

at its findings, including the views of the Board regarding any conflict or inconsistencies in the evidence.

Findings of fact: These to include a synopsis of both the basic facts and those which control the disposition of the case, to be stated in concise terms.

Conclusions of Law: These to include the deductions of the Board as to whether the applicant is or is not entitled to the benefits claimed; such conclusions to be distinguished from the findings of fact in that they are arrived at through the application of legislation; such conclusions must be consistent with or supported by the findings of fact.

Decision: This is to be stated succinctly based on the issues as stated at the outset of the decision.

General: A copy of the decision would be made available to the applicant and those who represented him, except where the decision contains statements which might be harmful to the health or well-being of the applicant, in which case the decision will be communicated only to his representative.

Recommendation 16

That the Commission Chairman institute a quality control by review of statements of case, transcripts and decisions.

Recommendation 17

That the existing sections 60(5) and 62(5) of the Pension Act which provide that no member of an Appeal Board shall adjudicate upon a case if he has previously sat as a member of the Commission on adjudication of that case, be repealed.

Recommendation 18

That upon receipt of the Notice of Readiness and a submission, if any, prepared by the Bureau of Pensions Advocates, or others representing the applicant, the Chairman of the Canadian Pension Commission shall then arrange for an Entitlement Hearing.

Recommendation 19

That the docket prepared for an Entitlement Board decision shall be made available to the Bureau of Pensions Advocates and, where applicable, to others selected to represent the applicant, at least two weeks in advance of an examination or hearing.

Recommendation 20

- (a) That when an Entitlement Board or an Appeal Board has previously decided an application, the Commission may entertain an application with respect to a *new* condition without leave to reopen.
- (b) That the ground for applying for leave to reopen be changed from, "by reason of evidence not having been presented or otherwise" to:
 - (i) the production of new evidence which may have affected the previous decision had it been presented; or
 - (ii) There is apparent error in procedure, or in fact, or in law.