

The 1919 Pension Act however, provided pension for children of all disability pensioners during lifetime and following death (in cases where entitlement has been established within the meaning of Section 11) for boys up to sixteen years, and girls seventeen years of age. The Act has always provided, however, that the Commission may extend the age limit to 21 years in extraordinary circumstances to facilitate education. Only in extraordinary circumstances is pension provided for children beyond twenty-one years. Section 22 (1) (a), however, make this provision when,

such child is unable owing to physical or mental infirmity to provide for its own maintenance, in which case the pension may be paid while such child is incapacitated by physical or mental infirmity from earning a livelihood: Provided that no pension shall be awarded unless such infirmity occurred before the child attained the age of twenty-one years.

No pension is paid respecting a child after its marriage.

Section 23 (5) of the original Pension Act made special provision for the children of a pensioner who at the time of his death was in receipt of pension at the rate of eighty per cent or more:—

As if he had died on service whether his death was attributable to his service or not, provided that the death occurs within five years after the date of retirement or discharge or the date of commencement of pension.

The Enactment of June 27, 1925, amended this section, conferring the benefit of the provision, "for a period of ten years after the date of retirement or discharge of the soldier or the date of commencement of pension".

The Enactment of June 11, 1928, changed the number of this section from 23 (5) to 22 (7) as at present, and abolished the ten year limit, thus conferring the benefits upon children of deceased pensioners who were in receipt of eighty per cent or more pension at the time of death "as if he had died on service, whether his death was attributable to his service or not".

The amendments of May 23, 1933, introduced Section 77, prohibiting any award of pension in respect to any child (of a member of the forces or a pensioner) born on or after the first day of May, 1933.

Other Dependents

As in all other classes, pension for dependents other than widows and children is, of course, contingent first upon the establishment of entitlement respecting disability or death within the meaning of Section 11.

Prior to the Great War no provision appears to have been made for dependents other than widows and orphans. Provision was, however, made during the Great War for the payment of pension following death of a soldier to parent, or person in the place of a parent, who was either dependent upon the soldier at the time of death or who, upon falling into a dependent condition, can establish that such member of the forces "would have wholly or to a substantial extent maintained such parent or person had he not died".

The same provision was made for dependent brother or sister of a member of the forces who had died, when such member of the forces left no child, widow, or divorced wife. Pension to brother or sister, however, may be paid only when it has been established that such brother or sister is in a dependent condition and was at the time of the death of the soldier wholly or to a substantial extent maintained by him. Pension provision for dependents as outlined were contained in the original Enactment of 1919 and have continued from that time to the present. Provision has also been made for the payment of additional pension on behalf of parents where dependency upon disability pensioner can be established. (Section 30 (3) and (4)).