

is assessed at 40 per cent or 60 per cent, or some other proportion of total disability, the pensioner will receive for his dependents the proportion of the maximum allowance for dependents which his disability assessment bears to 100 per cent.

Thus, a total disability pensioner with a wife and one child would receive \$900 a year as the basic pension, \$300 a year on account of his wife and \$180 on account of the child—a total of \$1,380.

A 50 per cent pensioner with a wife and one child would receive \$450 basic pension, \$150 on account of his wife and \$90 on account of one child, making \$690 or exactly half of the amount payable to a total disability pensioner with the same number of dependents.

When the pension regulations were given the status of an Act of parliament in 1919, it was provided that a widow should not be eligible for pension unless she had married the member of the forces prior to the appearance of the disability which resulted in his death. In 1928, there was a slight modification of this principle, and in 1930, following extensive discussion by a parliamentary committee, an amendment was passed making all widows who had married a member of the forces prior to January 1, 1930, eligible for pension when their husbands died as a result of war disability. In 1944, the date line was advanced to May 1, 1944.

While parliament, in 1919, inserted this limitation with regard to widows there was no such prohibition with regard to the wives and children of disability pensioners. If a veteran was first pensioned as a single man and he subsequently married and acquired a family, his pension was increased with each addition to the family in accordance with the rates applicable to a man with dependents. However, in 1933, parliament drew a deadline and provided that a disability pensioner who married subsequent to May 1, 1933, should not have his pension augmented for dependents with respect to such a marriage or with respect to children born on or after that date.

By P.C. 5/3655, dated May 15, 1944, the date line with respect both to widows and to wives and children was advanced to May 1, 1944.

As a result, any woman who married a veteran of the first great war prior to May 1, 1944, that is, 26 years after hostilities, is entitled to pension if her husband dies as a result of his war disability, except for the proviso which guards against awards in the case of death bed marriages. Similarly, numbers of veterans who could not have their pensions augmented with respect to wives married and children born in the eleven-year period between May 1, 1933 and May 1, 1944, have in the past year had their pensions increased to the rates which are appropriate to the actual number of their dependents.

The Order in Council of May 15, 1944, extending the date lines, is before this committee as one of the proposed amendments to the Pension Act. I have referred to it in this context, because it relates directly to the dependents of those who served in the war of 1914-18, although the latest amendment was not adopted until 1944.

### *Powers of Pension Board*

Going back now to another vital principle of the Pension Act, the Canadian parliament provided in 1919 when the Pension Act was first enacted that the Board of Pension Commissioners should have exclusive power and authority to adjudicate on pension claims. This was a new principle in pension legislation in that the deciding of pension applications was made a judicial rather than an administrative function.

What parliament undoubtedly sought to avoid was placing ministers in the position of being subject to political pressure on behalf of individuals claiming pension.