

Pension Act

essential. It was agreed that another try should be made on the basis of a five-year term office but with provision for a reassessment of the board's ability to cope with any difficulties that might arise.

The board will have been in operation for five years by next March. I am pleased to say it has responded well to expectations and now serves fully the purpose for which it was created. These amendments will give it more flexibility and continuity. The Pension Review Board has five members including the chairman. Under the terms of the Pension Act they are appointed for a term of five years. This bill provides for a ten-year term.

The Pension Review Board is often referred to as the high court of disability pension law. It has two functions. It is responsible for hearing entitlement and quantum appeals arising from decisions of the Canadian Pension Commission. Second, it is responsible for interpretation of the Pension Act. Extensive authority is vested in the Pension Review Board by the Pension Act. Decisions concerning questions of law or fact are final and binding for all purposes of the Pension Act.

● (1230)

A short term of office of five years threatens the efficiency of the board. It takes a full year for a new appointee to acquire the necessary expertise to perform his full share of the work, and the assistance he requires during that time creates additional demands on the chairman and other members. The temporary nature of a five-year term is not conducive to career orientation and independence of mind. It is significant that the term of appointment to similar appeal tribunals is for life and that a ten-year term is the minimum for all administrative boards.

There is presently no provision in the Pension Act for the appointment of a deputy chairman. The chairman is chief executive officer of the board and must preside at all sittings of the board. With the anticipated increases in volume, extra sessions will be required if a backlog of hearings is to be prevented. The appointment of a deputy chairman would permit a more equitable division of the workload and allow the board to conduct more hearings. A review of similar boards reveals that all have a deputy chairman who acts in the absence of the chairman and who has the powers of the chairman when presiding at sittings of the board. It is essential to the efficiency of the Pension Review Board that there be continuity of leadership provided by the chairman through his deputy.

The appointment of a deputy chairman does not increase the number of permanent members of the Pension Review Board, which remains at five. The bill provides that there shall be a Pension Review Board consisting of a chairman, a deputy chairman and three other members appointed by governor in council to hold office during pleasure for a term of ten years. This bill further provides for the governor in council to appoint ad hoc members if and as required for a term not in excess of one year.

[Mr. MacDonald (Cardigan).]

In the last three years the number of appeals to the board has increased at an annual rate of 200. It is anticipated that the number of applications this year will exceed 600. Any further increase will severely tax the ability of the board to cope with the demands. The number of appeals to the Pension Review Board is directly related to the number of entitlement board hearings held by the Canadian Pension Commission. In 1973-74 these hearings increased in number by 60 per cent over the previous year and by 23 per cent in 1974-75. A minimum increase of 20 per cent is anticipated in 1975-76.

The use of temporary members to assist regular members when warranted by special circumstances is not new. The provision is found in the constitution of all similar boards with few, if any, exceptions. The practice has stood the test of time and will fill the need created by any further increases in the volume of applications while creating a buffer to overcome the problems periodically encountered due to illness and vacation of board members. There is one other amendment. It is to the termination of office section. It does not change the meaning or sense of the section. The purpose of the amendment is simply to improve the wording and clarify its meaning.

In conclusion, it was parliament's intention, in setting up this board, to provide veterans and their dependants with an expeditious avenue of appeal, and the Pension Review Board has provided just that. These amendments to its constitution will enable it to continue to do so. They will provide the element of flexibility required to meet changing demands, while still maintaining a level of quality performance.

Mr. Jack Marshall (Humber-St. George's-St. Barbe): Mr. Speaker, I do not think my party has any quarrel with the bill and, hopefully, with the agreement of the other opposition parties spokesmen we will be able to get the bill to committee and passed quickly. I am sure the minister is aware of the co-operation from all sides of the House on veterans affairs bills. This bill provides for the appointment of a deputy chairman and, as the minister indicated, it increases the tenure of the board from five to ten years and allows for other normal appropriations of public revenue. As I have said, my party has no quarrel with the terms and conditions of the bill. As a matter of fact, we wonder at the delay in providing additional members. This will tend to bring about a more adequate service for veterans, particularly in adjudicating applications for pensions, and appeals.

The minister indicated in his remarks that over the last three years the number of appeals to the board has increased at an annual rate of 200. It is anticipated that the number of applications this year will exceed 600. This certainly indicates that the workload of the Pension Review Board, the Canadian Pension Commission and the Bureau of Pensions Advocates is increasing, and hopefully this bill will clean up the very serious backlog of 3,000 which now exists.

What the minister did not point out is that in addition to the fact that the number of applications will exceed 600 this year, in the "Veterans Canada" report it indicates that of the 1,011 disability decisions 653 were unfavourable and only 128 were favourable. There were 212 which were partly favourable. This