratulate the hon. Minister of Finance on submitting this resolution. No one living in the city of Ottawa knows better than he does that the civil servants have been suffering for some years on account of their salaries, and the divisions under which they find themselves under the present Civil Service Act. I do not know of any class of persons upon whom the high cost of living has fallen more harshly than upon the salaried class, and that, of course, affects about 3,500 of the civil servants of Canada who are living in the city of Ottawa. I would like to emphasize what the hon. member for Rouville (Mr. Lemieux) has so well said, and with all of which I agree.

There have been placed in my hands some statistics with which I think the House ought to be acquainted, because I intend to urge, as he did, the absolute necessity of coming to the aid of the lower grades of the service. This is a statement showing the number of employees of the inside service at the maximum of their respective grades at different times:

	1909-10.	1910-11.	1913-14.
Lower grade messengers, etc.	20	111	147
Third Division, grade A	42	181	322
Totals	62	292	469

When it is remembered that, of the whole Civil Service, at least 87 per cent earn on an average only \$1,042 a year, the House will see how important it is to recognize the just claims of those in the lower grades. If you take the messenger grade and the third division, they represent over 50 per cent of the Civil Service, with an average salary of \$821.24.

If you add to that the second division, you find that over eighty-seven per cent of the service are receiving an average salary of only \$1,042.28, or about \$158 less than the maximum salary of the third division. In view of that fact, it does seem to me that, while the Bill goes very far and will assist the people of the lower grades, as they ought to be assisted, still it is plain that they are suffering under practical grievances now, and I would urge upon the Minister of Finance and the Government the absolute necessity of bringing in some measure of temporary financial assistance, at least for those of the lower grade. The Civil Service Act of 1908 might be amended even at this late day of the session in order to give these people the benefit of this increase. Every one of these people—87 out of every 100 in the service—will lose \$50 in hard cash if the Bill goes over. Of course, if it is made retroactive, they will not lose it.

Mr. WHITE: We will save it for them.

Mr. FRIPP: Yes, but present needs are pressing. And I would strongly urge—

Mr. W. H. SHARPE: What proportion of these are females?

Mr. FRIPP: A very small proportion.

Mr. LEMIEUX: Is my hon. friend opposed to the employment of females in the service?

Mr. SHARPE: No.

Mr. FRIPP: No distinction is made in the Bill as between males and females. It is very delicate for one to make observations upon the question as to whether a discrimination should be made or not.

Mr. LEMIEUX: They are good officials.

Mr. FRIPP: They are, so far as I know, good officials.

Mr. SHARPE: Is there any place in Canada or on this continent where officials are receiving a larger amount of money for the amount of work done than right here in Ottawa?

Mr. FRIPP: Oh, yes.

Mr. SHARPE: I would like to know where.

Mr. FRIPP: You cannot get a body of men and women who are doing as good a work as the Civil Service of Canada for the same money.

Some hon. MEMBERS: Oh, Oh.

Mr. FRIPP: Hon. gentlemen who do not live in the city may doubt the accuracy

of that view. But it must not be forgotten that when a young man goes into the Civil Service his future is practically mapped out for him. He knows that he can only attain a certain position at best, and only one out of hundreds can reach the top rung of the Civil Service ladder. And they must live well; they must pay their way; they must dress well and maintain an appearance which is not demanded of young men in other walks of life. I venture to believe that the average earnings of the Civil Service in Ottawa are away below the average earnings of mechanics.

Mr. LEMIEUX: And the cost of living in the city of Ottawa is higher than in smaller towns.

Mr. FRIPP: Very true. I have figures in my possession which I will lay before the House when the matter is up for fuller discussion, showing that the earnings of the bricklayer and labourer have increased fifty per cent and sixty per cent above the salaries of the Civil Service.

Mr. W. H. SHARPE: Why not?

Mr. FRIPP: I do not object to such increases, but I want justice for the civil servant of Ottawa, who works as hard as any professional man, to my knowledge.

An hon. MEMBER: Four hours a day.

Mr. FRIPP: No, they work six, eight and ten hours a day. I am afraid my hon. friend does not understand the situation, he is not acquainted with the facts, or he would not make these statements.

Mr. A. K. MACLEAN: Give him your constituency, and he will change his mind.

Mr. FRIPP: I will change constituencies with the hon. gentleman, though I am not so sure that he could be returned as that I can. I urge upon the Government the granting of some immediate relief for the civil servant. I agree with the hon. member for Rouville (Mr. Lemieux), and will stay with him to keep the House in session if thereby we can pass this Bill. Temporary relief might be given this session, and the Bill in its main features laid over until next session. With regard to putting the outside service under the Civil Service Commission, I am heartily in accord with that. Any one who knows the facts will agree that the two representatives of the city of Ottawa are employment agents more or less, and we will welcome the extension of the powers of the Civil Service Commission so as to take over at least the outside

service in Ottawa; and in that way the experiment might be tried.

I do not wish to resume my seat without pressing upon the House and upon the minister my firm belief that there are many, many cases of actual distress among the civil servants to-day. I know a messenger who is at the maximum of his class. He has five children, and he must pay at least \$25 a month for rent. It is absolutely impossible for him to educate those children on his salary of \$800 a year. He needs assistance, and he needs it now. And his case is one of hundreds. This matter affects not only the service, but also our merchants and the business of the city. I would like to see, if possible, some measure of relief for the lower grades of the service at this session of Parliament.

Mr. VERVILLE: If there is a class of people who deserve an increase it is the outside Civil Service. When Civil Service matters are discussed in this House we generally have in mind the inside service—I do not know why unless it is that we are here at the capital. I am very far from being opposed to an increase for the inside service, because they also have to face the difficulty of the increased cost of living. Last year I quoted figures made up by the Ottawa men themselves to show that the cost of living in a very moderate way was over \$900 a year, and the hon. member for Ottawa (Mr. Fripp) tells us that the average salary is below that. If we pay the Civil Service lower than a living wage, we are really inviting these men to dishonesty. It is a wonder that there is not more dishonesty in the Civil Service, for we know that it is impossible to live in this city on the wages some are receiving. But in the outside service we find some men receiving \$600 a year, and we cannot but wonder how these people can possibly bring up their families. We may be told that at times they receive remuneration for overtime. But it seems to me to be most unfair for the Government, in fixing salaries, to consider what a man may earn in extra hours at night, and sometimes late at night. And if we give the man in Ottawa who works six or eight hours a day \$1,000 a year, the man who works for an equal number of hours in another part of the country in the outside service should receive as much. Whatever a man makes in overtime should not be considered in his salary. Comparison has been made of the capabilities of those in the outside and those in the inside service. We have heard also something about the employment of females in the

service. I claim it makes no difference whether it is female or male help in the Civil Service, there should be equal pay for equal work.

Mr. PROULX. But if they have no families to support?

Mr. VERVILLE: That makes no difference. If we were to argue in that way, we would pay the unmarried man only half what we pay the married man, and so fill our service with the unmarried and let the married starve. In this House we have a minimum rate of wages. Everybody admits that some members are more competent than others and also some follow more conscientiously than others the routine business of the House. Yet all receive the same salary. If we are to follow the principle of grading pay to merit, then we should pay the more competent members of this House a larger salary than we pay the other. As to this question of female help in the service, one must go back many years to understand the presence of women in industrial life. I do not wish to go into that history. Women have been forced to work by economic conditions, and under those circumstances if a woman performs as much work as a man, she should receive the same remuneration for it. If all employers, both the Government and private employers, were to pay female help at the same rate as they pay the same kind of male help, you would see more men at work and probably more women staying at home. I shall not review the history of this matter, because it would be necessary to go back to 1763, and that is too far back. I hope the minister will consider the conditions now existing in the outside service, and grant some aid to those employees. It was my privilege, while the Estimates of the Inland Revenue Department were before the House, to state to the minister that he was forbidden by law to give more than \$600 to some men in his department, and this is surely an opportune time to do something to remedy that condition.

Mr. WHITE: I should have stated, in speaking on the resolution, that provision has been made for certain increases in the range of salaries in the Customs and Inland Revenue Departments.

Mr. VERVILLE: I hope my friend will not forget also the Department of Public Works, the Department of Railways and Canals, in fact all the employees in the outside service of the Government. We know that the messengers in this House,

for instance, are employed only for the session. There are many men working in the outside service to-day who are earning only \$600 a year. That is not a sufficient wage in any large city, particularly in Ottawa. I do not know of any city where the cost of living is as high as it is here. I believe it is from ten per cent to fifteen per cent higher in Ottawa than it is in Montreal. But in my own city, where there is a large number of outside civil servants, we are asked every day: Why do you not have the Government do something for us? In view of the high cost of living, it is evident that we must do something. Even supposing we do increase the salaries of the outside service, perhaps next year they may be in the same position as they are to-day owing to a further increase in the cost of living. I believe that we are starting at the wrong end, that what we should do is to increase the purchasing power of working men. If we grant them \$100 a year increase, and if it costs them next year \$100 more to live, of course they will have no benefit from the increase. We do not think sufficiently of the necessity of increasing the purchasing power of the dollar. I would strongly urge the minister to think seriously over the condition of the outside service and to improve it as much as possible by the Bill which he proposes to bring before the House.

At one o'clock the committee took recess

The committee resumed at three o'clock.

Mr. J. L. CHABOT (Ottawa): I desire to congratulate the Minister of Finance on the fairness and general excellence of the Civil Service Bill which he has outlined. I only hope that he will make a great effort to bring the matter to a head during this session. Knowing as I do the many details that legislation of this kind entails, I can readily understand that a measure of this kind requires a great deal of consideration and discussion, and under these circumstances the minister may feel it his duty to lay the matter over till next session. I think such a step will not be unacceptable to the civil servants of the country, especially of Ottawa, in view of the fact that the minister has promised that the legislation will be retroactive. The Minister of Finance has given this legislation a great deal of thought and careful preparation, and from what I know I am satisfied that the Bill when carried into effect will be eminently satisfactory to all concerned. The Civil Service of this country, especially of Ottawa,

is composed of men of integrity, initiative and ability, and they are certainly entitled to generous treatment at the hands of the powers that be. I do not mean to say or even insinuate that all civil servants are overloaded with excellence in the performance of their daily duties, but as a whole the Civil Service of Canada compares favourably with that of any other country in the world. I sincerely trust that the Minister of Finance will make a great effort to put the legislation through this session, and if that is not possible that he will take the earliest opportunity next session of having it carried into effect so as to satisfy the civil servants of the country, who are certainly entitled to generous treatment. There is no doubt that Government employees in the lower grades are underpaid, and in view of the high cost of living they are certainly justified in asking for an increase of salary and a better classification. I am sure the Minister of Finance will deal with these matters not only fairly but generously.

Mr. EDMUND PROULX (Prescott): The minister has referred to superannuation or a pension fund. Is it the intention of the Government to create a superannuation fund to which the Civil Service will have to contribute, or is it to be a non-contributory system?

Mr. WHITE: It is my intention to introduce a Superannuation Bill based upon a system under which the members of the Civil Service will contribute to a fund at rates varying according to the age at which they commenced to contribute. The Government will also contribute an equitable proportion, and the fund thus constituted will provide for a retiring allowance to those members of the services who contribute.

Mr. PROULX: I approve of that plan, and I think this contributory system of superannuation might also be extended to the judges. I have never approved of judges getting a pension without contribution, and I suggested to the Minister of Justice last year that he should create a fund to which the judges could contribute and which would provide them with a retiring allowance; and now that he has the example of the Minister of Finance before him, I hope he will create some such fund for the judges. The Minister of Finance also said this morning that he thought there should be an age limit, and with that I agree. Some of the civil servants, on account of their old age, are

unable to efficiently perform their duties. Last year, the age limit of the county court judges was fixed at 75, and I think a similar provision in the Civil Service Act would be well placed. I know I am voicing the sentiments of the hon. members for Ottawa and the hon. member for Rouville when I ask for higher pay for the lower officials. Those in the higher grades are already sufficiently well paid, but the lower officials certainly deserve higher salaries. Many of them have to support families, and in view of the high cost of living they cannot properly educate their children and support their families on \$500 or \$600 a year. What I do not like is to see some female officials in the Civil Service, with no families to support, getting \$1,000 or \$1,200 a year, and in some cases \$1,500 or \$1,600, while officials in the lower grades with families to support are only getting \$500 or \$600 a year. It may be true that these ladies can do just as good work as men getting similar salaries, but it must be remembered that most men have families to support, and I think it is simply putting an embargo on marriage to pay these female officials such high salaries.

Mr. J. D. REID: Some female officials have families to support.

Mr. PROULX: They are paid high salaries, are given a holiday in the summer, buy nice clothes and do not think about marrying; and, if they should think about it, they want a man who can afford to keep them in the style to which they have been accustomed. Another objection is that the teaching profession is thereby drained. Many of these female employees in the Government service formerly earned their living as school teachers, but when they found they could get higher salaries in the Civil Service they left the teaching profession, passed the examination, and entered the Government service. No doubt females are adapted for some kinds of work, such as shorthand and typewriting, but many ladies are occupying positions in the Government service that ought to be occupied by men. When the work can be done just as well by men, they should be given the preference. I repeat that one of the reasons why the public and separate schools of Ontario cannot get teachers, is because the teaching profession is being deserted for the Civil Service. No doubt some of them go to the West, where the salaries are higher. I know that when I was a ministerialist some of these lady teachers asked for and got positions in the Civil Service.

That was before the Civil Service Act of 1908 had been passed.

I have another suggestion to make. I think that instead of the commission requiring candidates for the higher grades to have a knowledge of Latin or the higher mathematics, they should insist on a better knowledge of both official languages, French and English. That is almost a necessity in the higher grades. I would not require that for the officials in the lower grade, those getting \$500 or \$600 a year; but for the higher grades I think the examination should be changed. A knowledge of the French language is more important and more necessary than a knowledge of Latin and the higher mathematics. We had the experience the other day of an officer of the Department of Marine and Fisheries in the province of Quebec holding an investigation and not being able to understand the witnesses who gave evidence in their own language. The French and English languages are both official in this country, and the Government should oblige the higher officials of the different departments to comply with the requirements of the law in that regard. My hon. friend the Minister of Finance should make a suggestion to the Civil Service Commission that the examination should be changed so as to conform to this requirement. The other day we had a Bill passed through the House to change the naturalization. A fortiori, a knowledge of both languages should be made a condition of obtaining a position in the higher grades of the Civil Service.

Mr. A. K. MACLEAN: I cannot agree with the remarks which my hon. friend to my left (Mr. Proulx) has just made with respect to women in the public service. The world is moving rapidly, and the views which my hon. friend has expressed in regard to the position of women in the Civil Service are practically obsolete to-day. The measure which my hon. friend the Minister of Finance (Mr. White) has given notice of this morning is a very important one, and I am sure that when it is presented to the House it will receive the most generous and just consideration which this House is capable of giving it. The public service is extremely important to the country. I cannot imagine anything of greater importance than that we should have a capable, progressive, and efficient public service. I think that in the last analysis the government and administration of the public service, depend upon the Civil Service.

Ministers go and ministers come, and even while in office, I think their success depends largely upon the efficiency of the Civil Service in their particular departments. There are a great many men whose fortune it is to become advisers of the Crown whom all of us, on both sides of the House, know not to be too well qualified for the honour and distinction given them, and in such cases the administration of public affairs by the minister of that department is absolutely dependent upon the Civil Service of that department. I submit there is only one way to have an efficient public service, and that is by giving strict observance to proper methods of promotion and by paying the members of the Civil Service properly for the service rendered. It is quite true as was suggested this morning by some of the members of the House, that some civil servants are not capable. That is unfortunate, but it is the duty of the Government, it is the duty of Parliament, to eliminate any such men from the service. It may be true that the service is overmanned, but it is our duty to rid ourselves of this condition of affairs, employ only the requisite number, and make sure that those who are employed are capable and efficient. It is perhaps unfortunate that the minister was unable to present his Bill earlier in the session. I think, however, that it is a part of wisdom at this stage of the session that the consideration of the Bill be postponed until the coming session of Parliament. In the meantime, in my judgment it would be desirable to print the Bill and have it annotated and circulated among the members of Parliament, so that during the recess they may have an opportunity of giving consideration to it and next session be in a position to deal with it intelligently and expeditiously.

Mr. WHITE: For the most part I agree with the views expressed by my hon. friend (Mr. A. K. Maclean) as to the Civil Service and the position it occupies and should occupy in the administration of the affairs of the Dominion. I shall be glad to have the Bill printed, as he suggests, and circulated generally among the members in order that it may have the full and mature consideration which it undoubtedly deserves before it is introduced next session. My hon. friend from South Cape Breton (Mr. McKenzie) requested that we should hear the Civil Service Association in respect to the provisions of the Bill.

Mr. CARVELL: Have you not heard them?

Mr. WHITE: Yes; I may say that a memorial from the Civil Service Association of Ottawa has been presented to the Government and has received very careful consideration. We shall be prepared, as I stated this morning, to hear such further representations as the association, or any class, or even individuals, of the Civil Service, may be disposed to put forward in order that the legislation, when introduced next session, may be in as satisfactory a form as it is possible to make it. I was a little disappointed with the utterances of my hon. friend from Rouville (Mr. Lemieux) this morning. As far as I am concerned, there is no politics in this Bill. The Civil Service will hear nothing from me as to politics, and I shall expect to hear nothing of politics from the Civil Service. The less politics that enter into the dealings of the Government with the Civil Service the better for the Government, the better for the Civil Service, and the better for the public generally. I would point out to my hon. friend, who has urged that the Bill should be taken up this session for the reasons which he advanced, that the Bill, which has not yet been before him, consists of some thirty-five pages and nearly one hundred sections.

Mr. LEMIEUX: My hon. friend misunderstood me, and I am very sorry that I did not make myself clear. I quite understand that the Bill is a very important one and comes rather late in the day to be considered properly; but what I was urging was, and what I now urge is, that the lower grades are really deserving of some special treatment in view of the high cost of living, and if my hon. friend could have seen his way clear to give any lift to the lower grades I would certainly have said to my hon. friend that we could afford to wait until next year to take up the whole question of the Civil Service.

Mr. WHITE: The Bill cannot be dealt with piecemeal; it must be dealt with as a whole. In a piece of legislation of this kind affecting a body such as the Civil Service of Canada, no doubt there will be many defects. All the provisions should have mature consideration, and such representations as may be put forward by the various classes in the service should be heard and considered. I do not wish to deal with this matter from a political standpoint, but I would suggest to my hon. friend that there is room for his reflection in the fact that during 1909, 1910 and 1911, the Government of which he was a member

could have introduced legislation if they regarded the salaries in the various grades of the service as insufficient.

Mr. LEMIEUX: Does my hon. friend remember the general increase that was given?

Mr. WHITE: In what year?

Mr. LEMIEUX: I cannot exactly tell the year, but not long before the Liberals went out of office.

Mr. WHITE: I do not desire to enter into a political controversy over this matter. The Bill consists of some 35 pages and nearly 100 sections, and very important amendments have been introduced. My own view at the present time is that the Bill should at the next session of Parliament be referred to a special committee composed of members of both sides of the House, although it might be found more convenient to deal with it in Committee of the Whole.

Mr. LEMIEUX: May I suggest that during the recess a sub-committee of the Privy Council should deal with the matter and have the Civil Service represented before it.

Mr. WHITE: I have so much confidence in my own ability that I will continue to handle the Bill myself, because then I am sure it will be right. If I consulted with others it might not be so perfect as I hope it will be when I am finished with it. While I take my hon. friend's suggestion in good part, I think I shall continue to labour with the Bill after my own fashion in the hope of presenting a good piece of legislation when the House assembles next year. Having regard to the late date of the session, and the amount of business still remaining on the Order Paper, it is, I think, obvious to the House that it is impossible to proceed with a measure of this kind and enact it into law in the short time which remains. There are many members of this House on both sides who would naturally desire to speak upon this Bill, and its chief provisions will, I have no doubt, be debated at considerable length, because legislation connected with the Civil Service is a matter upon which a variety of opinion must exist. In fact, during the discussion to-day upon this resolution it has become apparent that many suggestions will be put forward. There will be an advantage, therefore, in the Bill standing over until next

session, and, in order that no injustice may be done to the service, the Government will take into consideration the advisability of making the Bill retroactive so as to date from the beginning of the present fiscal year. It seems to me that this is a just and equitable method of dealing with the question.

Mr. LEMIEUX: Will the Bill be introduced and distributed, and will the civil servants be heard on it through their representatives?

Mr. WHITE: The Government would welcome representations made on behalf of the Civil Service Association.

Mr. LEMIEUX: Hear, hear.

Mr. WHITE: Or representations from classes of the service or even from individuals; I cannot go further than that. Until a Bill is presented to the House, my view is that it should not be made public and discussed outside. I may say that we have had the benefit of representations made by the Civil Service Association, and have discussed the matter generally with many of the gentlemen occupying prominent positions in the service in the city of Ottawa.

Mr. FOWLER: If it is the intention of the Government to hear the civil servants in regard to this Bill, is it the intention also to hear the taxpayers who have some interest in this Bill? Or will the Government itself undertake to represent the taxpayer in the matter?

Mr. WHITE: In my own person I believe there is a continuous representation of the taxpayer; that is what I am here for. While I shall hear with pleasure the representations of the civil servants, at the same time I shall not be, I hope, entirely obvious of the fact that my colleagues and myself represent the taxpayers of the Dominion. I think my hon. friend need have no fear on that score, although, of course, it was a very proper question for him to ask. I had hoped to be able to present the Bill to-day, and I would ask the committee, in view of the representations I have made, to defer the discussion until I can present the Bill, and all its provisions are before the House.

Mr. EDWARDS: Just one word. I think there are two very good reasons for leaving this Bill over until next session. One reason might be advanced on behalf of those who would like more time to con-

sider its various provisions, and the other reason is in the interests of the civil servants themselves; because the fact is that the nearer you get this Bill to the next election the better it is for the civil servants who are asking for increases. However, the granting of these increases will have no definite or settled effect, because the civil servants will come here periodically a few months before election, as they always have done in the last fifteen or twenty-five years, and they will become more urgent as the day of election approaches. The Minister of Finance denies that there is any politics in this Bill, and, of course, in that very pious expression he will be backed up by the independent from Rouville (Mr. Lemieux); but, nevertheless, I hold the opinion that there is politics in it from the first page to the last. There is politics in it from this side of the House, and there is politics in it from the other side of the House, and, when the Bill is brought up close on an election, the politics of it will manifest itself in this way: that those who are promoting the Bill on this side of the House will say beautiful things of the civil servants, and those gentlemen on the other side of the House will be afraid to say anything else. Consequently, from the standpoint of the civil servants, their interest will be advanced by leaving this Bill over until next session. But, I want to call the attention of the Minister of Finance to this fact, that the hours of the civil servants, as I have seen them in the city of Ottawa, are mighty short, and their wages—

Mr. FOWLER: Pretty long.

Mr. EDWARDS: And their wages fairly high, considering the hours they put in. That is my opinion, and I venture to say that is the opinion of most people outside of this House and outside of this city.

Mr. FOWLER: And in the House, too.

Mr. EDWARDS: I would ask the minister to compare the salaries of civil servants in Ottawa with those of civil servants outside of Ottawa—with the salaries of customs officers, for instance, from one end of the country to the other, who are collecting the money with which to pay these civil servants, and who are receiving from half to a third the salaries that the young ladies and young gentlemen in the Civil Service in the city of Ottawa are receiving. It is a fact that at the present time a young man can start in the Civil Service and make better wages from the day he starts than

any man can in any other profession in the Dominion of Canada, supposing that they have the same amount of education. The college graduate, the man who has taken a course in the university, and who has spent years in hard study and training for his profession, starts at a very small salary and has to work his way up, and it is years before he reaches the salary that many civil servants start at in Ottawa, although they may be beardless boys with hardly any down on their upper lips. Salaries in Ottawa for civil servants are out of all proportion to the salaries paid from one end of Canada to the other to men and women who are doing the service of Canada just as well and efficiently as these young men and women are doing it in the city of Ottawa. As the hon. member for Kings and Albert (Mr. Fowler) has very properly said, it is well, while considering this matter from the standpoint of salary, to consider it also from the standpoint of the man who pays these salaries, namely, the taxpayer. On the one hand, the hon. member for Rouville puts up a plea for the underpaid lower grade in the Civil Service.

Mr. LEMIEUX: Hear, hear.

Mr. EDWARDS: My hon. friend is very sympathetic now, and he will be more sympathetic about twelve months hence. He puts up a plea for those in the lower grade on account of the high cost of living. When it comes to the higher grades, the plea is slightly changed; it is the cost of high living then. That is about the size of it.

Not only is there the question of rearranging these salaries periodically and increasing them every two or three years, or in less time than that, but there is the question of superannuation. Who is going to superannuate the farmer and the artisan and the labourer? They have to make provision for their old age during the productive period of their lives. I would like to know why it is that men in the Civil Service cannot do the same thing. You are placing before young men and women the opportunity of getting into the Civil Service at a good salary, at a better salary than many of the teachers in our high schools and collegiate institutes are receiving, and you are adding to that the fact that, after putting in so many years, they will be protected in their old age. You are putting a premium upon them; you are inviting them to spend every dollar of the salary they make during the years they ought to be putting by money, as the rest of us have to do, if we are going to make provision for our old age.

I am sick and tired of this buncombe about the civil servants being underpaid and half-starving. It is simply political clap-trap from this side or from the other side of the House.

Mr. WHITE: There would seem to be a real need for deferring the consideration of this Bill until next session. My hon. friend has his own views as to the motives which have prompted me in bringing down this Bill; I have mine, and they are not the same as those which he has expressed. This, however, is a free country, and every one is entitled to his own views and opinions.

With regard to the upper grades of the Civil Service, we are not increasing the salaries. We propose to increase the salaries only in the lower divisions. In the course of our administration we have found that we cannot get men of promise and ability to enter the Civil Service at the minimum salary provided under the present legislation. It is desirable that that condition should be remedied, and that the Government of Canada should be in a position to recruit and build up over a course of years an efficient and capable Civil Service. I believe the service, speaking of it as a whole, is reasonably capable and efficient; but it can be improved. I believe that legislation of this kind and of the kind I have in view with regard to superannuation will do a great deal to bring that about and to promote the efficiency of the service, and by doing that to promote at the same time the public interest; because it is in the interest of the public that the Civil Service of Canada should be made as efficient as possible.

Mr. FOWLER: I would suggest to the minister that during recess he take into consideration the question of disfranchising the Civil Service. If that were done, the complaint of my hon. friend from Frontenac (Mr. Edwards) would have less weight. There is a very great deal in what my hon. friend from Frontenac has said, and I agree with nearly all his observations. Some of them I might tone down a little, and some other parts of his remarks I might strengthen somewhat; but I really think that, if the Civil Service were disfranchised, it would be a good thing and would save the members for Ottawa from a great deal of trouble and annoyance. It would also save the hon. members from points outside of Ottawa from a great deal of trouble and annoyance. I have had a great deal of trouble from persons anxious to be promoted or to get higher salaries. Sometimes, in the kindness of one's heart, one will recommend a man for

a higher salary simply because he asks one to do so and one has known his father, or mother, or sister, or brother, or some of his relatives, although at the same time, while making the recommendation, one knows in one's heart that the man is getting from two to four times more than he would get if he had to struggle in the world, as the rest of us have to do. In the Civil Service there are some very estimable gentlemen; there are some who are perhaps receiving less remuneration to-day than they could earn if they were battling for themselves in the world. I think, however, I am safe in saying—and I say it with all courtesy to the Civil Service—that the majority of the civil servants in Ottawa are receiving much more than they could get if they had to work for private firms. There is a very considerable percentage of the civil servants in Ottawa who take no interest whatever in their work, and who are utterly useless so far as the efficiency of the public service is concerned. Some one suggests four hours a day; they do not put in two hours a day in actual work. They probably straggle along to the office about ten o'clock in the morning. If the civil servant happens to be a man, he lights his pipe and smokes and reads the morning paper until about half-past eleven. Then he looks at the clock, and says: 'It is eleven-thirty and I must go to lunch at twelve, so I had better go now, as it is not worth while working only half an hour.' He goes to lunch and returns at two o'clock. He probably smokes and reads the afternoon paper until about three-thirty, and then he looks at the clock and says: 'It is not worth while working now until four o'clock, as it is only half an hour until then'; and he knocks off for the day. This is a sample of the poor civil servant for whom my hon. friend the member for Rouville is so sorry.

Mr. LEMIEUX: I must say my hon. friend is very unjust to the civil servants.

Mr. FOWLER: I am not unjust to the civil servants. I said in the beginning that there are men and women in the service who are doing good work.

Mr. McKENZIE: If the facts are as my hon. friend suggests, this is certainly a matter for a Royal Commission to investigate.

Mr. FOWLER: A Royal Commission would not be a bad thing, if it were composed of men who would investigate the matter thoroughly, and who would sift out the bad from the good or the good from the

bad, as the case might be; but I do not think there is anything more absurd than the present Civil Service Commission, and the sooner the Government abolishes it the better in every way. I think it would be better to have the Civil Service as it was before.

Mr. LEMIEUX: My hon. friend wants to cut it Shortt.

Mr. FOWLER: I would cut him so short that there would be nothing left of him; because I think the commission is not doing the work it was intended to do. No doubt the intention of the Government in establishing the commission was along the right line, but the commission has not fulfilled its idea and is not fulfilling it to-day; as I said it is a perfect farce as at present constituted. I do not want to be unfair to anybody, and I am not unfair, but I fear that my hon. friend from Rouville, in his anxiety to protect the Civil Service, forgets the larger class of people of this country, the men who earn the money that pays for the Civil Service.

My hon. friend the senior member for Ottawa (Mr. Fripp), almost with tears in his eyes, spoke of the eighty per cent or more of the Civil Service actually receiving only \$1,040 a year. Do eighty per cent of the wage-earners of this country outside the Civil Service make \$1,040 a year? They do not make an annual income of \$700 a year, and yet in capabilities they will average up pretty well with the Civil Service. The men and women who are doing the work of this country, who are the producers of this country, are not making pay equal to that of the civil servants of Ottawa. We hear of the high cost of living. In what respect has the cost of living increased? Flour is cheaper; groceries are no higher, and in many instances lower than they were; clothing is as cheap. The only increase, perhaps, is in the matter of rent. The crazy, foolish land boom that struck a great many towns of this country has caused rents to advance in order that the few may be enriched at the expense of the many. Outside of the articles produced by the farmer, there is but little in the high cost of living; there is more in the cost of

high living. Plain living is much better than that, and 'plain living and high thinking' would be a very good plan to adopt.

Mr. WHITE: That is the policy I adopt.

Mr. FOWLER: I am glad to know it, and I am glad to know that the policy succeeds so well; the success attained by the hon. gentleman shows that this policy is a good one to recommend. When the Government revives their schedule of Civil Service salaries, the object should be to provide that those who are worthy should receive their proper reward and those who are unworthy should be eliminated. If such a Royal Commission could be appointed as would eliminate the deadwood and give to the worthy ones the reward which it is meet they should receive, we should have a commission that would be of some benefit; and you would have a Civil Service made up of not more than two-thirds as many as are to-day badly performing the work of that service. That is my opinion, and I ask the Government to look into this question, so that we may not have this periodic coming here, just previous to elections, with both sides afraid to offend the Civil Service. I suppose I should be afraid too if there were many civil servants in my constituency; but there are not, so I can speak out. I do not profess to be better than my neighbour who represents a Civil Service constituency, but those of us who do not represent such constituencies ought to be ready to express the plain facts and plain truths, so that the Civil Service may not be deceived. If I can measure the temper of this House, the vast majority of the members on both sides are very much in favour of the line taken by the hon. member for Frontenac (Mr. Edwards).

Resolution reported and concurred in.

Hon. W. T. WHITE (Minister of Finance) thereupon moved for leave to introduce Bill No. 217, respecting the Civil Service of Canada.

Motion agreed to, and Bill read the first time.

3rd Session, 12th Parliament, 4 George V, 1913-14.

THE HOUSE OF COMMONS OF CANADA.

BILL 217.

An Act respecting the Civil Service of Canada.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The Civil Service Act, 1914*. Short title.

DEFINITIONS.

2. In this Act and in all regulations made hereunder, Definitions. unless the context otherwise requires,—

- (a) "Civil Service" means and includes all classes of officers, clerks and employees in or under the several departments of the Executive Government of Canada and in the office of the Auditor General and in the Northwest Territories and the Yukon Territory included in schedules A and B to this Act, appointed by the Governor in Council or other competent authority before the first day of July, one thousand eight hundred and eighty-two or thereafter appointed or employed in the manner provided by the Civil Service Act for the time being, in force; and also includes,—
- (i) such officers, clerks and employees as are determined by order in council; and,
- (ii) such officers, clerks and employees in the Northwest Territories and the Yukon Territory, holding positions which if held in other parts of Canada would bring them under the provisions of this Act, as the Governor in Council brings under the provision hereof. 1906, s. 3.

- (b) "Commission" means the Civil Service Commission.
- (c) "Deputy," "deputy head," or "deputy head of the department," means the deputy of the minister of the Crown presiding over the department, the Clerk of the Privy Council, the Clerks of the Senate and House of Commons, the Librarians of Parliament, the Comptroller of the Royal Northwest Mounted Police, the Superintendent of Insurance, the Dominion Archivist, the Assistant to the Chairman and Secretary to the Commission of Conservation; and, in all cases in which such meaning is not inconsistent with his powers and duties under the Consolidated Revenue and Audit Act, the Auditor General. 1906, s. 2, 1908, s. 2.
- (d) "Head of the department" means the Minister of the Crown for the time being presiding over the department and includes the Speakers of the Senate and House of Commons.
- (e) "Inside Service" means and includes that part of the Civil Service in or under the several departments of the Executive Government of Canada and in the offices of the Auditor General, the Clerk of the Privy Council, the Governor General's Secretary, the Public Archives, and the Commission of Conservation, employed at the city of Ottawa, or at the Experimental Farm Station or the Dominion Astronomical Observatory near Ottawa, mentioned in Schedule A and including any part of the public service thereto designated by the Governor in Council. 1908, s. 3.
- (f) "Outside Service" means and includes the officers, clerks, and employees in the Civil Service mentioned in Schedule B, and the other officers, clerks and employees included in the Civil Service and such other part of the public service, not being part of the Inside Service, as the Governor in Council may prescribe. R.S. 1906, s. 4.
- (g) "Public Service" means and includes all officers, clerks or employees in the service of the Crown or of Parliament.—(New).

REPEAL.

Repeal.

3. Chapter 16 of the Revised Statutes of Canada, 1906, The Civil Service Amendment Act, 1908, and chapters 6 and 7 of the Statutes of 1909, chapter 8 of the Statutes of 1910, chapters 10, 11, 12, 13, 14, and 15 of the Statutes of 1912, being acts to amend the Civil Service Act, are repealed.

PART I.

CIVIL SERVICE COMMISSION.

4. There shall be a Commission, to be called the Civil Service Commission, consisting of not more than three members appointed by the Governor in Council.

"2. The Governor in Council may appoint one of the commissioners to be the chairman of the Commission.

"3. The rank and salary of each commissioner shall be that of a deputy head. Each commissioner shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons." 1912, c. 10.

5. The duties of the Commission shall be—

Duties of
Commission.

(a) to test and pass upon the qualifications of candidates for admission to and transfer and promotion in the Civil Service, and to issue certificates with respect thereto required under this Act or regulations made thereunder;

(b) of its own motion to investigate and report upon the operation of this Act, and upon the violation of any of the provisions of this Act or of any regulation made thereunder, and upon the request of the head of a department, to investigate and report upon any matter relative to the department, its officers, clerks and other employees;

(c) to report upon the organization or proposed organization of the departments and upon any proposed change in such organization;

(d) to obtain the assistance of competent persons for the preparation of examination papers and for the conducting of examinations;

(e) such other duties as are assigned to it by the Governor in Council;

(f) in connection with, and for the purposes of, any investigation or report the Governor in Council may invest the commission with all or any of the powers vested in a commissioner appointed under Part II. of *The Inquiries Act*.

2. The Commission, with the approval of the Treasury Board, may make regulations prescribing how such duties shall be performed. (New.)

3. All regulations made by the Commissioners with the approval of the Treasury Board under the provisions of this Act shall be published in *The Canada Gazette*. (New.)

4. A commissioner shall not hold any other office or engage in any other employment. 1908, s. 10.

Oath of
Office.

6. Each commissioner shall, before entering upon the duties of his office, take and subscribe, before the Clerk of the Privy Council, an oath that he will faithfully and honestly perform the duties devolving upon him as commissioner. 1908, s. 12.

Proceeding in
case of fraud,
&c.

7. Whenever the Commission is satisfied that any irregularity or fraudulent practice has obtained at an examination held by it or by any person deputed by it, the Commission may summon before it by a summons (which may be in the form in schedule E of this Act) signed by the chairman or by any one of the Commissioners, and may examine under oath or affirmation, any person who, in its opinion, is in a position to give evidence in relation to such irregularity or fraudulent practice. 1906, s. 9.

Refusal to
appear as
witness.

8. If the person so summoned does not appear at the time and place appointed by such summons the Commissioners shall be vested with all the powers conferred upon a justice of the peace by the Criminal Code, in the case of a person to whom a summons has been directed, requiring such person to appear before such justice at a time and place therein mentioned to give evidence respecting a charge of an indictable offence, and who does not appear in obedience thereto. 1906, s. 10.

Punishment.

9. Whenever any person appearing in obedience to any such summons, or by virtue of a warrant issued under the last preceding section, refuses to be sworn, or having been sworn refuses to answer such questions as are put to him or refuses or neglects to produce any documents which he is required to produce, without in any such case offering any just excuse for such refusal or neglect, the Commission shall, as to such person, be vested with all the powers, as to process and punishment in respect to witnesses, conferred in like cases upon a justice of the peace by the Criminal Code. 1906, s. 11.

Administra-
tion of oaths.

10. Every oath or affirmation required for the purpose of such inquiry may be administered by any Commissioner. 1906, s. 12.

Fraudulent
person to be
reported.

11. If any person is proved upon such inquiry to have been concerned in any fraudulent practice, or to have been guilty of any breach of the regulations made by the Governor in Council with respect to any examination held under the

authority of this Act, the Commission shall report the same to the Minister charged with the administration of this Act, who may thereupon cause such person's name to be removed from the list of persons who are found qualified; and such person shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars. 1906, s. 13.

12. Every person who, at any examination held under this Act, personates any candidate or employs, induces or allows any person to personate him or connives or assists at any personation, is guilty of an offence against this Act, and liable, on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred dollars, and, if he is employed in the Civil Service, to be dismissed therefrom. 1906, s. 14. Personation.

13. Every person who surreptitiously procures from any printer or other person, and every person who, without authority, furnishes to any other person any examination question paper or any other paper relating to any such examination as aforesaid, is guilty of an offence against this Act, and liable, on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding six months, or to a fine not exceeding two hundred dollars, and, if he is employed in the Civil Service, to be dismissed therefrom. Illegally obtaining examination papers.

2. No such person shall be allowed to present himself at any subsequent examination. 1906, s. 15.

14. No person shall, directly or indirectly, solicit or endeavour to influence a member of the Commission with respect to the appointment of any person to the service, or with respect to the promotion of, or an increase of salary to, any officer, clerk, or employee in the service. Soliciting appointments.

2. Any person who, directly or indirectly, solicits or endeavours to influence a member of the Commission in favour of his appointment, promotion or increase of salary, shall be deemed to be unworthy of such appointment, promotion or increase, and it shall not be accorded him; and if he is employed in the Civil Service, he shall be liable to immediate dismissal. 1908, s. 42.

15. Any two Commissioners may exercise all the powers and authority conferred by this Act upon the Commission. (New.) Powers of two commissioners.

PART II.

GENERAL.

ORGANIZATION OF DEPARTMENTS.

Organization
of Depart-
ments.

16. The head of each department as soon as may be practicable after the passing of this Act shall cause the organization of his department to be determined and defined by order in council, due regard being had to the importance, difficulty and responsibility of the work of each position.

2. The order in council shall give the names of the several branches of the department in cases where a department is divided into branches, the number and character of the offices, the number of clerkships in each class and grade, and the duties, titles and salaries thereafter to pertain thereto.

3. The organization of a department shall not be changed except by order in council.

4. Copies of such orders in council shall be sent to the Commission.

5. No organization or change of organization shall be approved by the Governor in Council until it has been considered and reported upon by the Commission. 1908, s. 8 amended.

6. Subject to the provisions hereinafter contained the officers, clerks and employees now in the Inside Service, shall be placed in the classes corresponding to the divisions in which they are now classified and they shall be graded according to the salaries they are now receiving.

7. If the number of officers, clerks and employees in any department or in any class or grade in either the Inside or Outside Service is greater than the number allowed to such department, class or grade by such organization, the Governor in Council shall name the persons to fill the several offices; and the remainder shall be supernumeraries of that class or grade respectively in which according to salary they rank, and shall so remain until vacancies occur in which they may be placed or until they cease to belong to the service. 1906, s. 6 amended.

8. Nothing in this Act shall be construed to prejudicially affect the present salary or right to future increases of any officer, clerk or employee who was in the Civil Service on the first day of April, 1914, and if any such officer, clerk or employee is placed in any grade where the maximum salary is smaller than the maximum salary of the subdivision or grade in which he is now classified he shall be eligible for

increases until he reaches the maximum heretofore fixed for such subdivision or grade; and any such person whose salary is within the limits of grade "B" of the first class in the Inside Service shall also be eligible for promotion to grade "A" of the first class.

9. Messengers, porters, packers and sorters now in the Inside Service shall be placed in the fourth class.

EXAMINATIONS, APPOINTMENTS, ETC.

17. Every examination under this Act shall be held in the English or French language, at the option of the candidate. 1906, s. 27. ^{Either language.}

18. Having regard to the requirement of the several departments for permanent and temporary officers, clerks and employees, a computation shall be made by the Commission of the number of competitors to be selected at the next ensuing general competitive examination. ^{Appointments.}

2. If there remain from a previous examination successful competitors who have not received appointments, their number shall be deducted in making the computation, and their names, in the order of merit, shall be placed at the top of the list to be prepared in accordance with section 20 of this Act. 1908, s. 15.

3. From the list of successful competitors the Commission, on the application of the deputy head, with the approval of the head of any department, shall supply the required officers, clerks and employees.

4. The selections shall be, so far as practicable, in the order of the names on the list, but the Commission may select any person who in his examination shows special qualifications for any particular subject. 1908, s. 18.

5. The Commission shall forthwith notify the Treasury Board and the Auditor General of the name and position in the service of each person so supplied to any department and also of the rejection of any such person during his probationary term.

6. Successful competitors may be employed for temporary work until assigned for permanent appointment. Assignment for temporary duty shall not prejudice the right to assignment for permanent duty. 1908, s. 18 amended.

7. The Commission may select for any office or employment any person who is a successful competitor for a higher office or employment; provided that no such selection shall be made to the prejudice of any person on the list of successful competitors for such lower office or employment. 1910, s. 15.

Notice.

19. Notice of every examination, shall be published in the English and French languages in the *Canada Gazette*, and such notice shall state the number of positions that it is expected will be open for appointments, the positions that are then vacant, and in each case the qualifications required for such positions. 1906, s. 28, amended.

Pass list.

20. Immediately after each examination a list of the successful competitors in the case of a competitive examination and of the successful candidates in order of merit in other examinations shall be made out, and the list of successful competitors and candidates shall be published in the *Canada Gazette*. 1906, s. 29, amended.

Tenure.

21. Except where otherwise specially provided all appointments to the Civil Service shall be during pleasure. 1906, s. 30.

Addition to salary on appointment.

22. The salary on appointment to the civil service shall be the minimum salary attached to the position: but, a further sum, not exceeding \$200, may be added to the said salary by the Governor in Council upon appointment or at any time during the period of probation upon the recommendation of the head of the department, based on the report in writing of the deputy head accompanied by the certificate of the Commission that the duties of the position justify such additional salary and that the person proposed to be appointed or appointed possesses the necessary qualifications to perform such duties: Provided always that such salary shall not exceed the maximum salary of the position to which the appointment is made. 1908, s. 33, amended.

Salary on appointment in certain cases.

23. If a person, on his appointment or promotion to any office or position in the Civil Service, is in receipt of a salary in the Civil Service greater than the minimum salary of the office or position to which he is appointed or promoted, he may be appointed or promoted at any salary not exceeding the salary which he is then receiving if it does not exceed the maximum salary of the said office or position and if it does so exceed then at any salary which does not exceed such maximum salary. 1908, s. 34

PROBATION.

Rejection during Probation.

24. The head of a department may at any time before the expiration of six months reject any person assigned or appointed to his department and the cause of the rejection

shall be reported by the deputy head to the Commission, or he may extend the period of probation within which such person may be rejected for another six months.

2. Where a person is rejected:—

(a) If the position is in the Inside Service the Commission shall thereupon select another person to take the place of the one rejected;

(b) If the position is in the Outside Service the head of the department may report to the Governor in Council the cause for the rejection and another person may thereupon be appointed in his stead.

3. The Commission shall decide whether the name of a rejected person shall be struck off the list as unfit for the service generally or whether he shall be allowed a trial in some other position for which he may be eligible. 1908, s. 19, amended.

25. After a person has served the probationary term of six or twelve months, as the case may be, he shall *ipso facto* be appointed to the service. 1908, s. 20, amended. Appointment on conclusion of probation.

INCREASES.

26. No officer, clerk, or employee shall receive any increase of salary except on the report of the deputy head, concurred in by the head of the department, stating that such officer, clerk or employee is deserving of such increase. 1906, s. 85. Report necessary for increase.

27. The increase of salary of any officer, clerk or employee authorized under this Act for the then current year may be suspended by the head of the department for neglect of duty or misconduct, and may be subsequently restored by such head, but without arrears. 1906, s. 86. Suspension of increase.

28. Except as herein otherwise provided any increase of salary authorized by this Act shall be payable from the first day of the official quarter next succeeding the date on which, from his length of service, any officer, clerk or employee for whom such increase is recommended, is eligible for such increase. 1906, s. 87. Commencement of increase.

29. Increases in the salaries of post office inspectors and assistant post office inspectors shall, however, be payable at the expiration of one year from the date of appointment, or at the expiration of one year from the date on which the post office inspector or assistant post office inspector last received an increase, as the case may be. 1906, s. 88. Increase of certain officers.

Payment of salary prohibited.

30. Except as herein otherwise provided no salary shall be paid to any member of the Civil Service whose appointment or promotion, or whose increase of salary, after the first day of July, one thousand eight hundred and eighty-two, has not been made in the manner provided by the Civil Service Act in force at the time of such appointment promotion or increase, or otherwise authorized or confirmed by law. 1906, s. 89.

Increase to new minimum salary.

31. If the salary of any officer, clerk or employee heretofore appointed is less than the minimum salary of his class or grade as fixed by this Act, his salary shall be increased to such minimum. 1906 s. 91.

Increase after year at maximum.

2. Any person who is in receipt of a salary at or above the maximum, as heretofore established, of the class or grade in which he is then serving shall be eligible for the increase of salary provided by this Act if he has been or as soon as he has been at such maximum for one year. 1908, s. 35.

Special increase for fourth class.

3. Any person in the fourth class in the Inside Service who is at present in receipt of a salary at or above the maximum as heretofore established for messengers, porters, sorters or packers, shall forthwith be eligible for one year's increase for each full year that he has been at such maximum salary up to the maximum salary for such class as fixed by this Act. (New.)

Commencement.

4. The increases authorized by this section may be paid from the first day of April, 1914, or from any later date as may in each case be directed by the Governor in Council.

Payment of increases.

5. There may be paid out of the Consolidated Revenue Fund of Canada such sums of money as have not been voted by Parliament but are required for the payment of such increases of salary as are made by this Act.

PROMOTION.

Probation.

32. Every promotion shall be subject to a probation of one year unless after not less than six months probation the person promoted is confirmed in his position.

Rejection.

2. The head of the department may on the report of the deputy head at any time during the period of probation cancel the promotion.

Return.

3. If the person so selected is rejected he shall then return to the performance of the duties in which he was previously engaged. 1906, s. 47, amended.

Former duties by whom performed.

33. During the period for which a clerk is promoted on probation the duties of the office previously held by him

shall, if necessary, be temporarily performed by a person selected for that purpose by the head of the department. 1906, s. 49.

EXCHANGES AND TRANSFERS.

34. An exchange of positions between two officers, clerks or employees serving in different departments, or in the Inside and Outside Service in the same department, and the filling of a vacancy in a department by a transfer from the Inside to the Outside Service or from the Outside to the Inside Service in the same department or from another department, may be authorized by the Governor in Council to be made without examination of either officer, clerk or employee, but no such transfer shall be made from the Outside Service to the Third class of the Inside Service. Transfers and exchanges.

2. Such transfer shall be made without increase of salary to any person transferred. No increase.

3. No person shall be transferred from the Outside Service to the Inside Service whose age at the date of his first appointment exceeded the age at which he might have been appointed to the position to which he is being transferred in the Inside Service. Age limit.

4. No transfer shall be made under the authority of this section from the Outside Service to the Inside Service except upon the report in writing of the deputy head that the duties performed in the Outside Service by the officer, clerk or employee to be transferred are of a like character to those of the position to which he is to be transferred, and if performed in the Inside Service would entitle him to the said position; that he is qualified for the duties of such position, and that he has served for a period of at least three years in the Outside Service; and upon his obtaining from the Commission a certificate of qualification. 1906, s. 50, 1910, s. 5 amended. Transfer from second to first division.

35. Any officer, clerk or employee in the Outside Service may be transferred to any position in the Inside Service for a period not exceeding six months, but he shall during such period, notwithstanding his duties in the Inside Service, remain subject to the law relating to the Outside Service. 1910, s. 6. Temporary transfer second to first division.

PAYMENTS.

36. The salary or increase of salary on promotion of any officer, clerk or employee may be paid from the date of the commencement of his employment or of his entering upon the work of the position to which he is promoted Payment of salaries.

notwithstanding that his appointment or promotion occurred at a subsequent date. Provided that no payment shall be made for services in one fiscal year out of money voted for another fiscal year.

ADDITIONAL PAYMENTS.

No payments
additional to
salary.

37. In the absence of special authority of Parliament no payment additional to the salary authorized by law shall be made to any deputy head, officer, clerk or employee permanently employed in the Civil Service in respect of any service hereafter to be rendered by him, whether in the discharge of his ordinary duties of office or of any other duties which may be imposed upon him, or which he may undertake or volunteer to discharge or otherwise perform; and no vote expressed to be made generally, though qualified by the words 'notwithstanding anything in *The Civil Service Act*,' or words to the like effect, shall be deemed to authorize such a payment: Provided, however, that nothing in this section is intended to prohibit the payment to any officer, clerk or employee in the Outside Service of a separate annual salary from each of two or more departments or distinct branches of the public service in respect of separate duties performed in the Outside Service for each of such departments or branches respectively, if one of such salaries is not sufficient to compensate him for his whole time, and if the aggregate salaries do not exceed reasonable compensation for the discharge of all the duties so performed; and provided further that nothing in this section shall affect the operation of section 51 of this Act. 1910, s. 21.

TEMPORARY EMPLOYMENT.

Temporary
employees.

38. When from a temporary pressure of work extra assistance is required in any branch of either the Inside or Outside Service, the Treasury Board may, on the report of the deputy head of the department, concurred in by the head of the department, that such extra assistance is required, authorize the employment of such number of temporary officers, clerks or employees as are required to carry on the work of the department. The Treasury Board may refer any application for the appointment of temporary officers, clerks or employees to the Commission for a report. 1906, s. 94, amended.

Payment.

39. Temporary employees shall only be paid out of moneys specially voted by Parliament for the purpose. 1906, s. 100.

13

LEAVE OF ABSENCE.

40. The head of a department may grant to each officer, clerk or other employee in the Civil Service a yearly leave of absence for purposes of recreation for a period not exceeding twenty-one days exclusive of Sundays and holidays. Annual holiday.

2. Every such officer, clerk or employee, shall take the leave so granted at such time each year as the head of the department determines. 1906, s. 101, amended.

41. In the case of illness or for any other reason which to him seems sufficient, the Governor in Council or subject to such regulations as the Governor in Council may make the head of a Department may grant to any officer, clerk or other employee, leave of absence for a period not exceeding six months in any one year. 1906, s. 102, amended. Leave.

42. When any officer, clerk or employee is absent from duty without leave his salary for each day of such absence shall be deducted from his monthly salary. 1906, s. 92. Deduction from pay for unauthorized absence.

DISMISSAL.

43. No provision herein contained shall impair the power of the Governor in Council to remove or dismiss any deputy head, officer, clerk or employee, but no such deputy head, officer, clerk or employee, whose appointment is of a permanent nature, shall be removed from office except by authority of the Governor in Council. 1906, s. 104. Dismissal.

SUSPENSION.

44. The head of a department, and in his absence the deputy head, may,— Suspension.

(a) suspend from the performance of his duty or from the receipt of his salary any officer, clerk or employee guilty of misconduct or negligence in the performance of his duties;

(b) remove such suspension;

but no person shall receive any salary or pay for the time or any part of the time during which he was under suspension unless the Governor in Council is of opinion that such suspension was unjust or made in error or that the punishment inflicted was too severe.

2. All cases of suspension by the deputy head of a department shall be reported by him to the head of the department. 1906, s. 103, amended.

RETIREMENT.

Retirement
at 65.

45. Any officer, clerk or employee who has attained the age of sixty-five years shall *ipso facto* be retired from the Civil Service; provided that where in any case the Governor in Council considers it in the public interest, the term of office of such officer, clerk or employee may be extended for a period not exceeding twelve months; provided also that any officer, clerk and employee now employed in the Civil service, who is over the age of fifty-five years at the date of this act may be allowed to remain in the Civil Service until he has attained the age of seventy years; and any officer, clerk or employee who is over seventy years at the date of this Act may be allowed to remain in the Civil Service for two years from such date. (New.)

GRATUITY ON DEATH.

Gratuity
on death.

46. If a person dies while in the public service, after having been at least two years therein, an amount equal to two months of his salary shall be paid to his widow or to such person as the Treasury Board determines. 1908, s. 41.

OATHS.

Allegiance
and office.

47. All deputy heads, officers, clerks, and employees in the Civil Service who have not already done so, and every deputy head, officer, clerk, and employee hereafter appointed, before any salary is paid him, shall take and subscribe the oath of allegiance and also the oath contained in schedule C to this Act, or such other oath as is provided by any other Act, in that behalf.

Secrecy.

2. In the case of the Clerk of the Privy Council, and all officers, clerks and employees under him, and in the case of any officer, clerk or employee of whom the Governor in Council requires the same, there shall be added to the oath at the asterisks, in the form of the oath in the said schedule C, the words contained in schedule D to this Act.

Clerk of
Privy
Council.

3. The Clerk of the Privy Council shall take and subscribe the said oaths before the Governor General or some one appointed by him to administer the same.

Before whom
taken in
Ottawa.

4. In the case of persons residing or coming to reside at the city of Ottawa, the oaths shall be taken and subscribed before the Clerk of the Privy Council.

And else-
where.

5. In other cases the oaths may be taken and subscribed before a justice of the peace or other proper authority, who shall forward the same to the Clerk of the Privy Council.

Register.

6. The Clerk of the Privy Council shall keep a register of all such oaths. 1906, s. 106.

VOTING.

48. No deputy head, officer, clerk or employee in the Civil Service shall be debarred from voting at any Dominion or Provincial election if under the laws governing the said election he has the right to vote; but no such deputy head, officer, clerk or employee shall engage in partisan work in connection with any such election. 1908, s. 43.

Voting permitted.

ATTENDANCE BOOK.

49. There shall be kept in each department, and in the office of the Auditor General, at the seat of Government, in each office of the Outside Service, and in such other places as the Governor in Council may direct either a book or books to be called the attendance book, which shall be in such form as is determined by the Governor in Council, in which each officer, clerk and employee of such department or office shall sign his name at such times as are determined by the head of the Department or some other device or system approved by the Governor in Council for preserving a record of the attendance of officers, clerks and employees. 1906, s. 105.

Attendance book, &c.

OFFICERS, ETC., OF PARLIAMENT.

50. So much of this Act as relates to appointment, classification, salaries and promotions in the Inside Service and the provisions of section 49 shall apply to the permanent officers, clerks and employees of both Houses of Parliament and of the Library of Parliament and wherever any action is authorized or directed to be taken by the Governor in Council or by order in council, such action, with respect to the officers, clerks and employees of the Senate or the House of Commons, shall be taken by the Senate or the House of Commons, as the case may be, by resolution, and with respect to the officers, clerks and employees of the Library of Parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the Senate, House of Commons or both Houses as the case may be at the next ensuing session. 1908, s. 3-45.

Application of Act to Employees of Parliament.

51. Nothing in this Act shall be held to curtail the privileges now enjoyed by the officers, clerks, and employees of the Senate, House of Commons or Library of Parliament

Certain privileges preserved.

with respect to rank and precedence or to attendance, office hours, or leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary or remuneration. 1908, s. 46.

CIVIL SERVICE LIST.

Civil Service
list.

52. The Commission shall prepare each year a list, to be called the Civil Service List of Canada, of all persons employed in the several departments of the Government, and in the service of the two Houses of Parliament, upon the first day of April, next preceding, showing the dates of their several appointments and promotions, their age, rank in the service, and salary; and a report of the proceedings of the Commission during the preceding year, which report shall include a copy of the examination papers, a statement of all examinations held, of the number of candidates at each examination, the names of the successful competitors and candidates, the appointments and promotions made, and the rules and regulations made during the year respecting appointments, promotions, examinations and all other matters appertaining to the Civil Service. This list and report shall be printed and the Minister appointed by the Governor in Council to administer this Act shall lay the same before Parliament within the first fifteen days of each session. 1906, s. 108.

Regulations.

53. The Governor in Council may make such regulations not inconsistent with this Act as He deems to be necessary or convenient for carrying out the provisions of this Act.

PART III.

INSIDE SERVICE.

APPOINTMENTS.

54. Except as herein otherwise provided, and except in the case of deputy heads, appointments to positions in the Inside Service shall be by competitive examination which shall be of such a nature as will determine the qualifications of candidates for the particular positions to which they are to be appointed, and shall be held by the Commission in accordance with regulations to be made by the Commission and approved by the Governor in Council. 1908, s. 13.

Appointment
by com-
petitive
examination.

55. No person shall be admitted to any examination for the first, second, third or fourth classes of the Inside Service unless he is a natural born or naturalized British subject, and also has been a resident of Canada for at least one year.

Must be
British
subject.

2. Persons must be of the full age of eighteen years and of not more than thirty years to be eligible for appointment to or for examination for the first and second classes; of the full age of seventeen years and not more than twenty-five years for appointment to or examination for the third class; and of the full age of seventeen years and not more than forty years for appointment to or for examination for the fourth class: Provided that any person may be a candidate in any open competition for a position requiring technical or other special qualifications, involving special experience for a number of years in the duties to be performed, who is not more than forty years of age. New and 1908, s. 14.

Age limits.

3. Any person holding a permanent appointment in the Inside Service or a permanent position in the Outside Service, may enter for any open competition or examination for the Inside Service if such person when first appointed was not older than the maximum age prescribed by this Act for the position for which the examination is being held and if successful thereat may be appointed irrespective of his age. (New.)

Age limit for
persons in
Service.

4. Under such conditions, if any, as are prescribed by the Governor in Council, clerks in the third class shall be permitted to enter for the open competitive examination for the second class, and employees in the fourth class may

Third class
competing for
second.

enter for the open competitive examinations for either the second or third classes. 1908, s. 26, amended.

Technical officers.

56. The Governor in Council may appoint technical officers, without competitive examination and irrespective of age, upon the recommendation of the head of the department based on the report in writing of the deputy head, provided the person to be appointed obtains from the Commission a certificate, to be given with or without examination, as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and also a certificate that he is duly qualified as to health, character and habits. 1908, s. 21, amended.

Appointment to Fourth Class.

57. Appointments to the fourth class may be made by the head of the department based on the report in writing of the deputy head, and accompanied by a certificate of qualification from the Commission, to be given with or without examination, as is determined by the regulations of the Commission, that the person applying for the appointment possesses the requisite knowledge and ability and also a certificate that he is duly qualified as to age, health, character and habits, but no person shall be appointed to the fourth class whose duties or part of whose duties will be to do typewriting, stenography or clerical work. 1908, s. 22, amended.

58. The Inside Service shall be divided as follows:—

(a) Deputy Heads.

(b) Technical officers and such other classes of persons and persons possessing professional or other special technical knowledge and experience as may be specified by the Governor in Council.

(c) First Class grades A and B, consisting of officers having the rank of deputy heads but not being deputy heads administering departments, assistant deputy ministers, and the principal administrative and executive officers;

Grade C, consisting of the lesser administrative and executive officers.

(d) Second Class consisting of other clerks, having administrative, executive, or other duties which are of the same character as, but of less importance and responsibility than, those of the first class. This class shall be divided into grades A, B and C.

(e) Third Class, consisting of the other clerks in the service. This class shall be divided into grades A, B and C.

Grade A shall consist of clerks and other employees working under supervision or performing other duties of minor importance and responsibility.

Grade B shall consist of other clerks and employees who work under supervision and of stenographers and typewriters.

Grade C shall consist of other clerks and employees and of stenographers and typewriters whose duties are copying and routine work under supervision.

The third class shall also include photographers, engrossers, draftsmen, architect's assistants, technical assistants and such other employees as the Governor in Council may direct.

(f) Fourth Class, consisting of messengers, porters, sorters, and packers.

59. No person shall be classified or appointed as a technical officer unless his professional or technical knowledge is necessary in order to enable him to perform the duties of the office or position to which he is appointed, and appointment as a technical officer shall not qualify a person for appointment or transfer to any other position in the civil service open to appointment upon competitive examination only. (New.)

Transfer of
technical
officers.

60. The salary of a deputy head shall be five thousand dollars per annum; provided that any deputy head whose duties are of a professional or technical character and involve grave responsibility may be paid such larger salary as Parliament may provide. Salaries.

2. The salaries of technical officers of the highest class shall be such as Parliament may provide. Other technical officers shall for the purpose of determining their salaries and the annual increases thereto be classified in one of the following classes.

3. In the first class, the minimum and maximum salaries shall be as follows:—

In grade A, \$3,500 to \$4,000;

In grade B, \$2,900 to \$3,400;

In grade C, \$2,200 to \$2,800.

4. In the second class, the minimum and maximum salaries shall be as follows:—

In grade A, \$1,650 to \$2,100;

In grade B, \$1,350 to \$1,600;

In grade C, \$1,000 to \$1,300.

5. In the third class, the minimum and maximum salaries shall be as follows:—

In grade A, \$1,250 to \$1,800;

In grade B, \$1,050 to \$1,200;

In grade C, \$600 to \$1,000.

6. In the fourth class the minimum and maximum salaries shall be \$500 to \$1,000. 1908, s. 27, 28, 29, 30, 32, amended.

INCREASES.

Annual
increases.

61. There may be given to every officer, clerk, or other employee in the first, second, third and fourth classes an annual increase of one hundred dollars, until the maximum of his grade is reached.

PROMOTIONS.

Promotions
to be for
merit.

62. Promotion shall be made for merit by the Governor in Council upon the recommendation of the head of the department based on the report in writing of the deputy head accompanied by a certificate of recommendation from the Commission. 1908, s. 24, amended.

Vacancies in
first class.

63. Vacancies in the first class shall be filled, as far as is consistent with the best interests of the public service, by promotions from the second class.

Conditions of
promotion.

2. No person shall be promoted unless he is to do work of greater importance and responsibility than he has hitherto done, or unless the duties of his office are such as to justify the promotion. 1908, s. 25, amended.

Exception.

3. There shall be no promotion from the third class or from the fourth class.

Third class
under Act
1908.

4. Any person placed in the third class (heretofore called the third division), under the provisions of the Civil Service Amendment Act, 1908, may, upon the recommendation of the head of the department based on the report in writing of the deputy head, and accompanied by a certificate of qualification by the Commission, to be given with or without examination, as is determined by the regulations of the Commission, be appointed by the Governor in Council to the second class without an open competitive examination, and the provisions of this Act with respect to the maximum age at which persons may be examined for or appointed to the second class shall not apply to such person. 1908, s. 26, amended.

DEPUTY MINISTERS.

Creation of
Deputy
heads.

64. There shall a deputy head for each department who shall be appointed by the Governor in Council, and shall hold office during pleasure.

2. No officer shall hereafter be raised to the rank of deputy head except in the case of a vacancy occurring, or when a new department is created by Act of Parliament. 1906, s. 51. Vacancy
or new
department

3. Whenever a deputy head is removed from his office, a statement of the reasons for so doing shall be laid on the table of both Houses of Parliament within the first fifteen days of the next following session. 1906, s. 52. Report on
removal.

65. The deputy head of each department shall, subject to the directions of the head of the department, oversee and direct the officers, clerks and employees of the department, and shall have general control of the business thereof, and shall perform such other duties as are assigned to him by the Governor in Council. Duties of
Deputy
Head.

2. He shall give his full time to the public service and shall discharge all duties required by the head of the department, or by the Governor in Council, whether such duties are in his own department or not.

66. Unless otherwise provided by the Governor in Council, in the absence of any deputy head, the Assistant Deputy Minister or if there is no Assistant Deputy Minister, or the Assistant Deputy Minister is absent, an officer or clerk named by the head of the department shall have the powers and perform the duties of such deputy head. 1906, s. 60, amended. Assistant
Deputy
Heads.

2. There shall be in the office of the Auditor General an assistant Auditor General who shall act for the Auditor General in his absence. 1906, s. 60, amended.

PRIVATE SECRETARIES.

67. Any member of the Civil Service may be appointed private secretary to the head of a department, or to the Solicitor General and may be paid an additional salary not exceeding six hundred dollars a year whilst so acting. Salary of
Secretaries.

2. No salary shall be payable to any private secretary unless the amount has been voted by Parliament. 1906, s. 81.

68. Any person chosen by a Minister or by the Solicitor General to be his private secretary may, without examination and irrespective of age, be temporarily appointed a clerk, in grade B of the first class or in grade A or grade B of the second class, and shall be paid a salary not exceeding the maximum salary of the grade to which he is appointed and after one year's service as such secretary he shall be Appointment
to service
after one
year.

deemed to be permanently appointed in the grade and class to which he was temporarily appointed at the salary which he is then receiving in such grade. 1912, c. 15.

TEMPORARY.

Temporary clerks.

69. Persons who have successfully passed the competitive examinations for the Inside Service may be given temporary employment in the Inside Service and when extra assistance in excess of those whose names are on the list of successful competitors is required in the Inside Service of any department, additional persons may be employed but every such person shall, before employment obtain a certificate of qualification from the Commission, to be given with or without examination, as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits.

Limit for employment.

2. No temporary officer, clerk or employee shall be employed for more than six months in any fiscal year. 1908, s. 23, 1910, s. 19, amended.

Salaries.

70. The salary of a temporary officer, clerk or employee shall be the minimum salary of the class or grade for which he has successfully competed: And where he has not passed a competitive examination, the salary may be the minimum salary authorized for the fourth class or the minimum salary authorized for grade C of the third class, or the minimum salary authorized for grade C of the second class, having regard to the duties required of him, and subject to increase as authorized by section 22 of this Act. 1910, s. 20.

CENSUS EMPLOYEES.

Temporary clerks for decennial census.

71. Special competitive examinations may be held by the Civil Service Commission, in accordance with regulations in that behalf made by the Commission and approved by the Governor in Council, for ascertaining the qualifications of persons to be employed as temporary officers, clerks and employees for the compilation of any decennial census, and the successful competitors may be employed temporarily for the duties aforesaid for any period not exceeding three years, and the salaries of such temporary officers, clerks and employees shall be as prescribed by the Governor in Council.

Examinations and period of service.

Census clerks ineligible for other work.

2. During such term of service such temporary officers, clerks and employees shall not be eligible for any employ-

ment other than the compilation of the decennial census, and they shall not be entitled by reason of service in the compilation of the census to any further employment.

3. Such temporary officers, clerks and employees shall be eligible for annual statutory increases of fifty dollars each if the salary is at the rate of not more than two thousand one hundred dollars per annum and of one hundred dollars each if the salary is over such amount. 1910, s. 7.

To receive annual increase.

ELECTION AUDIT CLERKS.

72. When, after a general election, extra assistance is required in connection with the audit and payment of fees and expenses payable under *The Dominion Elections Act*, the Treasury Board may, on the recommendation of the Minister of Finance, based on the report in writing of the Auditor General that such extra assistance is required, authorize the employment of such number of temporary clerks as are required for such purposes, and the salaries of such temporary clerks shall be in accordance with the provisions of section 71.

Temporary election clerks in office of Auditor General.

2. Every such clerk shall, however, before employment obtain a certificate of qualification from the Commission, to be given with or without examination, as is determined by the regulations of the Commission, that he possess the requisite knowledge and ability and is duly qualified as to age, health, character and habits.

Certificate of qualification.

3. No such temporary clerk shall be employed for a period exceeding two years. 1912 c. 12.

Limit for limited employmen

PART IV.

OUTSIDE SERVICE.

APPOINTMENT.

No appointment without examination.

73. Except as herein otherwise provided no person shall be appointed to or employed in the Outside Service unless he has passed the examination hereinafter required in order to qualify him for such appointment or employment, and no person shall be appointed to the Outside Service whose age is less than sixteen years or exceeds thirty-five years at the time of such appointment: Provided that persons may be appointed inspectors, collectors, appraisers and preventive officers in the Customs service if they are not over forty-five years of age. 1910, s. 16, amended.

First appointments.

74. Whenever it becomes necessary to make any appointment to any of the classes to which it is herein provided that first appointments shall only be made after passing a qualifying examination, such necessity shall be reported to the head of the department by his deputy; and upon such report being approved by the head of the department, and after the salary to be paid has been voted by Parliament, the head of the department shall select and submit to the Governor in Council for probation, from the lists of qualified candidates made by the Commission, a person fitted for the vacant place. 1906, s. 32.

Preliminary examination.

75. It shall be necessary to pass the first or preliminary examination in order to qualify for the following appointments or employments in the Outside Service:—

Clerkships; Railway Mail Clerkships and the officers in the second division for Post Office service;

Messengers;

Porters;

Sorters;

Packers;

Assistant inspectors of weights and measures; and,
Such other appointments or employments in the lower
grades as are determined by the Governor in Council.
1906, s. 17.

76. It shall be necessary to pass the second or qualifying Qualifying examination.
examination in order to qualify for the following appoint-
ments or employments:—

Clerkships and the offices of landing waiters and lockers
in the Outside Service for Customs service;

Inspectors of weights and measures, excisemen and steno-
graphers or typewriters in the Outside Service of the
Inland Revenue service;

Temporary clerks or writers in the Outside Service; and

Such other appointments or employments as are deter-
mined by the Governor in Council. 1906, s. 18.

77. Candidates may pass both the preliminary and Both examina-
tions passed
at option.
qualifying examinations at their option. R.S., c. 17, s. 29.
1906, s. 19.

78. No person shall be admitted either to the prelimi- Candidates
for admis-
sion.
nary or qualifying examination until he has satisfied the
Commission,—

(a) that his age does not exceed the maximum age for Age.
appointment to the outside service and will not so
exceed it for three months after the date fixed for such
examination;

(b) that he is free from any physical defect or disease Physique.
which would be likely to interfere with the proper
discharge of his duties;

(c) that his character is such as to qualify him for em- Character.
ployment in the service; and

(d) that he is a British subject, or, if an alien, that he British
subject.
has the written permission of the head of the depart-
ment in which he seeks employment to be a candidate
at such examination. 1906, s. 20, amended.

79. The preliminary and qualifying examinations shall Time and
place of
examina-
tions.
be held by the Commission at the same times and places
as the competitive examinations for the Inside Service.
1910, s. 3.

2. The examinations shall be of such a nature as may be Character of
examination.
prescribed by regulation to be made by the Commission
with the approval of the Governor in Council. (New.)

PROMOTIONS.

Promotion
regulations.

80. The Governor in Council may make regulations prescribing how promotions may be made; and the positions from and to which promotions may be made.

POST OFFICE.

Clerks in
outside post
offices
brought
under Act.

81. When it has been determined by the Council that any post office not under this Act is to be brought under this Act, any officer, clerk or employee then employed in such office, and who has been continuously employed for a period of two years immediately preceding the date on which the office is brought under this Act, shall be considered as eligible for appointment to the Outside Service, irrespective of age and without having to pass an examination, and such officer, clerk or employee may be paid a salary not exceeding that which he had theretofore received in such office; and not exceeding the maximum salary of the class in the Outside Service to which he is appointed. 1910, s. 12.

Qualification
of third class
clerks in city
post offices.

82. Except as herein otherwise provided no person shall be eligible for the position of third class clerk in a city post office unless he has passed either the preliminary or qualifying examination, and, except as to persons in the Civil Service on the first day of April 1912, no third class clerk, who, on appointment, has passed the preliminary examination only, shall be eligible for promotion to a higher class until he passes the qualifying examination. 1912, c. 14, s. 3.

Qualification
of other
third class
clerks.

83. Except as herein otherwise provided no person shall, hereafter, be eligible for the position of third class clerk in the offices of Post Office Inspectors, Superintendents of Railway Mail Service, or in the Money Order Exchange office unless he has passed the preliminary or qualifying examination, and no third class clerk shall be eligible for promotion to a higher class until he passes the qualifying examination. 1912, c. 14, s. 4.

Temporary
employees.

84. Any person who has not passed the preliminary or qualifying examination may be employed temporarily in the Outside Service in a city post office, in the office of a Post Office Inspector, or a Superintendent of the Railway Mail Service, and in the Money Order Exchange Office, for a period of not more than one year, at a salary of six hundred dollars a year. 1912, c. 14, s. 5.

85. Temporary helpers may be employed in any branch of the Outside Service in the Post Office Department, when necessary, irrespective of age and who have not passed the preliminary or qualifying examinations at a per diem allowance to be fixed by the Postmaster General, but not to exceed two dollars and fifty cents a day, but no temporary helper shall be employed for more than six months in any one calendar year. 1912, c. 14, s. 6.

Temporary
helpers.

86. Any person appointed in the Outside Service in the Post Office Department under the provisions of section 8 of chapter 14 of the Statutes of 1912 shall not be eligible for promotion to any higher class until he passes such examination as would be necessary to qualify him for appointment to such higher class. 1912, c. 14, s. 8.

No promotion
without
examination.

CUSTOMS.

87. A person who has served over three years as an officer or acting officer in the Outside Service in the Customs Department may be appointed an examining officer in such service; a person who has served over three years as a clerk in the Outside Service in the Customs Department may be appointed a senior clerk in such service, and a person who has served seven years as a chief clerk in the Outside Service in the Customs Department, may be appointed a senior chief clerk in such service in each case subject to such examination on the duties of office and other qualifications as is prescribed by the deputy head in a report to be concurred in by the head of the department. 1906, s. 39. 1912, c. 11.

Appointment
of temporary
employees to
permanent
staff.

TECHNICAL OFFICERS.

88. When the deputy head of a department in which a vacancy in the Outside Service occurs reports, for reasons set forth in such report,

Officers
requiring
special quali-
fications.

(a) that the qualifications requisite for such office are wholly or in part professional or technical; and,

(b) that it would be for the public interest that the examination herein provided for should, as regards such vacancy, be wholly or partially dispensed with;

the Governor in Council may, without reference to the age of the person, if the head of the department concurs in such report, select and appoint or promote such person as is deemed best fitted to fill the vacancy, subject however to such examination by the Commission as is suggested in the report. 1906, s. 37.

GRADUATES.

College graduates.

89. Graduates of the Royal Military College or of any university in Canada may be employed in any position in the Outside Service open to persons who have passed the preliminary or qualifying examinations without passing any examination: Provided however that if any such examination includes any technical subject that did not form part of the course taken by a graduate at the College or university such graduate may be required by the commission to pass an examination in such subject. 1906, s. 97, amended.

SALARIES.

Salaries.

90. The officers, clerks and employees mentioned in schedule B to this Act, shall be paid according to the scale thereby established.

2. The salaries of officers, clerks and employees in the Outside Service in departments other than the Customs, Inland Revenue and Post Office Departments shall, subject to the provisions of this Act and of any Act relating thereto, be fixed in each case by the Governor in Council. 1906, s. 83.

EXEMPTIONS.

Exemptions from examination.

91. City postmasters and post office inspectors; inspectors, collectors and preventive officers in the Outside Service in the Customs Department; and deputy collectors and preventive officers in the Outside Service in the Inland Revenue Department, may be appointed without examination. 1906, s. 38, amended.

COMPETITIVE EXAMINATIONS.

Competitive examinations.

92. The provisions of this Act relating to appointment by competitive examination and the provisions of section 62 relating to promotion shall apply to the same extent as they apply to officers, clerks and employees in the Inside Service—

(a) to such officers, clerks and employees mentioned in this part and in schedule B as are employed at the City of Ottawa;

(b) to such officers, clerks and employees in the public service as the Governor in Council may direct.

2. All orders in council made under the provisions of this section shall be published in *The Canada Gazette*.

SCHEDULES.

SCHEDULE A.

- (a) Deputy heads;
- (b) Technical officers;
- (c) Officers, clerks and employees in the first, second, third and fourth classes.

SCHEDULE B.

1

CUSTOMS.

Higher Classes.

	Salary per annum, from	
Collectors.....	\$ 300 to \$4,500	Customs.
Preventive officers of the highest class...	3,200 to 4,500	
Chief inspector.....	3,200 to 4,000	
Inspectors of ports.....	2,000 to 3,000	
Assistant inspectors.....	1,600 to 2,000	
Chief clerks.....	1,200 to 2,200	
Senior chief clerks.....	2,200 to 2,800	
Surveyors.....	1,200 to 2,800	
Assistant surveyors (comprising tide surveyors, chief landing waiters and chief lockers).....	1,200 to 1,600	

Technical Officers.

Dominion appraisers.....	2,200 to 2,600
Appraisers.....	1,200 to 2,200
Assistant appraisers.....	900 to 1,600
Gaugers.....	900 to 1,600

Other Classes.

Senior clerks.....	1,200 to 1,600
Clerks and landing waiters.....	400 to 1,200
Examining officers (including preventive officers whose duties are not chiefly clerical, and lockers).....	100 to 1,000
Packers and messengers.....	500 to 1,000

SCHEDULE 2

INLAND REVENUE.

Inland Revenue.	Inspectors.....	Salary from \$2,200 to \$3,200
	Collectors.....	“ 600 to 3,000
	Deputy collectors.....	“ 400 to 2,300
	Accountants.....	“ 800 to 2,000
	Special class excisemen (chief officers in charge of distil- leries).....	Salary from \$1,700 to 2,400
	Special class excisemen (other than the foregoing).....	“ 1,400 to 1,900
	First, second and third class excisemen.....	“ 900 to 1,600
	Probationary excisemen.....	800
	Stenographers and typewriters.....	“ 600 to 900
	Messengers.....	“ 500 to 1,000

Provided that deputy collectors who have passed the special class examination may receive an additional salary not to exceed two hundred dollars per annum; and provided further that special class excisemen and other officers connected with the survey of important manufactories may receive an additional salary not exceeding in any one case three hundred dollars per annum.” 1910, c. 8.

3

I. *Post Office Inspectors, Assistant Post Office Inspectors, and Superintendents of the Railway Mail Service.*Post Office
inspector.

(a) The salary of a post office inspector, on appointment, shall be two thousand five hundred dollars, with increases of one hundred dollars per annum up to a maximum of three thousand five hundred dollars.

Assistant
post office
inspector.

(b) The salary of an assistant post office inspector, on appointment, shall be one thousand eight hundred dollars, with increases of one hundred dollars per annum up to a maximum of two thousand five hundred dollars.

Superinten-
dent, rail-
way mail
service.

(c) The salary of a superintendent of the Railway Mail Service, on appointment, shall be one thousand eight hundred dollars, with annual increases of one hundred dollars up to a maximum of two thousand five hundred dollars. 1912, c. 14.

(d) The salary of an inspector, assistant inspector, or superintendent of the Railway Mail Service, who was appointed prior to the first day of April, one thousand nine hundred and ten, may be increased by an amount equal to the difference between the salary he received on the first day of April, one thousand nine hundred and twelve, and the salary he would have been receiving on that date had he, on appointment, been given the minimum salary as established by section 10 of chapter 8 of the statutes of 1910, with an annual increase of one hundred dollars, or his salary may be increased by such lesser amount as the Governor in Council determines. 1912, c. 14.

Increases for inspector, assistant inspector or superintendent.

II. *Railway Mail Clerks.*

Railway Mail Clerks and other post office employees when employed as sorters in the postal cars (1912 c. 14) in addition to regular salary may be paid an allowance not exceeding half a cent per mile for every mile travelled on duty in the Post Office cars, and an additional allowance of half a cent per mile for every mile so travelled between eight in the afternoon and eight in the forenoon. 1906.

Railway mail clerks.

IV. *City Postmasters.*

Class 1.	When postage collections exceed \$250,000 ..	\$4,000	City Postmasters.
" 2.	" " are from \$200,000 to 250,000 ..	3,750	
" 3.	" " " " 150,000 to 200,000 ..	3,500	
" 4.	" " " " 100,000 to 150,000 ..	3,250	
" 5.	" " " " 80,000 to 100,000 ..	2,800	
" 6.	" " " " 60,000 to 80,000 ..	2,400	
" 7.	" " " " 40,000 to 60,000 ..	2,200	
" 8.	" " " " 20,000 to 40,000 ..	2,000	
" 9.	" " " are less than 20,000 ..	1,400	

to \$1,800, as the Postmaster General determines. 1906.

V. CLERKS IN CITY POST OFFICES.

SALARIES.

Third class clerks—

Grade B, on appointment, \$600, with annual increases of \$100 to \$800.

Third class clerks.

Grade A, on appointment, \$800, with annual increases of \$100 to \$1,000.

Second class clerks—

Grade B, on appointment, \$1,000, with annual increases of \$100 to \$1,200.

Second class clerks.

Grade A, on appointment, \$1,200, with annual increases of \$100 to \$1,400.

First class clerks.

First class clerks—

Grade B—

In post offices having a revenue of seventy-five thousand dollars and over—

On appointment, \$1,400, with annual increases of \$100 to \$1,600. There shall not be more than one clerk in Grade B for every complete unit of seventy-five permanent employees, employed in any office.

Grade A—

In post offices having a revenue of one hundred thousand dollars and over—

On appointment, \$1,600, with annual increases of \$100 to \$1,800. There shall not be more than one clerk in Grade A for every complete unit of one hundred permanent employees, employed in any office.

Chief clerks—

In post offices having a revenue of five hundred thousand dollars and over—

On appointment, \$1,800, with annual increases of \$100 to \$2,200. Such clerks shall have specific duties, and there shall not be more than one chief clerk for every complete unit of two hundred permanent employees, employed in any office.

Chief clerks.

Office superintendents—

In post offices having a revenue of eight hundred thousand dollars and over—

On appointment, \$1,800, with annual increases of \$100 to \$2,500.

Office superintendents.

VI. CLERKS IN OFFICES OF POST OFFICE INSPECTORS, IN OFFICES OF SUPERINTENDENTS OF RAILWAY MAIL SERVICE, AND IN THE MONEY ORDER EXCHANGE OFFICE.

“SALARIES.

Third Class Clerks.

Third class clerks—

Grade B, on appointment, \$600, with annual increases of \$100 to \$800.

Grade A, on appointment, \$800, with annual increases of \$100 to \$1,000.

Second Class Clerks.

Second class clerks—

Grade B, on appointment, \$1,000, with annual increases of \$100 to \$1,200.

Grade A, on appointment, \$1,200, with annual increases of \$100 to \$1,400.

First class clerks—

Grade B, on appointment, \$1,400, with annual increases of \$100 to \$1,600.

Grade A, on appointment, \$1,600 with annual increases of \$100 to \$1,800.

Case examiners on appointment, \$1,800 with annual increases of \$100 to \$2,200.

Third Class
Clerks.

VII. ASSISTANT POSTMASTERS.

Class 1. When postage collections exceed \$1,000,000, \$2,800 to \$3,500, with annual increases of \$100.

Assistant
Postmasters.

Class 2. When postage collections are from \$500,000 to \$800,000, \$2,600.

Class 3. When postage collections are from \$250,000 to \$500,000, \$2,400.

Class 4. When postage collections are from \$150,000 to \$250,000, \$2,200.

Class 5. When postage collections are from \$80,000 to \$150,000, \$2,000.

Class 6. When postage collections are from \$60,000 to \$80,000, \$1,800.

Class 7. When postage collections are from \$40,000 to \$60,000, \$1,600.

Class 8. When postage collections are from \$20,000 to \$40,000, \$1,400.

Class 9. When postage collections are less than \$20,000, \$1,100 to \$1,400, as the Postmaster General determines.

(a) The salary of an assistant postmaster, now in Class 1, who was appointed prior to the first day of April, one thousand nine hundred and ten, may be increased—

Increases in
certain cases.

(1) by an amount equal to the difference between the salary he received on the first day of April, one thousand nine hundred and twelve, and the salary he would have received on that date if, on appointment, he had been given the minimum salary authorized by section 11 of chapter 8 of the statutes of 1910, with an annual increase of one hundred dollars; or

(2) by such lesser amount as the Governor in Council determines. 1912, cc. 13 and 16.

SCHEDULE C.

I (A.B.) solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as _____ and that I will not ask, or receive any sum of money, services, recompense or matter or thing

Oath.

whatsoever, directly or indirectly, in return for what I have done or may do in the discharge of any of the duties of my said office, except my salary or what may be allowed me by law or by an order of the Governor in Council; * * *
So help me God.

SCHEDULE D.

(After the asterisks in schedule C.)

Oath of
Secrecy.

And that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as (*as the case may be*).



Debate on the Superannuation Bill

in the House of Commons,

on June 12.

(From Unrevised Hansard.)

On the motion of the Hon. W. T. White (Minister of Finance), the House went into Committee to consider the following proposed resolution:

Resolved, That it is expedient to provide for the payment of retiring allowances or benefits to members of the Civil Service contributing to the cost thereof upon their retirement from office, and to the widows and children of deceased contributors; and also for the payment of retiring allowances or benefits to civil servants not now subject to part 1 of the Civil Service Superannuation Act, and ineligible by reason of age to become contributors, to an amount not exceeding one half of the allowance or benefits grantable to contributors under any Act founded on this resolution.

Mr. WHITE: It is my desire to present for its first reading a Bill providing for a system of superannuation, in order that it may be before the members of the House, and the Civil Service, and the public, during recess. The matter is important, affecting as it does many thousands of employees of the Dominion, and it seems to me that it would be an advantage that the Government should have the benefit of whatever criticism of a helpful character may be bestowed on the measure before Parliament meets again. I do not purpose discussing now the principle of a system of superannuation for civil servants. The value of such a system has been recognized by great public institutions, such as banks, railways, and other corporations, and by a majority of the governments of civilized countries. From the public standpoint the basis and justification for such a system lies in the fact that it promotes efficiency

in the service and hence enures to the advantage of the whole Dominion. I shall not further deal with that aspect of the question; but it might not be out of place to call attention to the remarks of Sir George Murray in the report which he made at the instance of the Government on the Civil Service of Canada. Under the heading of the manner in which retirements are effected, he says:

All persons in the Civil Service, with very few exceptions, hold office during pleasure—that is to say, their services can be dispensed with at my time. But I cannot find that there is in actual operation any rule or practice making retirement compulsory at any given age; and except in rare cases little or no pressure seems to be brought to bear on officers to induce them to retire, so long as they are able to continue in attendance at their department. In the absence of ill health or misconduct, or some special ground for pressure on the individual, it seems to be left to the discretion of the officer himself to select the moment for his retirement.

In the case of those who are entitled to pension some inducement is afforded to encourage voluntary retirement or to enable pressure to be exercised to enforce it. But, speaking generally, the tendency on the part of the heads of departments is to leave the question to the officer himself. This tendency is, of course, more noticeable in the case of officers who are not entitled to pension; and this class now includes all officers appointed to the Inside Service since the 1st of July, 1898, as well as the greater part of the outside service, whether appointed before or after that date.

This state of things, in my judgment, constitutes a very grave evil. Some system of securing retirement is absolutely essential if the public service is to be maintained in a satisfactory condition. It is necessary, on the one hand, in order to prevent officers from continuing in the service after they have ceased to be efficient; and it is equally necessary in order to provide a flow of promotion and to ensure that men of capacity should reach the higher positions at a period of life when they

cost. His opinion on that point is given in his report as follows:

It is a question whether it would not be desirable to abandon the practice of requiring contributions towards a pension to be deducted from the salary. My own opinion is against the system of contributions. I think it preferable on many grounds that the pension should be an entirely free gift on the part of the State.

That is the law in Great Britain.

In a memorial presented to the present Government by the Civil Service Association, I have the opinion of the civil servants of Canada, or a substantial part of them, upon that point.

Mr. PUGSLEY: What is the date of that memorial?

Mr. WHITE: I think the memorial was presented last year or the year before. It says:

We favour a contributory system by which an equitable proportion of the cost of the scheme will be borne by the employees.

Recently I introduced a Civil Service Bill, which I propose to proceed with next session. In that measure, provision is made for the compulsory retirement of officials at the age of 65. That would apply to new entrants and to those at present in the service who are under the age of 55 years. We desire to disturb as little as possible the existing situation; and, with respect to those members of the service who are over 55 years of age, the age for compulsory retirement will be 70. For those who are 70 years of age, we thought it just to provide that they might remain for two years longer. The system which we have in view and which is embodied in the Bill which I shall present after this resolution is adopted is an equal division of expense between the Government and the service and the levying of contributions upon the service at rates which will be equitable as among the members themselves. The Bill which I shall introduce has been framed actuarially on this basis. We have decided upon different rates according to age, and not upon a flat rate. Under the latter system the older members of the service would have an advantage at the expense of the younger members and appointees.

It may be useful at this stage of my remarks to refer to the systems of superannuation which at present exist in the Civil Service. There are three funds, Superannuation No. 1, Superannuation No. 2, and the Retirement Fund, established under the legislation of 1898. Under

Superannuation Fund No. 1 entrants prior to 1893 pay $1\frac{1}{2}$ per cent of their salary if that salary is less than \$600, and 2 per cent if it exceeds \$600. Under Superannuation Fund No. 2 entrants from 1893 to 1898 pay 3 per cent of their salary if less than \$600, and $3\frac{1}{2}$ per cent for \$600 or more. The Retirement Fund established under the legislation of 1898 provides that each member of the service appointed since that date shall pay 5 per cent of his salary to a fund which is virtually a savings account, payable on his retirement or to his estate in the event of death. Interest is allowed by the Dominion Government at the rate of 4 per cent on the amounts so paid by contributors. Now, under the proposed legislation, there is a right of transfer from funds No. 1 and No. 2 to the new superannuation fund, subject to an age limit, and to reasonable safeguards.

Mr. LEMIEUX: What age?

Mr. WHITE: Fifty-five years. We have been obliged to fix an arbitrary age limit in this connection. The rates which will be payable by those who transfer to the new system are fixed according to age at the date of transfer, and past service will count automatically under the new Act.

As to the members of the retirement fund, those who have been appointed since 1898 are transferable to the new system at the rates applicable to their ages on first joining the retirement fund, that is to say, the Act dates back in their cases. The amounts to their credit in the fund are accepted in settlement, although in a percentage of cases they should have paid more than the 5 per cent. The contributory rates to be paid by the members of the service under the new system vary from 5 to 8 per cent.

Mr. LEMIEUX: Will the yearly contribution exceed anything paid under the old system?

Mr. WHITE: In a percentage of cases they should have paid more, but we are protecting the members of the retirement fund, who come in and join the superannuation system at rates fixed according to the time when they became members of the fund, notwithstanding that in a percentage of cases they should have paid more than they have been paying, namely, five per cent. The amount standing to their credit in the fund will be credited to

their accounts under the new superannuation system.

Mr. NESBITT: The rates will continue the same?

Mr. WHITE: They will pay the rates under this new legislation which, as I have stated, vary from five to eight per cent. These rates will be determined as at the date they entered the service and commenced to contribute to the retirement fund. Provision is also made whereby any contributors may qualify in respect of any temporary service at the special rates prescribed for the purpose in the Bill. These rates range from two to seven per cent, and facilities are afforded for paying of the sum by future instalments; that is to say, they may purchase rights for the entire period of their temporary service or for a portion only.

Any civil servant who is debarred from coming under the new measure because of having passed the age limit and who does not already possess superannuation rights under old funds, one and two may be granted free superannuation equal to one-half of what he would receive had he become a contributor. Any temporary service is to count for the purpose, and any sum to his credit in the retirement fund will remain his as well.

There are in the Civil Service to-day many members over fifty-five, who consequently are not eligible to become contributors under the new scheme. Many of them are not on superannuation funds one or two; in other words, they are not entitled to the benefits of any retiring allowance at the present time. If they are debarred by the age limit from becoming contributors to this scheme, and are, as I have stated, not entitled to any benefits under the established systems, then they would not be entitled to the benefit of any retiring allowance whatever, notwithstanding the fact that they would become subject to the provisions of the Civil Service Act to be enacted next session, and compelled to retire at the age fixed in that legislation. The principle upon which this measure proceeds is this: the Government and Civil Service each pay half. Therefore, we thought it fair, with respect to that class of men, who, being over fifty-five, and not on either of the two superannuation or retiring funds, that they should be dealt with equitably and given a retiring allowance equal to one-half the retirement allowance provided in the measure—dealt with in sub-

stance on precisely the same basis as other members of the service.

Mr. NESBITT: What age would their half benefit be based on?

Mr. WHITE: The benefits under the new Act are based on two and one-half per cent of their salary received throughout their years of service. My hon. friend knows that to-day under the superannuation legislation prior to 1898, thirty-five years is fixed by the Act as a maximum period for the computation of retiring allowances, and the maximum allowance is thirty-five fiftieths of the average salary of an official for the last three years prior to his retirement. We have adopted a different system. The old system is based on a flat rate which is unjust to the young members and new entrants. We have, as I said, introduced a measure which will be equitable as between the Government and the service, each paying half, and equitable as among the several members of the service, that is to say, that the amounts contributed by each shall have regard to the age at which they become contributors to the fund, just as in life insurance. Under the new Act the retiring allowance is two and one-half per cent of the entire salary which has been received.

There is a provision in the new Act—I am speaking from memory—that \$4,000 is the maximum amount which any civil servant may obtain as a retiring allowance. In this new Act we have made provision also for dependents; that is to say, for widow and children. These matters have all been taken into consideration actuarially in the drafting of the measure.

The principal object of the measure is to establish a new superannuation system for all who enter the permanent ranks of the service after the date of the passage of this Bill. The measure is intended to correct certain acknowledged defects of the old superannuation system, to extend the range of eligibility, and, in a word, to provide a complete, comprehensive and modern superannuation system.

The hon. member for St. John city chides me for not having introduced the Bill before. I do not desire to be controversial about this matter; I think it is most advisable that a measure of this kind should be as free as possible from any political complexion. The hon. member for St. John probably does not realize what is involved in the drafting of

a Bill of this kind. It is a very technical measure; and I may say that this Bill and the Civil Service Bill have practically had my continuous attention for a period of nearly 18 months. Immediately after Sir George Murray made his report, I took up the question of so-called Civil Service reform, and have given it such attention as I have been able to devote to it in the intervening period. I find it a very difficult and complex question indeed; possibly those who have been longer in Parliament might not find it so complex. There is upon the statute-books of Canada a great deal of Civil Service legislation. The Civil Service Bill which I introduced recently is a consolidation of those Acts. I explained that we had endeavoured to retain so far as possible the language of that legislation in order that there might be as little confusion as possible. My object in taking up the Civil Service Act was twofold: first, to consolidate into one Act all the existing Civil Service legislation which it is not deemed expedient or necessary to repeal, and, second, to make such provisions as altered conditions call for. The Civil Service Bill has been before the House, and it is not necessary for me to refer to it further. I explained when it was before the House that I regretted very much the delay that had occurred in its introduction, but that it seemed to me that a measure of this kind, touching the interests of so many thousands of civil servants, and dealing with a very complicated system such as the Civil Service of Canada is, should be before the members of the House and before the service and the public during the recess. I think that will be a very considerable advantage to all concerned in dealing with the measure, because we shall have the benefit of such representations as may be made in the meantime and of such criticisms, just or otherwise, as the measure may evoke. The Superannuation Bill is complementary and supplementary to this Bill. It would be practically impossible to enforce the provisions of the Civil Service Bill as to compulsory retirement unless in connection with it a system of retiring allowances is instituted, which will enable civil servants to retire upon a satisfactory basis when they reach the age of compulsory retirement.

Mr. NESBITT: Is the contribution by the civil servants voluntary or compulsory?

Mr. WHITE: It is a compulsory system in respect of all new entrants into the ser-

vice, and every opportunity is given to those under the present fund to come under this new Act. The superannuation measure I found even more difficult than the Civil Service Bill, because once the principles are established, it is largely an actuarial problem. I may say that I have had very important and helpful assistance from men in the Insurance Department, especially from Mr. Watson, who has gone into the matter very fully and very ably and with a great deal of enthusiasm. I have further engaged the services of an actuary of high standing. Mr. Grant, who was formerly in the Finance Department and who is now manager of an insurance company in Ottawa. Mr. Grant has the advantage of being thoroughly familiar with the service and also of being an insurance expert. During a period of many months Mr. Grant, my department and myself have been engaged upon the consideration of this measure. The measure could have been introduced earlier in the year but for the fact to which I called attention on the occasion of the discussion on the Civil Service Bill, namely, that, much to my own regret, I was ill during the month of February, and having had on hand a good deal of legislation, probably more than I should have undertaken, I found it impossible to bring down the Civil Service legislation at an earlier date. The Bill was ready a couple of months ago, and I had hoped to introduce it and have it referred to a special committee, if it should have been thought that that was the best mode of dealing with it, and have the two measures enacted this session, because I do think that they are of very great importance to the Civil Service. So much for the occasion of the delay; whether or not it has been justifiable I leave to the committee. May I suggest again the desirability of allowing time for the criticism of details? We have an inside service; we have an outside service. We have departments engaged in all classes of public work throughout this Dominion, from the Atlantic to the Pacific. It would be impossible, I think, notwithstanding all the care that might be taken, for civil servants and others at Ottawa to draft a Bill which would fully meet the existing situation, complicated and extensive as it is.

Mr. CARROLL: Will the superannuation be extended to outside civil servants?

Mr. WHITE: It will extend to all permanent members of the service, inside and outside.

Mr. CARROLL: Does permanent mean appointed by Order in Council?

Mr. WHITE: The question of what is a permanent official has, I suppose, been canvassed a good deal, but I think that a permanent official is one who is employed say by the year, and who has a permanent appointment either in the inside or in the outside service. There is no discrimination whatever. The contrast is between permanent officers, those who are engaged from year to year, and those temporarily engaged for periods of weeks or months, as the case may be.

Allow me to emphasize again my belief that time should be allowed for criticism of detail. Any measure of this kind, to be effectual, must be based upon equal justice for all. That has been my mode of approach to this question: equity as between the Government and the service; equity as among the different members of the service in their respective contributions. I think that hasty legislation might lead to inequality and injustice, and that, of course, is scrupulously to be avoided. I do not know the exact number of officials in the Civil Service, but I think it would be nearly 10,000. During the summer I shall expect to hear from the Civil Service Association and from classes of the service any representation that they may desire to bring to my attention bearing upon this Bill. I am quite sure that it is far from being perfect, and my mind is quite open to receive suggestions or representations with a view to its improvement.

Mr. PROULX: Is it the intention to constitute a fund to which the civil servants will contribute?

Mr. WHITE: I explained that this is a contributory system by which civil servants will contribute sums varying from 5 per cent to 8 per cent, according to their ages at the time they enter upon the fund. The privilege is given to those who are upon superannuation fund No. 1 and fund No. 2, at present existing, to avail themselves of transfer to the new system if they so desire. But I should point out to the House that those under the old fund are really in a better position with a flat rate than they would be under this legislation, because the rates here are not flat, but are graded according to the ages of the members of the service contributing to the fund.

Mr. PUGSLEY: The Minister of Finance is perhaps troubled by an uneasy conscience.

Mr. WHITE: No, never had such a thing about me.

Mr. PUGSLEY: I am surprised at it.

Mr. WHITE: Conscience always good.

Mr. PUGSLEY: I would think if my hon. friend were guilty of any laches or sins of omission, not to say sins of commission, his conscience would trouble him very greatly. My hon. friend is certainly not above those influences which affect the human race generally, and is liable to make mistakes the same as the rest of us. Apparently he is not troubled by any mistakes which he makes, but he anticipates that he will be chided for the delay which has taken place. I do not intend to discuss the resolution, because there is not time to do that. I complain, and I think the Civil Service have a right to complain, of the delay which has taken place in dealing with this matter. My hon. friend, somewhat reluctantly I thought, gave me a statement of when Sir George Murray submitted his report. He said he did not know exactly, a year or two ago, just as if a year counted for nothing in dealing with a matter of this kind.

Mr. WHITE: Did fifteen years count for nothing?

Mr. PUGSLEY: During fifteen years the Government pursued a certain course with regard to the Civil Service. There was not very much complaint during those years. But my hon. friend will realize that during the last two or three years conditions have changed a good deal in this country; the cost of living has increased very much of late. Whether that is attributable to the action or inaction of this Government it is not necessary to consider just at the moment. The civil servants were given to understand, almost immediately after this Government came into power, that legislation would be introduced to improve conditions in the service. At considerable expense, I believe, Sir George Murray was brought from England to look into that question. This Government apparently had not confidence in its own ability to deal with the subject and so it brought in a gentleman from England to advise it what to do. In doing that the Government was following along the lines it has generally followed of getting advice from outside gentlemen in the way of commissions to in-

struct them what they ought to do in the interests of the people of this country. I do not believe in that myself. I think the Government should take hold of these matters, and deal with them itself. I do not know if my hon. friend remembers how many members there are in the Government. I doubt if the House could tell the number. They have in their minds the idea that there are some whom they hardly realize as being in the Government. But it is generally supposed that there are sixteen or seventeen in the Government.

Mr. WHITE: There are seventeen I think.

Mr. PUGSLEY: I am sure there are two or three from whom the House never hears and hardly realizes that they are members of the Government. But anyway there is a large number of members of the Government. I do not see why they should not be able to attend to these matters without the assistance and advice of gentlemen from England and throughout Canada who are being continually appointed to various commissions at large expense to the people of the country. This report was submitted a year or two ago. Then the Civil Service presented a petition, just when my hon. friend could not tell me, a year or two ago. During all this time the Government has had the matter under consideration and has been holding out promises to the Civil Service. Now, on what is supposed to be the last day of the session, my hon. friend feels it necessary to explain the Superannuation Bill. He perhaps will tell me whether this has anything to do with the elections which are coming on on the 29th.

Mr. WHITE: Is there an election?

Mr. PUGSLEY: Oh, yes, the Ontario provincial elections.

Mr. WHITE: The provincial? But this is a Dominion Bill.

Mr. PUGSLEY: Is it? Then how does it happen that the Minister of Railways is away from the House in Northern Ontario?

Mr. WHITE: That is just a synchronism.

Mr. PUGSLEY: At all events I shall not accuse my hon. friend of mentioning the matter to-day just because the election is on; but may not the Civil Service properly draw the inference that they are being fed on hope?

Mr. WHITE: No, they are too intelligent for that.

Mr. PUGSLEY: The Minister of Finance realizes that:

Hope springs eternal in the human breast,
Man never is, but always to be blest.

I am satisfied that these words have been repeated over and over again by members of this Government and by members generally of the Conservative party because they believe that they can feed people with promises and they will be satisfied even with very little performance. I have not been able to be in attendance during this session, but in looking over the records I would say that so far as legislation is concerned it has been one of the most barren sessions of Parliament which has ever taken place in the country. Outside of the raid upon the treasury under which some \$45,000,000 was pledged to one concern and the abortive efforts in regard to the Farmers Bank, what is there during the session to which the Government can point as a record of useful performance?

Mr. WHITE: My hon. friend has not been here, he does not know.

Mr. PUGSLEY: Still, my eyesight is very good and I can read.

Mr. WHITE: My hon. friend did not read the right papers.

Mr. PUGSLEY: I can read the record of the Votes and Proceedings and from that record of what has been accomplished by this Government I say they have been simply marking time and asking the House to mark time during this entire session. Here we are, after five months of a session, beginning on the 15th day of January, and my hon. friend the Minister of Finance comes down at the end of the five months and on the last day of the session explains a Bill in reference to the Civil Service for next session. I think the members of the Civil Service have a right to complain.

Mr. WHITE: They will not, do not worry about that.

Mr. PUGSLEY: If not it is because they are being fed on hopes and promises.

Mr. WHITE: They are sensible people.

Mr. PUGSLEY: If they are sensible I think they will feel that my hon. friend ought to have moved before this. My hon. friend says he has not had time really to attend to this matter. He referred to the fact, which we all regret, that he was ill during a part of the session. I think he takes too much upon his own shoulders.

Mr. WHITE: I have had that opinion myself.

Mr. PUGSLEY: Why should my hon. friend, whose department is not one connected with the administration of justice in the country or the drafting of legislation, seek to do all these things himself? What is the Department of Justice for? They have a Minister of Justice, they have a deputy Minister of Justice, and recently the Government were authorized to appoint special assistants at salaries of \$5,000 a year each and a great many others as additions to the legal department. Is it not their duty to draft legislation? Why did not my hon. friend turn the matter over to the Department of Justice, have a Bill prepared before the House met, or during the early part of this session, and have it brought down?

Mr. WHITE: We had it prepared.

Mr. PUGSLEY: My hon. friend kept it pigeon-holed for two months because my hon. friend had the idea that there was nobody else in the Government, who, while he was ill, could take charge of the Bill and present it fairly.

Mr. WHITE: That is the confidence I have in myself.

Mr. PUGSLEY: But my hon. friend will have to remember, as we all have to remember, that there is none of us so able and so important but that others can take our places. I do think that, after having this Bill prepared two months ago, it ought not to have been pigeonholed, it ought not to have been kept until the dying hours of the session; it ought to have been prepared long ago, presented for the consideration of the House and passed into law. If my hon. friend felt that this House was too busy dealing with the Canadian Northern, Messrs. Mackenzie and Mann, and Farmers Bank matters, it might have been presented to, and been considered by, the Senate.

Mr. WHITE: And the Grand Trunk Pacific.

Mr. PUGSLEY: The Grand Trunk Pacific took a very short time.

Mr. WHITE: There were eight-hour speeches on that.

Mr. PUGSLEY: I say that a Government that has kept Parliament here for five months practically marking time, practically accomplishing nothing, which is compelled to come down on the last day of the session with a Bill regarding this important

matter of the Civil Service and then admit that it had the Bill ready two months ago but simply kept it back, is certainly making a statement that is not greatly to its credit. Let me again say to my hon. friend that he ought not to take all this work upon his own shoulders but that he ought to avail himself of the services of the Department of Justice because that is the very thing the Department of Justice has been created for. There is too little supervision of legislation by the Department of Justice. Apparently the Minister of Justice does not take that interest in, or give that supervision to, the legislation that is presented to this House which he ought to. We find Bills coming in from time to time, submitted by members of the Government, which are evidently prepared without proper care or legal supervision. The Bill regarding the Civil Service and all such important legislation ought to come from the Department of Justice, ought to be prepared by the trained lawyers in that department and, if that were done from time to time, the Minister of Finance would not find it necessary to carry so many burdens on his shoulders and legislation could be pushed forward more quickly and with a great deal more satisfaction to the public than is at present the case.

Mr. LEMIEUX: I for one, without having read the Bill or having studied its provisions, may say that I intend to favour the legislation which may be brought down next session, if it is brought down. After the rebuff which the Civil Service received the other day at the hands of some of the supporters of the Government sitting behind my hon. friend (Mr. White), I think the production of this Bill at this late hour is simply adding insult to injury. All the friends of the Civil Service, and they are many, would certainly hail with a great deal of satisfaction any system by which a superannuation shall be provided for the members of the service. From the explanation which my hon. friend has given the House I do not see why it was found necessary to appoint a commissioner from Great Britain, to bring him to Canada, and to oblige him to spend several months here; because I find nothing extraordinary in the system which is now proposed. Any gentleman with a good sound head on his shoulders could have devised a scheme as good as the one which is now presented to the House. I am afraid that the circumstances surrounding the introduction of this measure at this late hour simply mean that the fear of the Lord is the beginning of

wisdom. There is to be a general election on the 29th June, and although my hon. friend states that Dominion legislation has nothing to do with provincial agitation, still one is the corollary of the other, and I would take the opportunity of telling my hon. friend, pious as he is, that I sincerely believe that he is playing the game of his Ontario friends just now.

But we all remember the severe denunciation of the Civil Service the other day on the part of some of the most ardent Tories on the other side. The hon. member for Frontenac (Mr. Edwards) and the hon. member for Kings and Albert (Mr. Fowler) stated that the civil servants at Ottawa ought to be disfranchised, and my hon. friend was so much excited over the attack that he hastened to pick up his papers and his Bill and to state to the House that the Bill would come up again next year. Next year, I can assure my hon. friend, I will stand by him against the insurgents on the other side. We must stand with the Civil Service, we must give them fair salaries—because the cost of living has increased enormously since my hon. friend has been sworn in as Minister of Finance—and we must give them superannuation. I met an old civil servant the other day, a gentleman who has been in the service for many years. It was after the famous sitting when my hon. friend took his Bill and said: 'Well, let us wait until next year; we will see if the insurgents will not be calmed.' I said to my old friend: 'How do you feel about it?' He had been watching the proceedings from the gallery. He said: 'I feel disappointed.' A young lady, also belonging to the Civil Service, said to me: 'Mr. Lemieux, we are simply in despair.' Both of them told me that if I would take the matter up early next session and work for the Civil Service they would be very grateful. I do not believe that my hon. friend the Minister of Finance will be able to bring his insurgents around next session, but I will remind him that all the finest words do not butter parsnips and that it is not by words that he will satisfy the Civil Service even on the eve of a general election. My hon. friend is an old book-worm, although young in years, and he has studied Roman law. I will remind him of an old Roman axiom, *acta non verba*. It is not words that the Civil Service is clamouring for to-day. I believe I interpret the feelings of the Civil Service in saying to the Minister of Finance: Get rid of the insurgents; be

bold, do justice to the old civil servants, give them a fair salary, give them superannuation, be progressive. If the hon. gentleman does this, then, although he belongs now to the party of the old fogies, he will revive in his breast the Liberal spirit and the Liberal instincts which I believe still actuate him. The hon. gentleman is now in the Conservative party, but that is an accident; he is still a Liberal in spirit.

Mr. WHITE: A Liberal-Conservative.

Mr. LEMIEUX: If he carries through this House a good measure for the Civil Service he will revive in his breast these Liberal instincts which are now somnolent. I wish him God-speed.

Mr. LAFORTUNE: I would ask the Minister of Finance to take power under this legislation to provide that in no circumstances shall pensions be attachable or transferable. My experience at the Montreal Bar tells me that creditors very often get judgment against debtors on the ground that they have advanced to them the necessaries of life and under the law of Quebec creditors have a right to attach pensions, if that be shown. I ask the minister to provide legislation that even if it should be for the necessaries of life the pensions shall be non-seizable and non-attachable. This will be a great protection to those who are in receipt of pensions.

Mr. FRIPP: The fact that the Civil Service Bill was referred to in the Speech from the Throne is the best answer to any criticism that may be offered against the Minister of Finance for bringing the Bill in at a late date in the session. The civil servants have had an opportunity of considering the Civil Service Bill and I think I am safe in saying that it has met generally with the approval of the civil servants, as giving assistance to those who need assistance most, namely, the officials in the Third Division. The promise made by the Finance Minister, I think I can regard it as a promise, that the Bill would be made retroactive, has allayed any fear on the part of the Civil Service.

The old Superannuation Bill had not a single friend in the Service, so far as I know; it was considered to be very unfair. They did not expect the present Superannuation Bill to be passed this session, and as one of the members for the city of Ottawa, the Civil Service Association has been in touch with me, and I can say that

its members are perfectly satisfied that the Superannuation Bill just brought in by the Minister of Finance should remain over, until next session, in order that they may have an opportunity of suggesting amendments and alterations, and that it may be considered in connection with the Civil Service Act. I think I can safely say in behalf of the Civil Service Association that its members are very grateful indeed to the Minister of Finance for having taken up both these questions on their behalf. I think that the civil servants as a whole will be satisfied with this Superannuation Bill, just as they are satisfied, so far as one can satisfy a large body of that kind, with the Civil Service Act.

Mr. LEMIEUX: Does my hon. friend say that there is no discontent among the civil servants because the Civil Service Bill was not passed this session?

Mr. FRIPP: I would not like to say there is no dissatisfaction because the Bill did not go through this session. I am sorry myself that it did not go through, but I think the civil servants are satisfied as a whole with the promise that it should be made retroactive as being the next best thing to be done under the circumstances.

Mr. CARROLL: I do not intend saying anything now with reference to the time at which the Government has seen fit to bring down the Civil Service Bill and the Superannuation Bill. I do wish to say, however, that I am one of those who believe that our civil servants should be at least paid fair salaries. I believe that any person who enters the Civil Service of this country should be entitled to a living wage, and I believe that at the present time civil servants employed in our governmental departments are not receiving a living wage. I was rather surprised at the action and the words of my hon. friends from Frontenac (Mr. Edwards) and Kings (Mr. Fowler) when this matter was under consideration before. They criticised the Government, and they criticised, to my mind unjustifiably, the work done in this country by our civil servants. It may be, perhaps, that we have too many civil servants, but when this Government undertakes to give employment to either a man or a woman the Government should give that person a salary of at least \$1,000 per annum. I believe that under present conditions in this country, it is an utter impos-

sibility for any person, especially a married man, to exist on less than that income. Another factor is that if the wants and the aspirations of the labouring people in this country are to receive an impetus, the Government should take the lead and demonstrate to all employers of labour that they are willing to pay the people in their employ a living wage. I repeat that anything less than \$1,000 a year is not a living wage.

I have not been long in this Parliament, and I have not had the pleasure of meeting very many civil servants, but I wish to say on their behalf that while they are perhaps not an overworked class the great majority of them take an actual and enthusiastic interest in their work. That fact has come under my observation and I can give an instance of it.

I have taken at times a little interest in legislation in this House emanating from the various departments; and on almost all occasions when I have criticised that legislation I have been approached by civil servants who have in a courteous way explained to me the legislation as it could not be explained on the floor of the House. That is not the business of civil servants; that is the business of the heads of the departments; but I am saying this only in justice to the civil servants, that they do take an interest in their work, or they would not read 'Hansard' in regard to legislation connected with their departments. In regard to the department controlled by the Minister of Finance, a few days ago I made a protest, not on my own behalf, but on behalf of a certain class in this country, namely, the Catholic Mutual Benefit Association, with respect to legislation which was going through the House. The following morning a young man from the Department of Finance came to me and explained that measure so much in detail that, if I had had any criticism to make against it, it would have been withdrawn. He was under no obligation to come to me and explain that Bill; but he explained it in a way in which the Minister of Finance could not explain it to the House, because we sat down and had a heart-to-heart talk over it. When I hear my hon. friend the hon. member for Kings and Albert (Mr. Fowler), or the hon. member for Frontenac (Mr. Edwards), or any other hon. gentleman saying that the civil servants are a leisured class who take no interest in their work; that they come to the office at ten o'clock in the morning and smoke until eleven or

twelve o'clock; and that, when they return from lunch, they make preparations for their dinner hour, I think it is very unfair to the civil servants of this country.

I am not going to criticise either severely or otherwise, the resolution which the hon. Minister of Finance has brought down; but there is one thing in connection with it that has my hearty approval, namely, the bringing of the outside permanent civil servants under the Act. The outside civil servants are as good a class as are the inside; but they have not been so carefully looked after by any Government in this country as they should have been. Their salaries are too small; and, unfortunately, they do not come under the old Superannuation Act. When the legislation is brought down, it will be the time to criticise it in detail.

I wish to point out further—and I wish to make this my last word on the present occasion—that there is a duty incumbent upon the Government of this country, whether the existing Government or any future Government, to lead the way towards establishing fair wages in this country. If the Government do not do it, contractors and business men will be slow to do it.

The Government should lead the way in giving a living wage to their civil servants. That wage, in my opinion, should not be less than \$1,000. I know a gentleman in the Civil Service who is receiving \$500 a year. He has been in the service for two years, and has a family of nine. He is apparently a good man; if he was not so, he should not have been appointed. How can that man live on \$500 a year and support a family? Do you know how he does it? He goes out in the night time and uses his ability to play a violin at dances and that sort of thing. It is a disgrace to this Government or to any other Government in this country to pay a man who has a family to support a salary of \$500 a year. It is not a living wage, and it is impossible for civil servants to exist on such a salary.

Resolution reported, read the first and the second time, and agreed to.

Mr. WHITE thereupon moved for leave to introduce Bill No. 229, respecting Civil Service Superannuation.

Motion agreed to, and Bill read the first time.

THE CIVILIAN

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Ottawa, June 12, 1914

"The law pertaining to the civil service should be honestly and rigidly enforced, to the end that merit and ability should be the standard of appointment and promotion, rather than service rendered to a political party."

* * *

"Entrance to the civil service should be at the bottom, and the custom of securing men from outside the ranks and placing them ahead of old employees should be discouraged, and only resorted to when public interest demands. Civil service protects employees in their positions, but it holds them there in stagnation unless a method be found to not only secure the time of its employees, but to stimulate and reward their ambition."

SUPERANNUATION.

3rd Session, 12th Parliament, 4 George V., 1914

THE HOUSE OF COMMONS OF CANADA.

BILL 229.

An Act respecting Civil Service Superannuation

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Civil Service Superannuation Act, 1914.* Short title.

INTERPRETATION.

2. In this Act, unless the context otherwise requires, Interpre-
tation.
- (a) "Age" used with reference to a civil servant, shall be construed to denote his age on the last anniversary of his birth preceding the date or point of time to which reference is made;
- (b) "Civil Servant" means a member of the Civil Service;
- (c) "Civil Service" includes all persons who have been or may hereafter be appointed to permanent positions in the public service of Canada, but shall not include
- (i) except as herein otherwise provided, persons now subject to the Civil Service Superannuation Act,
- (ii) persons who are subject to any other Act which provides retiring allowances for persons employed in the public service of Canada,
- (iii) persons whose remuneration is wholly in the form of fees or commissions or of allowances designed to include any payments which such person may have to make to others in virtue of his official position;
- (d) "Contribution" means any deduction from salary, or any payment, made under this Act by a contributor:
- (e) "Contributor" means a civil servant from whose salary deductions are made, or who makes any payment under this Act;

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- (f) "Member on the Retirement Fund" means a person who at the coming into force of this Act is subject to the provisions of Part II of the Civil Service Superannuation Act and from whose salary reservations are being made by authority of the said Act;
- (g) "Minister" means the Minister of Finance;
- (h) "Period of membership on the Retirement Fund" means the period of time during which reservations from the salary of a member on the Retirement Fund have been made, and in respect of which period no payment of such reservations has been made to him;
- (i) "Period of Service" means the time during which the salary received by a contributor may be taken into account for the purposes of calculating a retiring allowance under this Act;
- (j) "Public Service" means and includes all officers, clerks, or employees in the service of His Majesty in respect of the Dominion of Canada or of the Parliament of Canada;
- (k) "Salary" means the remuneration or wages paid to a contributor in respect of his service, but does not include special or other allowances;
- (l) "Superannuation Act" means "the Civil Service Superannuation and Retirement Act."

APPLICATION.

Application
to future
appointees.

3. This Act, with the exceptions hereinafter mentioned, shall apply to every Civil Servant appointed after the coming into force of this Act whose age at the time of such appointment does not exceed fifty years; and every such civil servant shall become a contributor and shall be entitled to the benefits of this Act.

Application
to be made
under
sections
5 and 6.

4. Civil servants desiring to become subject to this Act under the provisions of the two following sections must make application to the Minister within twelve months after the coming into force of this Act and the application must be approved by the Minister under regulations to be made by the Governor in Council.

Civil Servants
subject to
Part I Super-
annuation

5. Any civil servant whose age at the coming into force of this Act does not exceed fifty-five years and from whose salary deductions are then being made under the authority of Part I of the Superannuation Act and who with the approval of the Minister elects to become subject to this Act shall forthwith become a contributor and the contribution payable by him shall be the percentage prescribed by section

3

8 for the age which such civil servant has reached when he elects to become subject to this Act.

2. In computing the retiring allowance of any such civil servant, the period prior to the date of his election as aforesaid which would have been counted had he been retired under Part I of the Superannuation Act, shall be included in the period from which the contributor's period of service may be computed.

Prior period included in computation.

6. Any civil servant who is a member on the Retirement Fund and whose age at the date of his first appointment to the Civil Service did not exceed fifty years and who with the approval of the Minister elects to become subject to this Act, shall forthwith become a contributor and the contribution payable by him shall be the percentage prescribed by section 8 for the age which such civil servant had reached when he first began to pay to the said Retirement Fund.

Civil Servants on retirement fund.

2. In computing the retiring allowance of any such civil servant, the period of his membership on the Retirement Fund shall be included in the period from which the contributor's period of service may be computed.

Retirement Fund period included.

7. Any civil servant who elects to become subject to the provisions of this Act shall thereupon cease to be subject to the provisions of the Superannuation Act, or to be entitled to any benefits thereunder, and all deductions from salary made under the provisions of Part I of the Superannuation Act with interest thereon at four per centum per annum compounded yearly or the total amount to the credit of such civil servant in the Retirement Fund as the case may be, shall forthwith be transferred to the credit of the Civil Service Superannuation Account, Number Three.

Deductions in Retirement Fund transferred to C. S. Superannuation Account.

2. The retirement of any such civil servant may in the discretion of the Governor in Council be deferred beyond the age of sixty-five years until he has completed thirty-five years service, but in no case beyond the age of seventy years.

Age limit.

CONTRIBUTION.

8. The contribution of each contributor shall be the following percentage of his salary which percentage shall be deducted from the salary as it becomes payable, that is to say,—

Contributions.

- (a) five per centum if his age does not exceed twenty-five years at the time when the first contribution becomes payable;

- (b) five and one-half per centum if his age then exceeds twenty-five years but does not exceed thirty years;
- (c) six per centum if his age then exceeds thirty years but does not exceed thirty-five years.
- (d) six and one-half per centum if his age then exceeds thirty-five years but does not exceed forty years;
- (e) seven per centum if his age then exceeds forty years but does not exceed forty-five years;
- (f) eight per centum if his age then exceeds forty-five years.

TEMPORARY SERVICE.

Contri-
bution
respecting
period of
temporary
service.

9. Any civil servant who becomes subject to this Act, and who was at any time employed in a temporary capacity in the public service of Canada, may give notice in writing to the Minister, as hereinafter provided, of his intention to become a contributor in respect of the period of his temporary service, or any part thereof immediately preceding the date when such employment terminated.

Notice to
Minister.

2. Notice to the Minister as aforesaid shall be given in the case of appointments made after the coming into force of this Act, within twelve months from the date of such appointment and, in the case of any civil servant who with the approval of the Minister elects to become subject to this Act under sections 5 and 6 hereof, shall be given at the time when he applies to the Minister for permission to make such election and the notice shall in either case specify the period of temporary service, or the portion thereof, in respect of which the applicant desires to contribute.

Contribu-
tions.

3. Such civil servant shall thereupon be deemed to be a contributor under this Act in respect of the period of temporary service for which he elects to contribute and shall pay a percentage of the total salary received by him in respect of the said period, that is to say,—

- (a) two per centum if his age, at time of giving notice as aforesaid, does not exceed thirty years;
- (b) three per centum if his age then exceeds thirty years, but does not exceed thirty-five years;
- (c) four per centum if his age then exceeds thirty-five years, but does not exceed forty years;
- (d) five per centum if his age then exceeds forty years, but does not exceed forty-five years; and
- (e) six per centum if his age then exceeds forty-five years, but does not exceed fifty years;
- (f) seven per centum if his age then exceeds fifty years, but does not exceed fifty-five years.

4. The sum so determined shall, at the option of the contributor, be payable wholly in advance to the Receiver General, or partly in advance and partly by a fixed deduction from the contributor's salary or wholly by a fixed deduction from the contributor's salary. Such fixed deduction shall, in either case, be determined in accordance with regulations to be made in that behalf by the Governor in Council. Option as to payment.

5. Such period of temporary service shall thereupon be added to the period from which the contributor's period of service may be computed. Temporary period added.

6. For the purposes of this section, the term "temporary service," used with reference to any person denotes the period of his continuous employment in the public service of Canada in a temporary capacity, during which period no deductions or reservations were made from his salary under the provisions of the Superannuation Act or of any Act relating to the superannuation of civil servants in force before such Act was passed. If the salary received by any such person during his temporary service cannot be ascertained to the satisfaction of the Minister the rate of salary received by such person on first being appointed permanently may, for the purpose of this section, and for the purpose of computing the retiring allowance authorized by this Act, be substituted therefor. "Temporary service" defined.

SPECIAL CASES.

10. In the case of any civil servant who shall become subject to this Act under the provisions of sections 3, 5 or 6 hereof, and from whose salary deductions or reservations were previously made under the provisions of the Superannuation Act or of any Act relating to the superannuation of civil servants in force before such Act was passed, in respect of a period of service which, but for the right conferred by this section, would not be included in computing his retiring allowance under this Act, such civil servant may become a contributor under this Act in respect of such period of service, upon the like terms and conditions and subject to the like benefits, *mutatis mutandis*, as are specified in section 9 hereof. Addition to period of service.

11. In the case of any person who shall become subject to this Act under the provisions of sections 3, 5 or 6 hereof, and who, in respect of any period of prior employment, was theretofore subject to the terms of any other Act of the Parliament of Canada having for its object the granting of retiring or other allowances to persons employed in the public service of Canada; if such person was not dismissed Addition to period of service.

6

or retired for misconduct, and if he is not now receiving and is ineligible to receive any retiring allowance, compensation or other benefit under any such Act, he may become a contributor under this Act in respect of such period of employment, upon the like terms and conditions and subject to the like benefits, *mutatis mutandis*, as are specified in section 9 hereof.

In cases of suspension of salary for ill-health, etc.

12. If the salary of a contributor is for any period temporarily stopped on the ground of ill-health or if for any period a contributor is on leave of absence without salary, he shall during such period continue to contribute under this Act in such manner and to such extent as may be prescribed by regulations to be made in that behalf by the Governor in Council.

RETIRING ALLOWANCES.

Superannuation in cases of Sixty five years of age.

13. A retiring allowance shall be granted in the following cases, that is to say,—

Seventy years of age;

(a) to any contributor, not being of the class referred to in the next succeeding paragraph, upon his attaining the age of sixty-five years, unless in the opinion of the Governor in Council, it is desirable in the public interest to extend his period of service when he may be continued in the Civil Service for a further period, not exceeding twelve months;

Incapacitation;

(b) to any contributor who is expressly authorized by section 7 of this Act to be continued in the Civil Service to an age not exceeding seventy years, upon his retirement at any time after he has reached the age of sixty-five years;

Abolition of office;

(c) to any contributor who becomes wholly incapacitated for further employment, and is so certified, to the satisfaction of the Governor in Council, by at least two physicians;

Respective terms and ages of male

(d) to any contributor who is retired from the Civil Service in consequence of the abolition of his office for the purpose of improving the organization of the department to which he belongs or who is retired to promote efficiency or economy in the Civil Service; provided that he shall be entitled at his election to receive in lieu of a retiring allowance a refund of the whole amount actually contributed by him under this Act, with interest thereon at the rate of four per centum per annum compounded yearly;

(e) to any male contributor whose term of service is not less than thirty-five years and whose age is not

less than sixty years, and to any female contributor whose term of service is not less than thirty years and whose age is not less than fifty-five years, who retires from the Civil Service with the consent of the Governor in Council after giving three months' notice of his or her desire so to retire. and female contributors.

14. The annual retiring allowance to a contributor shall be two and one-half per centum of the total salary received by him during the last thirty-five years of his service, or if his period of service is less than thirty-five years, then during the whole of his period of service. Annual retiring allowance.

15. If any civil servant is not subject to the provisions of Part I of the Superannuation Act and is ineligible by reason of any limitation of age herein prescribed, to become a contributor under this Act, the Governor in Council may grant him an annual retiring allowance not exceeding one-half of the retiring allowance to which his period of employment, including any period of employment in a temporary capacity in the public service of Canada, would entitle him had he become a contributor in respect thereto under this Act. Half annual superannuation in special case.

2. The retirement with a retiring allowance of any civil servant to whom this section applies may, in the discretion of the Governor in Council, be deferred beyond the age of sixty-five years until he has completed thirty-five years service, but in no case beyond the age of seventy years. Age limit deferred.

3. Any such civil servant who is seventy years of age or over at the date of the coming into force of this Act shall not be eligible for any retiring allowance unless he is retired within twelve months of the said date. Seventy years at commencement of Act.

4. Nothing in this section contained shall affect the right of any civil servant to whom this section applies, and who at the time of being retired from the Civil Service is a member on the Retirement Fund, to the amount to his credit in the said Fund in accordance with the provisions of Part II of the Superannuation Act. Rights not affected.

16. The Governor in Council may reduce the amount of the retiring allowance or other benefit payable to a contributor under this Act if the service or any part of the service of such contributor has been unsatisfactory or if the contributor is being retired for incompetence or neglect of duty. Unsatisfactory service.

17. Every person who receives a retiring allowance upon the ground of being wholly incapacitated for the further performance of his duties and is less than sixty years of age, Evidence of incapacity required.

may at any time be called upon by the Governor in Council to furnish evidence of his continued incapacity, and if he refuses or neglects to furnish such evidence, he shall forfeit his said retiring allowance; or, if the evidence establishes that the incapacity is only partial, or no longer exists, such person's retiring allowance may be reduced or discontinued or he may be called upon to fill, in any part of Canada, any public office or situation for which his previous services render him eligible, and which is not lower in rank or emolument than that from which he was retired, and if he refuses or neglects so to do, he shall forfeit his retiring allowance.

Re-employment while receiving superannuation.

2. When in any other case than that provided for by the last preceding subsection, any such person is re-employed in any branch of the public service while in receipt of a retiring allowance, or receives payment for services rendered by him to or for any branch of the public service while in receipt of a retiring allowance, then no more of such retiring allowance shall be paid than is equivalent, when added to the remuneration so received by him in any one year, to his annual salary at the date of his retirement.

Permanent re-appointment after retirement on superannuation.

18. If any person who has been retired from the Civil Service on a retiring allowance granted under this Act is permanently re-appointed to the Civil Service, his retiring allowance shall thereupon cease to be payable, and he shall again become a contributor under this Act and his contribution shall be the same per centage of his salary as was paid by him as his contribution during the first period of his service; and if he is subsequently retired from the said service his retiring allowance shall be calculated as if the two said periods of his service had been continuous.

ALLOWANCES TO DEPENDENTS.

Allowances to—
Widows;
Children.

19. If any male contributor dies,
(a) leaving a widow, the Governor in Council may grant to her during her widowhood an annual allowance computed as hereinafter authorized;
(b) leaving a child or children and leaving no widow or leaving a widow who subsequently dies or remarries, the Governor in Council may grant an annual allowance computed as hereinafter authorized, to or on behalf of such child if there is only one, or to or on behalf of such children taken collectively if there is more than one, until the youngest attains the age of eighteen years.

Amount of allowance.

20. The allowance referred to in the last preceding section shall be equal to one-half of the retiring allowance which

the deceased contributor would have received had he been retired from the Civil Service at the time of his death, or which he was actually receiving at the said time; provided Limitation always that the annual allowance to a widow or to children shall not in any event exceed six hundred dollars; provided further that the annual allowance to or on behalf of a child, in any case where there is only one child entitled thereto, shall not exceed three hundred dollars.

2. If the annual allowance to which the widow of a contributor is entitled is less than fifty dollars, she shall, at her election, be entitled to receive instead of the annual allowance the amount of the deceased contributor's contributions under this Act with interest thereon at the rate of four per centum per annum, compounded yearly, less any sums received by him under this Act during his lifetime. Any such election by the widow shall be final and shall be deemed to be made when the first payment in that behalf is received and accepted by her. Should she elect to accept the amount of such contributions with interest no further allowance or payment shall be made in the event of her remarriage or death to any child or children of the contributor. Election by widow.

3. Authority is hereby granted to the Governor in Council to make a similar election on behalf of any child or children entitled under this Act to an annual allowance of less than fifty dollars, and to dispose of or deal with the same as provided for in the next succeeding section. Election for children.

21. Any moneys payable under the two last preceding sections to or on behalf of any child or children under the age of eighteen years may, in the discretion of the Governor in Council, be either paid to such child or children direct, or to any person or public institution, to be expended on behalf of such child or children in such manner as may seem to his or their best advantage. Children's allowance payable to institution etc.

RETURN OF CONTRIBUTIONS.

22. If any male contributor voluntarily retires from the Civil Service before becoming entitled to a retiring allowance under this Act, he shall be entitled to a refund of the whole amount actually contributed by him under this Act, but without interest. Any refund of contributions provided for by this section shall, as respects deductions or reservations from salary made under the provisions of Part I or Part II of The Superannuation Act and subsequently transferred to the credit of the Civil Service Superannuation Account Number Three, be for the net amount only of the deductions or reservations so transferred. Voluntary retiremen male contributor

Of female contributor.

23. If any female contributor voluntarily retires from the Civil Service, or dies, before becoming entitled to a retiring allowance under this Act, she or her legal representatives, as the case may be, shall be entitled to a refund of the whole amount actually contributed by her under this Act, with interest thereon at the rate of four per centum per annum, compounded yearly.

May ask refund.

2. On the retirement of any female contributor she shall, at her election, be entitled, in lieu of a retiring allowance, to a refund of the whole amount actually contributed by her under this Act with interest thereon at the rate of four per centum per annum, compounded yearly.

Election final.

3. Any such election by a female contributor shall be final, and shall be deemed to be made when the first payment in that behalf is received and accepted by her.

ENQUIRY.

Enquiry by Treasury Board.

24. Before granting a retiring allowance or other benefit allowance to any person under the provisions of this Act the Treasury Board shall ascertain, whether the retirement is due to reaching the age or service limit, incapacity or abolition of office or to promote efficiency and economy in the public service; and also whether the retirement is voluntary, and, when the person to be retired has not reached the age limit, whether the retirement will result in an improvement in the service, and is, therefore, in the public interest.

GENERAL.

Non-transferable and non-seizable.

25. In no case shall any retiring allowance or other benefit that may be payable under this Act be in any way assigned or charged or pass to any other person by operation of law; nor shall any moneys paid under this Act before or after the death of a contributor be seizable or liable for the payment of his debts or liabilities.

Rights of dismissal unimpaired.

26. Nothing herein contained shall be understood as impairing or affecting the right of the Governor in Council to dismiss or remove any person from the Civil Service, or as impairing or affecting the rights and privileges of either House of Parliament in respect to the appointment or removal of its officers and servants.

C. S. Superannuation Account.

27. An account, to be called the Civil Service Superannuation Account Number Three, shall be kept of all moneys received or paid out under the provisions of this Act and of the assets and liabilities appertaining to or resulting from the

operation of this Act. There shall also be kept, in connection with the said Account, such records as the Minister may deem necessary, or as may be prescribed by regulations made by the Governor in Council.

2. All deductions from the salaries of contributors, and all payments otherwise made by contributors, under this Act, shall form part of the Consolidated Revenue Fund of Canada, and shall be carried to the credit of the Civil Service Superannuation Account number three, and all retiring allowances, refunds of contributions and other payments authorized by this Act shall be payable out of the Consolidated Revenue Fund of Canada and shall be charged to the said Superannuation Account Number Three.

Contributions part of Consolidated Revenue Fund.

3. As soon as practicable after the thirty-first day of March in each year, an actuary to be appointed by the Minister, shall make, as of the said date, a valuation of all contingent or prospective assets and liabilities appertaining to or resulting from the operation of this Act, and shall report to the Minister thereon and also with respect to the condition of the said Civil Service Superannuation Account Number Three generally, specifying the amount necessary to be credited to the said Account on the said date, so that the total assets may be made equal to the total liabilities, and such amount shall after approval by the Minister forthwith be credited to the said Account accordingly.

Appointment of actuary.

Report of valuations to Minister.

4. The valuation referred to in the next preceding subsection shall be based, as to interest, upon a rate of four per centum per annum, and, as to mortality and other contingencies, upon such tables as the Governor in Council may by regulation prescribe. In the event of no tables being prescribed by the Governor in Council, the actuary shall employ such tables as, in his judgment, are suitable for the purpose.

Rate of interest, etc. for valuation

28. The Minister shall lay before both Houses of Parliament within fifteen days after the commencement of each session thereof,—

Returns to Parliament.

- (a) a statement of all retiring allowances, and other benefits granted within the last preceding fiscal year under the provisions of this Act, giving the name and age of each person to whom a retiring allowance, or other benefit has been granted; and in the case of the retirement of a contributor his rank, salary and length of service, the cause of his retirement and whether the vacancy so created has been filled and if so, whether by promotion or by new appointment, and the salary of the new incumbent;

- (b) a statement of any increase, reduction or stoppage of any retiring allowance granted under this Act, and of the reasons therefor;
- (c) a statement showing the condition of the Civil Service Superannuation Account Number Three, at the end of the last preceding fiscal year;
- (d) copies of all Orders in Council and regulations made under the provisions of this Act.

Regulations by Governor in Council.

29. The Governor in Council may make regulations,—

- (a) prescribing the conditions upon which the applications of persons desiring to become subject to the provisions of this Act shall be approved;
- (b) prescribing the manner and extent in and to which contributors whose salaries have for any reason been temporarily stopped, shall contribute in respect of such periods;
- (c) prescribing the accounts to be kept and their management;
- (d) prescribing the tables which shall be employed by the actuary in valuations to be made under this Act;
- (e) determining cases of doubt or dispute which may arise under this act;
- (f) determining the classes of persons to whom the provisions of this Act may be extended;
- (g) for any other purpose deemed necessary or expedient for giving due effect to the provisions of this Act.

Super-annuation Act not applicable

30. The Superannuation Act shall not apply to any person who is appointed to the public service after this Act comes into force.

Commencement of Act.

31. This Act shall come into force on..... day of.....191..

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