

Hon. Sir JAMES LOUGHEED: There was some doubt as to whether or not a pension was payable when death or disability was caused otherwise. Assuming that the man was in the service, his death must have been caused by military service. The purpose is to clear up that doubt.

Hon. Mr. BOSTOCK: So that a man who was actually in the service—

Hon. Sir JAMES LOUGHEED: If the death was not the result of service, then he is not entitled to the pension.

Hon. Mr. BOSTOCK: He does not get the pension.

Section 1 was agreed to.

On section 2—provision respecting support of parents amended:

Hon. Sir JAMES LOUGHEED: The Pension Act, 1919, provided that deaths due to misconduct were not pensionable.

Hon. Mr. DANDURAND: Death?

Hon. Sir JAMES LOUGHEED: Yes, that deaths due to misconduct were not pensionable. By the amending Act, 1920, this was changed to allow of a pension being awarded when the death had occurred on service. That is, if death had occurred on service it was pensionable although there was misconduct. The anomaly thus arises that the dependents of a member of the forces now on service would in the event of death through misconduct be entitled to pension, whereas on death from any other cause not directly attributable to military service pension would be refused. The amendment is designed to correct what was obviously not the intention, and limits the date up to which a pension may be awarded to a dependent of a member of the forces whose death on service was due to misconduct.

Hon. Mr. DANDURAND: That explanation does not cover section 2?

Hon. Sir JAMES LOUGHEED: Yes. That is, the dependent gets the pension under those conditions. It has to do with that purely.

Hon. Mr. BOSTOCK: Then it seems that there is a right to the pension only if he died prior to the coming into force of the Pension Act. Section 12 of the Act of 1919 says:

A pension shall not be awarded when the death or disability of the member of the forces was due to improper conduct as herein defined; provided that the Commission may, when the applicant is in a dependent condition, award such pension as it deems fit in the circumstances.

Then, by the Act of 1920 we added o that clause:

and provided also that the provision of this section shall not apply when the death of the member of the forces concerned has occurred on service.

Now we propose to add at the end of this clause: "prior to the coming into force of the Pension Act."

Hon. Sir JAMES LOUGHEED: One has to travel through all the intricacies of many amendments which have been made. The object of this section is to limit the liability of the Crown to pension in cases where the man has died, not from misconduct, but from military service. The difficulty is that the present Act seems to be cloudy in meaning. There are deaths from venereal diseases and other causes of that kind, and it is now proposed to clear up the liability of the Crown by limiting the pensions to deaths from military service and excluding deaths from misconduct. That is the clearest explanation I can give.

Hon. Mr. DANIEL: Do I understand the Minister to say "including death from misconduct"?

Hon. Sir JAMES LOUGHEED: No; excluding. There is no liability in that case.

Hon. Mr. DANIEL: I think that is a mistake.

Hon. Mr. BOSTOCK: That hardly explains the words that this section adds: "prior to the coming into force of the Pension Act." But perhaps we can get no further with this, and we shall have to take it as it stands.

Section 2 was agreed to.

Sections 3 and 4 were agreed to.

On section 5—section giving additional allowance to widow and children repealed:

Hon. Mr. BOSTOCK: What is the object of that?

Hon. Sir JAMES LOUGHEED: Section 3 of the Pension Act is as follows:

When a pension is awarded to the widow or children, or both, of a member of the forces who is not a pensioner, on account of his death, an additional payment equivalent to two months' pension shall be paid.

The purpose of this section was to provide a bonus for the widow of a member of the forces dying prior to discharge. The conditions which brought about this provision no longer existing, it is proposed to repeal this section.