



Members of the Commission  
August 15, 2019

While the Submission filed by the Minister is silent on this issue, the Association considers it logical and fair that the Contribution Obligation be re-imposed in the event the suspended pensionable service is restored. The two go together. Otherwise, the judge in question would receive a windfall without any justification, and be left in a more favorable financial position than all those colleagues who were not subject to a removal recommendation.

The only concern that may arise from re-imposing the Contribution Obligation is the sudden financial burden imposed on the judge of having to pay 7% of all judicial salary collected during the period that the Contribution Obligation was suspended. To address this, a formal notice could, as a matter of practice, be given to the judge at the time the Contribution Obligation is suspended advising that he or she should take measures to set aside the necessary amounts in order to be in a position to satisfy the Contribution Obligation should the Snapback Provision apply.

We look forward to receiving the Minister's position on this issue. As always, we remain at the Commission's disposal to respond to any questions.

Respectfully submitted,



Pierre Bienvenu, Ad. E.  
Senior Partner

cc: Mr. Christopher Rupar and Mr. Kirk Shannon, Counsel for the Attorney General of Canada  
Mr. Norman Sabourin, Executive Director and General Counsel, Canadian Judicial Council  
Ms. Mandy Ayles, Prothonotary, Federal Court  
Ms. Louise Meagher, Executive Director, Judicial Compensation and Benefits Commission  
Mr. Gérald R. Tremblay, Ad. E., Counsel for the Hon. Michel Girouard, McCarthy Tétrault  
Mr. Louis Masson, Ad. E., Counsel for the Hon. Michel Girouard, Joli-Coeur Lacasse  
info@quadcom.gc.ca