

Applicants dissatisfied with the adjudication of the Entitlement Hearing Division would have the right to appeal to the Appeal Division.

- (2) *Appeal Division.* This Division would consist of a Chairman and up to five Commissioners. It would function as a final court of appeal for pension claims and would be the final authority on the interpretation of pension legislation.

It would be based permanently in Ottawa. Pension applicants would not normally appear before this Division, but they would have the right to be represented by an advocate.

- (3) *The Administrative Division.* This Division would operate as part of the Appellate Division.

The National Veterans Organizations of Canada in their evidence given to your Committee have emphatically stated that Veterans Organizations are unanimously opposed to the restructuring of the existing Commission and the establishment of a Directorate of Pensions on the ground that it does not provide for the resolution of disputes in respect of matters arising out of the Pension Act before an independent body.

The Veterans Organizations of Canada made the following proposal to your Committee:

"It is proposed that the Government establish a *Pension Review Board* as a separate entity outside of the Pension Commission to serve as an appellate body. The following principles would apply:

- (a) To consist of a chairman and four members. One of the four may be appointed from among existing members of the Canadian Pension Commission.
- (b) To be an autonomous body, reporting to Parliament through the Minister of Veterans Affairs.
- (c) To be responsible for:
 - (i) Final interpretation of the Pension Act,
 - (ii) Final disposition of appeals on all matters.
- (d) The procedure for appellate review would be based on a review of documents only, with the proviso that the Board could call the applicant or his representative. Accredited representatives would include advocates of the Veterans' Bureau, Service Officers of Veterans' Organizations and Members of Parliament.
- (e) Normally, an application for review of a decision would be made by the applicant or his representative in writing. This application would be accompanied by a written submission stating the reasons why the claim should succeed.
- (f) The Board would be authorized to initiate such investigation or seek medical and legal advice as deemed necessary.
- (g) It would seem that this type of review board could operate with a small staff and could act quickly. It could be housed in the same building as the Commission but in a different location within the building.
- (h) In making appointments to this Review Board the guidelines as set out in Woods Committee Recommendation No. 132 should be followed.