



THE CANADIAN  
BAR ASSOCIATION  
L'ASSOCIATION DU  
BARREAU CANADIEN

May 28, 2012

Via email: [jflaherty@fin.gc.ca](mailto:jflaherty@fin.gc.ca)  
[diane.finley@parl.gc.ca](mailto:diane.finley@parl.gc.ca)

The Honourable James M. Flaherty P.C. M.P.  
Minister of Finance  
Finance Canada  
L'Esplanade Laurier  
East Tower, 21<sup>st</sup> Floor  
140 O'Connor Street  
Ottawa, ON K1A 0G5

The Honourable Diane Finley  
Minister of Human Resources and Skills Development  
House of Commons  
Confederation Building  
Room 707  
Ottawa, ON K1A 0A6

Dear Minister Flaherty and Minister Finley:

**Re: Reform of Canada Pension Plan**

I am writing on behalf the National Pensions and Benefits Law Section of the Canadian Bar Association (CBA Section) to ask the government to engage in an extensive, Canada-wide study to review the Canada Pension Plan (CPP), with a view to helping Canadians who are not saving enough for retirement.

The CBA is a national association representing approximately 37,000 jurists, including lawyers, notaries, law teachers and students, across Canada. Our primary objectives are to uphold the Rule of Law, improve the administration of justice, and promote equality in the law.

In 2008, half of employed Canadians put money into private retirement plans. This suggests that many Canadians will rely upon CPP to finance their retirement. Encouraging Canadians to save for retirement has become an important issue for federal, provincial and territorial governments, for public policy organizations, and for the public.

The CBA Section has urged governments to promote the harmonization of pension legislation and regulation across Canada and to take reasonable measures to increase the funding and security of pension benefits. The CPP, as a major component of Canada's retirement income system (as well as private pensions and individual savings), provides contributory, earnings-based, public pension benefits to working Canadians and their families. Without a sufficient level of CPP, many retired

Canadians will be forced to rely on the welfare system. We believe the time has come for federal, provincial and territorial Ministers of Finance to undertake an extensive review of CPP.

The CBA Section would be pleased to work with your officials to help identify changes to CPP and related legislation with a view to helping Canadians who are not saving enough for retirement.

I am attaching for your information a resolution on this subject recently adopted by the CBA's governing Council. Thank you in advance for considering this important issue. We are available to answer any questions or to discuss any points raised in this letter.

Yours truly,

*(original signed by Noah Arshinoff for Mitch Frazer)*

Mitch Frazer  
Chair, National Pensions and Benefits Law Section

encl.

## Reform of Canada Pension Plan

**WHEREAS** encouraging retirement savings is an important national issue, of concern to federal, provincial and territorial governments, public policy organizations and the public;

**WHEREAS** the Canadian Bar Association has urged governments to support and promote the harmonization of pension legislation and regulation across Canada and reasonable measures to increase the funding and security of pension benefits;

**WHEREAS** the Canada Pension Plan (CPP) is a major component of Canada's retirement income system (as well as private pensions and individual savings), providing contributory, earnings-based, public pension benefits to working Canadians and their families;

**WHEREAS** only about half of employed Canadians put money into private retirement plans in 2008, suggesting many will rely more on CPP to finance their retirements;

**WHEREAS** CPP is administered federally for employees in all provinces and territories

## Réforme du Régime de pensions du Canada

**ATTENDU QUE** le fait d'encourager l'épargne retraite constitue un enjeu important pour les gouvernements fédéral, provinciaux et territoriaux, ainsi que pour les organisations chargées d'élaborer les politiques publiques et pour le public lui-même;

**ATTENDU QUE** l'Association du Barreau canadien a exhorté les gouvernements à appuyer et promouvoir l'harmonisation des lois et règlements sur les pensions au Canada, ainsi que des mesures raisonnables pour augmenter le financement et la sécurité des prestations de retraite;

**ATTENDU QUE** le Régime de pensions du Canada (RPC) est une composante majeure du système de revenus de retraite au Canada (ainsi que les régimes de retraite privés et l'épargne individuelle), offrant aux travailleurs canadiens et à leurs familles des prestations contributives, fondées sur les revenus;

**ATTENDU QU'**environ la moitié des Canadiens et Canadiennes cotisaient à des régimes de pensions privés en 2008, ce qui laisse entendre que plusieurs devront compter davantage sur le RPC pour financer leur retraite;

**ATTENDU QUE** le RPC est administré par le gouvernement fédéral pour les employés

**Resolution 12-03-M**

except Quebec, and the legislation can only be amended by the federal government with two-thirds of the participating provinces representing two-thirds of the population;

**WHEREAS** federal, provincial and territorial Ministers of Finance must undertake reviews of CPP every three years, and the report for the next CPP review is expected in 2012;

**BE IT RESOLVED THAT** the Canadian Bar Association urge the federal, provincial and territorial governments to engage in an extensive, Canada-wide study to review the CPP, with a view to helping Canadians who are not saving enough for retirement.

**Certified true copy of a resolution carried by the Council of the Canadian Bar Association at the Mid-Winter Meeting held in Mayan Riviera, Mexico, February 11-12, 2012.**

**Résolution 12-03-M**

dans toutes les provinces et territoires à l'exception du Québec, et que cette loi peut être modifiée par le gouvernement fédéral seulement avec l'accord de deux tiers des provinces participantes représentant deux tiers de la population;

**ATTENDU QUE** les ministres fédéral, provinciaux et territoriaux des Finances doivent entreprendre un examen du RPC tous les trois ans, et que le prochain examen du RPC est attendu en 2012;

**QU'IL SOIT RÉSOLU QUE** l'Association du Barreau canadien exhorte les gouvernements fédéral, provinciaux et territoriaux à entreprendre un examen pancanadien exhaustif du RPC dans le but d'aider les Canadiens qui n'accumulent pas suffisamment d'épargne en vue de la retraite.

**Copie certifiée d'une résolution adoptée par le Conseil de l'Association du Barreau canadien, lors de l'Assemblée de la mi-hiver, à Mayan Riviera, Mexique, du 11 au 12 février 2012.**

**John D.V. Hoyles  
Chief Executive Officer/Chef de la direction**