

" (5) During the first two years after the appointment of the Board three members shall constitute a quorum thereof. Thereafter a majority of the members shall constitute a quorum.

" (6) Each member shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment inconsistent therewith.

" (7) In case of the illness, absence or inability to act of any member, the Governor in Council may appoint a person to act in his stead.

" (8) No member shall be disqualified to act by reason of interest or of kindred or affinity to any person interested in any matter before the Board, but in such case the Governor in Council may, either upon the application of such member or otherwise, appoint some disinterested person to act in his stead."

Page 5, line 40, to page 7, line 9.—Leave out the whole of clause 11 and substitute therefor the following:—

" 11. (1) An appeal shall lie to the Federal Appeal Board from any decision by the Board of Pension Commissioners refusing a pension on any of the following grounds:—

" (a) That the disability in respect of which the application for pension was made was not attributable to or was not incurred or aggravated during military service;

" (b) that the death in respect of which the application for pension was made was not attributable to military service as such.

" (2) Every member of the Board shall also have the right to hear such appeals at such times and places as are fixed by regulations made and approved by the Board, and to give decisions thereon. The member giving any such decision shall notify the applicant who has so appealed and the Board of Pension Commissioners for Canada, by registered letter mailed within five days after such decision; and if such applicant is not satisfied with such decision an appeal therefrom may be lodged within thirty days from such decision with the Federal Appeal Board, a quorum of whom, not including the member of the Board who originally gave the decision, shall hear the appeal and the decision of the Board thereon shall be final.

" (3) The right of appeal shall be open for one year after the appointment of the Federal Appeal Board by the Governor in Council, or for a like period after the decision complained of, whichever may be the later.

" (4) An applicant shall be entitled to only one appeal upon the grounds or any of them set forth in section 11 of this Act. The decision of the Federal Appeal Board thereon shall be final and shall be binding upon the applicant and upon the Board of Pension Commissioners for Canada.

" (5) Every appellant shall have the right to attend in person, at any and all sittings for the purpose of hearing his appeal held by the Board or by a member thereof, under such conditions as to the payment of his expenses thereby incurred as may be fixed by regulation of the Governor in Council, and may if he so desires, but at his own expense, to be assisted thereat by counsel or representative other than the official Soldier Adviser appointed under *The Department of Soldiers' Civil Re-establishment Act*.

" (6) For the purpose of preparing the case, the Soldier Adviser, the applicant, or some one authorized by him in writing, shall have reasonable access to the applicant's personal file in the presence of an official of the Department of Soldiers' Civil Re-establishment.

" (7) The expenses of a successful applicant in appearing before the Federal Appeal Board shall be paid on the scale now allowed applicants brought in for periodical medical examination."