

"51. (1) No allowance shall be granted to the widow or any child of a contributor under this Part

(a) if the person to whom it is proposed to grant the allowance is in the opinion of the Treasury Board unworthy of it;

(b) if the contributor was over sixty years of age at the time of his marriage; or

(c) if the contributor dies within one year after his marriage unless the Treasury Board is satisfied that he was in good health at the time of his marriage and that there are no other objections to the granting of the allowance:

Provided, however, that a breach by the contributor of the conditions as to marriage prescribed by this subsection shall not prejudice the right to an allowance of a child of an earlier marriage of the contributor.

(2) If the contributor marries and if his age exceeds that of his wife by twenty years or upwards the allowance to the wife under this Part shall be reduced by such an amount as the Governor in Council may by regulation prescribe.

(3) An allowance to a widow or child under this Part shall be suspended or discontinued if, in the opinion of the Treasury Board, the widow or child becomes unworthy of it.

"52. (1) Retirement from the forces shall be compulsory on every contributor to whom a pension or a retirement allowance is offered, but such offer shall not be considered as implying any censure on the person to whom it is made, nor shall any person be considered as having a right to such an allowance, but it shall be granted only in consideration of good and faithful service during the period in respect of which it is calculated.

(2) Nothing contained in this Part shall be understood as impairing or affecting the authority of the Governor in Council or the Minister to dismiss or remove any contributor from the forces."

The purpose of the amendments to sections 47, 48 and 49 is to delete the references to "allowance" and "withdrawal allowance" which are to be called a pension or gratuity as applicable.

The reason for the amendment to section 50 is because payment of pension and gratuity being in accordance with the above amendments a matter of right, the provisions of the present section are no longer required. The purpose of the new section is to set out the evidence required to enable the payment of a benefit to be put into effect and is entirely procedural.

The changes to section 51 result from making pensions and gratuities payable as a matter of right rather than of grace and by the addition of a new subsection to clarify the entitlement of children in the event the widow is disentitled from receiving payment.

The present section 52 is no longer required. The new section provides for the payment or partial payment of pension to a re-employed officer pensioner. This is consistent with the new section 12 of Part I of the Act.