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shall have the right of a second appeal to the Federal Appeal Board and its decision thereon shall be final and shall be binding upon the applicant and upon the Board of Pension Commissioners for Canada".

The outstanding experience of the Appeal Board is that many hundreds of applications have been rejected by the Lower Tribunal owing to incomplete evidence. The initiation of appeal procedure has resulted in the production of new evidence which enables the Lower Tribunal to adjust claims without appeal hearing.

Local sittings of the Board in the presence of the appellant and those interested in his claim are of the utmost importance in determining the value of the evidence and are in the Board's view fundamental in any effective appeal procedure. Even unsuccessful appellants accept the decisions of the Board with a degree of satisfaction and many old contentious claims have been brought to a finality.

When the formation of the Appeal Board was discussed, it was expected that a tremendous number of appeals would be entered immediately. The expected volume however did not materialize. In any new scheme contemplated, therefore, would suggest the creation of a small central tribunal to be enlarged only as the work develops.

Entitlement is unquestionably the large subject in pension appeals. Strong demand has been made for assessment appeals, but in the opinion of the Board this would be impractical, except possibly in a strictly limited class in which a final award might be made.

In addition to the ordinary process of dealing with the appeals in respect of attributability covering service in the Canadian Forces the Board also acts as an agent of the Imperial Pensions Appeal Tribunal in dealing with assessment claims entered by the ex-members of the Imperial Forces. In these cases the appellant concerned is called before the Board and is medically examined by one of the members of the Board. The report of the finds is transmitted to the Pension Appeal Tribunal which body makes a final decision.

W.L. Mackenzie King Papers

Memoranda & Notes

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