

amended by chapter forty-five of the statutes of 1921, and by chapter thirty-eight of the statutes of 1922, is repealed, and the following section is substituted therefor:

"11. (1) The Commission shall award pensions to or in respect of members of the forces who have suffered disability in accordance with the rates set out in Schedule A of this Act, and in respect of members of the forces who have died in accordance with the rates set out in Schedule B of this Act, when the disability or death in respect of which the application for pension is made, was attributable to military service as such. Any disability from which a member of the forces who served in an actual theatre of the Great War was suffering at the time of his discharge, shall for pension purposes be deemed to be attributable to or to have been incurred or aggravated during his military service, unless and until it be established by the Commission that the disability was not attributable to or incurred or aggravated during such service."

(1920, c. 62, s. 3, as amended by 1921, c. 45, s. 1 and 1922 c. 38, s. 5).

"(2) No deduction shall be made from the degree of actual disability of any member of the forces who has served in a theatre of actual war on account of any disability or disabling condition which existed in him at the time at which he became a member of the forces provided that no pension shall be paid for a disability or disabling condition which at such time was wilfully concealed, was obvious, was not of a nature to cause rejection from service, or was a congenital defect;

"(3) An applicant shall not be denied a pension in respect of disability resulting from injury or disease or the aggravation thereof incurred during military service or in respect of the death of a member of the forces resulting from such injury or disease or the aggravation thereof solely on the ground that no substantial disability or disabling condition is considered to have existed at the time of discharge of such member of the forces;

(d) * * * * *

(e) * * * * *

"(4) Subject to the proviso in subsection (2) of this section, when a pension has been awarded to a member of the forces who has served in a theatre of actual war, it shall be continued, increased, decreased or discontinued, as if the entire disability had been incurred on service.

(2) * * * * *

"(5) The Commission may require a pensioner to submit periodically in such form as may in the opinion of the Commission be necessary or advisable, a statutory or other declaration that he is the person to whom the pension is payable, and that his dependents in respect of whom he is in receipt of additional pension are living and are being supported and maintained by him, and in the event of his refusing or neglecting to submit such certificate, the Commission may suspend future payments of pension until the same is received."

Hon. Mr. GRIESBACH: Does the honourable gentleman, the Chairman of the Committee, intend to lead the discussion of this question?

Hon. Mr. BEIQUE: No, I leave it to the honourable gentleman.

Hon. Mr. GRIESBACH: This clause, honourable gentlemen, may be described as the essential meat of this Bill. The situation is this. There are two pension principles, of which the House has heard a good deal in the

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last few days,—the insurance principle and the "due to service" principle. The insurance principle may be described as giving entitlement to a pension for any injury producing a disability which is due to the man's service in the army; that is to say, from the date of his enlistment to the date of his discharge. It is called the insurance principle because, in effect, the State says, "Anything that may happen to you during your period of service will be made good by the State." That is the so-called insurance principle. The other principle of pensioning is described sometimes as the "due to service," which in effect means that a man is pensionable for a disability resulting from an injury received by him while in the service, due to some form of military service. An example will be given of each case. First of all, as to the insurance principle. A man joins the army, finds his way to England, goes to London on leave and is injured in a motor accident. Under the "due to service" principle he would not be pensioned, for the reason that he had not been injured while engaged in military service. Under the insurance principle, however, he would be pensioned, because he was injured while in military service.

Hon. Mr. BEIQUE: We maintain that.

Hon. Mr. GRIESBACH: I have made that plain. The next step is to deal with the period 1919, in which our Parliament legislated that members of the forces who had a disability resulting from an injury received while on service, or in accordance with the insurance plan, were entitled to a pension, and, flowing from that entitlement, the dependents of such men, in the event of death, were also entitled to a pension. Such was the law from 1919 until the 1st day of September, 1920. An amendment in the year 1920 produced a different state of affairs. Then it was enacted that the dependents of a man who had suffered a disability due to any injury sustained while in the service, but whose injury was not attributable to military service, should not have a pension; that the only dependents who might continue to be pensionable in the event of the death of a pensioner, were the dependents of those pensioners whose injury, whatever it might be, was due to military service. You see at once that by the passing of the Act of 1920 there were cut off a class of dependent persons who previous to that date had been entitled to pension. Now we have before us a Bill which in effect restores the pension principle of 1919—the pension principle which was withdrawn in 1920.

Now, honourable gentlemen, in considering whether or not we should pass the amend-