

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the Pension Tribunal or of the Pension Appeal Court shall count as service as a member of such tribunal or court as the case may be, provided that if any such member would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the tribunal or court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section provided.

No change was made in this by the amendments of 1931.

The amending Act of 1933 (23-24 George V.) replaced the Board of Pension Commissioners by the Canadian Pension Commission and continued the Pension Appeal Court, but abolished the Pension Tribunal. This Act contained the following provisions:

10B. (1) The Governor in Council upon the retirement of any member of the commission, or the court, who has served upon one or other of such bodies or as a member of the Board of Pension Commissioners of Canada or of the Pension Tribunal, during at least twenty years, or who has so served during at least ten years and has reached the age of seventy years, or is physically or mentally incapacitated, and is not entitled to superannuation under the Civil Service Superannuation Act, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member.

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the court shall count as service as a member of such court, provided that if any such member would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section provided.

10C. A civil servant who prior to or at the time of his appointment as a member of the commission or the court was or is a contributor under the provisions of the Civil Service Superannuation Act may elect, within three months of his appointment or three months from the date of the coming into force of this section, whichever shall be the later date, and shall be eligible, notwithstanding the provisions of the Civil Service Superannuation Act, to continue to be a contributor under the said Act; in which event his tenure of office as a member of the Board of Pension Commissioners for Canada or of the Pension Tribunal or of the commission or of the court shall be counted as service in the civil service for the purpose of the said Act and he, his widow and children, or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act, instead of the grant referred to in the preceding section; and, in the event of his being retired from the said office as a member of the commission or member of the court for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the said Act as if his office as a member of the commission or a member of the court had been abolished.

*By Mr. Green:*

Q. Was that appeal board mentioned in the 1930 committee?—A. No, sir.

Q. When was it abolished?—A. It was abolished by the legislation I referred to, in 1930.

Q. It has never been included in...?—A. No, it has never been included.

The CHAIRMAN: Are there any other questions?

[Brigadier-General H. F. McDonald.]