

obvious. But as regards amending the act generally, that will involve many changes, and when such a revision is made it should be comprehensive and thorough. And it should be made after a reasonable time has gone by so that we may see clearly the defects as they appear. An endeavour is being made to administer the act as satisfactorily as possible, and we are bound to administer the department in accordance with the provisions of the act. There can be no variation from those provisions except by amendment, and that is something which will have to be taken up at a suitable time.

Mr. RALSTON: I thoroughly agree with the minister that the system should be given a trial, and I am sure that the ex-service men throughout the country wish to see this done. The amendments contemplated by the legislation he is introducing are intended generally speaking, to increase the personnel and enlarge the machinery in order that some general system may be carried out under as favourable circumstances as possible and to allow the largest volume of business to be done. I did not hear him if he made any explanation with regard to one part of the resolution which he introduced. I had taken it from the annual reports and from discussions with ex-service men that the minister contemplates going as far as this: In addition to increasing the number of members of the tribunal and the number of commission counsel, he is doing away with what I referred to a little while ago as the automatic reference from the Board of Pension Commissioners to the tribunal.

Mr. MacLAREN: That is correct.

Mr. RALSTON: He has my wholehearted support, if that is the idea.

Mr. MacLAREN: I overlooked referring to what the hon. member has just mentioned. As has been stated, the procedure is that application is made to the Board of Pension Commissioners. That body considers the application, and if they feel that a case has been made out an award is made and no further hearing is necessary. If as a result of examining the application it is found that there is not a clear case, if the commissioners feel that they cannot give a definite decision, they automatically pass on the reference to the tribunal. It is not a case of refusing the application, it is a case of not accepting it. These matters perhaps should be discussed on the second reading of the bill, but I might as well avail myself of this opportunity. It has occurred to me, as well as to others, that this is not a good procedure. In most

[Mr. MacLaren.]

cases action is not taken until the application reaches the tribunal, the second court. I feel that the first court should look into the application as thoroughly as possible at the outset, and therefore the contemplated amendment is to provide that when an application is received by the pension board and is not approved, the applicant is to be informed of that fact and of the reasons for refusal and asked if he wishes the case to be proceeded with.

Mr. RALSTON: The burden is upon him.

Mr. MacLAREN: Some think that as a result of this amendment thousands of cases will be disposed of, but in any event a substantial gain will be made. One advantage will be that the applicant will be informed that his case has not been sufficiently proved; he will be advised of its weaknesses and given an opportunity to submit further evidence.

Mr. RALSTON: To the first court.

Mr. MacLAREN: That evidence is sent back to the commission, and if they are satisfied with the man's claim, it is then disposed of without being passed on to a further court. I think it will be admitted that out of 26,000 applications for pension there will be a number not based on good grounds. The applicants may think they have a good case, but if information is received that the board does not accept the evidence, on consultation with the pension advocates the cases may be dropped. In that way such claims as are based upon good grounds will be more quickly disposed of.

Mr. MACKENZIE (Vancouver): In this vote of \$50,500,000 is there any amount included for the payment of so-called disputed cases? There are six or eight cases which were refused under the old system by the Board of Pension Commissioners. These were brought before the federal appeal board and allowed but refused payment by the pension board because of some technicality. I understand that at least one of these cases was brought to the exchequer court within the last six months, which court found in favour of the appellant. I am informed that the Board of Pension Commissioners still refuses to make payment in these cases, and I wonder if any provision has been made for payment thereof.

Mr. MacLAREN: Every hon. member knows that the exchequer court allowed one or more of these cases, but I had not heard until this moment that there had been any difficulty as to the payment.