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An effort is made to avoid creating the impression that the Board is in any way controlled by the Department of Pensions and this is one of the reasons why the sessions are arranged away from the quarters of the Department.

In connection with these sessions the appellants are given the right of personal appearance before the Board and representation by the Official Soldiers' Adviser who may, on the appellants' authority, represent him in his absence. Appeals are also dealt with from documentary evidence at the Headquarters of the Board in cases where the appellant does not wish to be present or represented.

Upon receipt of the appeal form (application) an examination of the record (head office file) is made in order to establish the grounds of appeal and whether or not within the jurisdiction of the Board. The cases, if within jurisdiction (see Form 71), are then listed in their proper districts and the preparation for hearing is proceeded with.

Following the hearing the decision of the Commissioners is given and judgment allowing or disallowing the appeal is issued. Attached are two specimen judgments:-

- (1) Judgment disallowing appeal in respect of disability or death.
- (2) " " " " " of aggravation of pre-enlistment condition and allowing appeal in respect of one condition and disallowing appeal of other conditions.

An amendment to the Pension Act, passed in April 1927, provides that "if within one year after a decision by the Federal Appeal Board upholding a refusal of pension by the Board of Pension Commissioners for Canada or one year after the passing of this proviso, whichever is the later, the applicant submits newly discovered evidence which, in the opinion of a majority of the Board of Pension Commissioners for Canada, establishes a reasonable doubt as to the correctness of the previous decision, the Board of Pension Commissioners for Canada shall reconsider such case, and if refusal of pension be confirmed, the applicant

W.L. Mackenzie King Papers

Memoranda &amp; Notes

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