

(b) approved the draft reply to the National Council's representations, as submitted by the Minister of Veterans Affairs, and agreed that it be sent to the National Council by the Secretary of State; and,

(c) agreed that no announcement be made of the decision but, in the event a question were raised in the House of Commons, the Secretary of State's reply to the National Council should be tabled.

War Claims Regulations; amendments

15. The Prime Minister recommended certain amendments to the War Claims Regulations affecting awards in cases involving the death of a civilian or of a service person.

(Memorandum to the Secretary to the Cabinet, March 5, 1953).

16. In the course of discussion it was remarked that, while the existing rules, as recommended by Chief Justice Ilesley, were logical, they resulted in an apparent inequity that made them impossible to maintain.

17. The Cabinet approved the recommendation of the Prime Minister and agreed that the War Claims Regulations, established by Order in Council P.C. 4267 of October 9th, 1952, be amended by adding to paragraph 2 of the schedule thereto new paragraphs to provide that:

(a) in the case of civilian claims, where there is a valid death claim in addition to a claim for maltreatment, the accrual of the benefits of the maltreatment award to the surviving widow or other claimant should not be taken into account in determining the pecuniary loss which the claimant had suffered from the death; and,

(b) in the case of dependents of service persons, whose maltreatment had caused death, but where there was no valid death claim because the deceased was a prisoner of war and a pension was payable on account of his death, the maltreatment award payable to the dependent should be paid notwithstanding that he or she was in receipt of a pension in respect of the death and without any deduction on account of the pension; an Order in Council to be passed accordingly.

(Order in Council P.C. 1953-334, March 5.)

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