

In other words, if he would have won in January, February, March, April, May, or the 1st of June, under the new Act he wins back to the date of his application. It is supplementary.

Shall section 31 as amended carry?

Mr. GREEN: There is provision here which I think should be given some thought, that is subsection (4); it is not covered by this amendment; and as I read it, it makes the provision in the new bill concerning overpayments retroactive over a period of years; I do not understand why that is done. The Legion objected to that in their paragraph 11 where they said:

"11. Finally in respect of the bill, we would draw attention to Section 31 (4) which would appear to retroactively validate claims for overpayments by the department which resulted from other than fraudulent misrepresentation or wilful non-disclosure under the present Act, and as I have already stated, the Department of Justice have ruled that such recoveries cannot be made."

I think it is a bad feature to make these provisions retroactive especially where there has been a tightening of the regulations. I doubt whether it is necessary to put in that particular clause.

The CHAIRMAN: Before I ask Mr. Gunn to speak to that, I think we should recognize the fact that the Legion has put too broad an interpretation on it.

Mr. GUNN: I think, perhaps, the committee would be well advised to take a look at the first subsection of section 32 from which it will be noted that the old Act is repealed; it follows that if nothing were said with regard to the recovery of money, the right to recover under the old Act would be gone, therefore this subsection (4) of section 31 merely provides that any right of recovery under the old Act would be continued under the new Act.

The CHAIRMAN: Shall section 31 as amended carry?

Carried.

Shall section 32 carry?

Carried.

Shall section 1 carry?

Carried.

I have omitted something on page 16. Shall schedule A, the table of allowances, carry?

Carried.

Mr. LENNARD: Mr. Chairman, I wish to make an amendment: "That it is the opinion of the committee the government should give consideration to increasing the amounts specified in schedule "A" and schedule "B"."

The CHAIRMAN: That amendment, gentlemen, has clearly paralleling in it another recommendation already dealt with. The wording of it was: "the committee recommends to the government the continued and sympathetic study of the needs and requirements of recipients of war veterans allowance keeping in mind the recommendations of the veterans organizations in that respect and particularly with regard to permissive income." For the same reason that I was forced to disallow the resolution by Mr. Brooks the other day I would have to rule that Mr. Lennard's motion is out of order; it has already been dealt with.

Mr. BROOKS: You ruled it out of order at that time because you stated it contained the recommendations of the veterans organizations. In my resolution as well as in this one no mention was made of veterans organizations resolutions. Our recommendation was specific and apart.