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CONSTITUTIONAL CONFERENCE

(PROPOSED) PROGRESS REPORT  
ON  
PARAMOUNTCY AS APPLIED TO  
PUBLIC RETIREMENT INSURANCE

presented by the  
Continuing Committee of Officials  
at the  
Second Working Session  
of the  
Constitutional Conference

(Proposed)

PROGRESS REPORT FROM THE CONTINUING COMMITTEE OF OFFICIALS

Paramountcy as Applied to  
Public Retirement Insurance

1. At its session in December 1969, the Constitutional Conference had a discussion of the subject "Income Security and Social Services". It was agreed that the Continuing Committee of Officials "should undertake a detailed examination of the application of the concept of paramountcy, federal or provincial, in the field of public retirement insurance".
2. In accordance with this request from the Conference, the Continuing Committee has been studying the question of paramountcy, as applied to public retirement insurance. In addition, since it seems that the main objective is to ensure portability of entitlement to benefits from public retirement insurance plans, the Continuing Committee has sought to identify possible alternative approaches for reaching this goal, other than providing for federal paramountcy in the Constitution.
3. Alternative approaches to full federal paramountcy in the public retirement insurance field which have been identified include:
  - (a) A partial federal paramountcy, with application only for ensuring portability.
  - (b) A provision for federal remedial legislation.
  - (c) A reliance on intergovernmental agreements (with provincial paramountcy or no paramountcy).
  - (d) A constitutional obligation to harmonize retirement insurance plans.
  - (e) Constitutional criteria for portability.
  - (f) A constitutional provision requiring that powers be used in a manner that will ensure portability.
4. Certain of these suggestions have come forward only recently and have not been fully considered. The Continuing Committee believes that it should give further study to the matter before reporting in detail to the Constitutional Conference. Subject to direction from the First Ministers, therefore, the Committee proposes to continue its work on this matter with a view to reporting to the next meeting of the Constitutional Conference.