

Disposal
of appeals.

“68. The Pension Appeal Court shall hear and dispose of all appeals from the Pension Tribunal which may be properly brought before it.

Sittings to
be public.

“69. The sittings of the Pension Appeal Court shall be public except in cases in which the hearing by the Pension Tribunal has been held in private and the Pension Appeal Court considers it desirable to adopt a like course in respect of the hearing of the appeal. 5

All members
to sit.

“70. Unless the parties agree that an appeal shall be heard before only two members of the Pension Appeal Court, all the members thereof shall sit for the hearing of any appeal; if an appeal is heard before only two members of the court and they cannot agree as to its disposition, it shall stand dismissed. 10

Appeals to be
presented by
Commission
Counsel.

“71. (1) Every appeal shall be presented before the Pension Appeal Court on behalf of the claimant and by a commission counsel in the same way as it is required to be presented before the Pension Tribunal, but on the evidence and record upon which the decision of the tribunal was given, without addition. 15 20

Remission
for rehearing.

(2) The Pension Appeal Court, if it considers such evidence or record to be incomplete or unsatisfactory, may remit the case to the Pension Tribunal for re-hearing.

Decision to
be final.

“72. (1) Subject as hereinafter provided every decision of the Pension Appeal Court in favour of an applicant or dismissing an application shall be final. 25

Carrying out
of decision.

(2) Any decision in favour of a claimant shall be forthwith notified by the registrar to and shall be forthwith acted upon by the Department.

Decision to
be final if
not appealed.

(3) Any decision of the Pension Appeal Court against an applicant and any such decision by the Pension Tribunal which is not appealed shall be final and no application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission or the Pension Tribunal except with the leave of the Pension Appeal Court, which shall have jurisdiction to grant such leave in any case in which it appears proper to grant it. 30 35

Benefit
of doubt.

“73. Notwithstanding anything in this Act, on any application for pension the applicant shall be entitled to the benefit of the doubt, which shall mean that it shall not be necessary for him to adduce conclusive proof of his right to the pension applied for, but the body adjudicating on the claim shall be entitled to draw and shall draw from all the 40