

"Prior to second hearing he is furnished with a copy of the summary of evidence on file",

and so on. Then you go on to say:

"If the decision on second hearing is adverse the applicant has a right, within six months, to apply for a personal appearance before an appeal board consisting of three members of the commission."

Is there any new evidence required for that appeal or is the case judged just from the evidence previously submitted?

Hon. Mr. MACKENZIE: New evidence and new argument can be referred to. There is nothing very rigid.

Mr. GREEN: It is wide open.

Hon. Mr. MACKENZIE: Yes. I wonder if my friend would postpone questioning until we have finished the presentation. Then we will have all opportunity for asking questions. As Mr. Green has just said it is wide open.

Turning now to civilian groups, the broad principle is that death or disability caused by enemy action or counter-action is pensionable. Administration is by the Canadian Pension Commission and the general provisions of that Act apply, but special conditions relating to each group have been recognized in the various orders in council which this committee has been asked to review.

The present state of the law regarding merchant seamen and salt water fishermen has been reached by seven progressive steps which will be before you when you consider the proposed amendment, but I shall content myself now with referring to the final result.

Members of the crews of ships of Canadian registry, Canadian salt water fishermen, and Canadian nationals serving on ships of non-Canadian registry engaged in essential war work on behalf of the British Commonwealth or its allies are, with certain modifications, pensionable on the same terms as members of the forces with respect to death or disability caused by enemy action or counter-action, or by extraordinary hazards that result from a state of war.

Claims must be filed within one year of death or occurrence of injury, but this may be extended if the commission is satisfied that delay was due to lack of communication facilities, or to lapses of time before the eligible dependents were advised of the seaman's death.

In the case of seamen who are not of Canadian domicile there is discretion in the commission to fix the amount of the pension with due regard for the exchange value of the Canadian dollar and the standards of living in the country of the pensioner's domicile.

Awards to persons serving on ships of other than Canadian registry may be adjusted in relation to benefits payable by other countries, and there is authority to preclude Canadians from receiving both pension and workmen's compensation benefit for the same injury or death.

In most other respects the ordinary terms of the Pension Act apply to the extent that conditions are similar. One or two special definitions have been introduced for purposes of clarification and these are included in the draft amendments.

We find it necessary to ask for continuation of a special section which we hope will shortly become obsolete, but for which there may still be need for some little time to come. That is the special provision enabling the Pension Commission to pay detention allowances to the various classes of seamen and fishermen already mentioned, during any period of imprisonment or internment by enemy or neutral countries.

The rates are equivalent to the remuneration payable at the time of capture, and the Commission is authorized to make suitable provision for dependents.