

REGULATIONS
under
THE WAR SERVICE GRANTS ACT

The War Service Grants Order
Committee of Review

THE WAR SERVICE GRANTS ORDER

Made by Order in Council P.C. 5046 of October 4, 1949

PART I

General

1. In addition to the purposes under section 8 of The War Service Grants Act, 1944, a member resident outside of Canada may have his re-establishment credit made available to him for the following purposes:—

- (a) Payment of premiums pursuant to any contract of insurance to which the member is a party under the Civil Service Insurance Act;
- (b) Payment under subsection (2) of section 49 of the Royal Canadian Mounted Police Act of a deficiency in deduction from his pay as an officer of the Royal Canadian Mounted Police;
- (c) Payment of contribution in respect of his service as a constable of the Royal Canadian Mounted Police under sections 67, 78, 81, or 82 of the Royal Canadian Mounted Police Act;
- (d) Payment of contributions under section 5 of the Civil Service Superannuation Act in respect of his service in the Civil Service prior to becoming a contributor under that Act; and
- (e) Payment under subsection (2) of section 10 of the Militia Pension Act of a deficiency in deduction from his pay as an officer as defined in that Act.

2. In addition to the purposes under section 9 of The War Service Grants Act, 1944, re-establishment credit may be made available to the member for the following purposes:—

- (a) The payment of contributions under section 45 of the Militia Pension Act in respect of his service prior to becoming a contributor under Part V of that Act;
- (b) The acquisition of a unit of living accommodation in a housing project receiving financial assistance under The National Housing Act, 1944; and
- (c) The payment of the purchase price or any part thereof of an annuity already purchased, being purchased, or to be purchased, on his behalf and for his benefit under any pension plan established by his employer and based upon the Government Annuities Act, except for payment of current contributions ordinarily payable from the remuneration of the member under any such pension plan.

PART II

War Service Gratuity Regulations

1. These regulations may be cited as the War Service Gratuity Regulations.

2. In these regulations, 'Act' means The War Service Grants Act, 1944. The words and phrases defined in section 2 of the Act shall bear the same meaning where used in these regulations.

3. The gratuity or any portion thereof payable to a person who qualifies therefor in respect of a member of the forces who dies on service or after discharge, but before such member has been paid in full, shall be paid in one lump sum.

4. Any overpayment of pay and allowances as described in subsection (1) of section 5 of the Act shall be deducted from the gratuity but such overpayments shall not be deemed to include overpayments of pay and allowances made in respect of service in the forces of His Majesty other than those raised in Canada to personnel claiming benefits by virtue of section 17 of the Act.

PART III

Re-establishment Credit Regulations

1. These regulations may be cited as the Re-establishment Credit Regulations.
2. (1) In these regulations, unless the context otherwise requires,
 - (a) 'Act' means The War Service Grants Act, 1944;
 - (b) 'Re-establishment Credit Advisory Committee' means any local, regional or provincial honorary advisory committee appointed by the Minister to examine applicants and applications for re-establishment credits available under The War Service Grants Act, 1944, and to advise and report to the Minister with respect to the qualifications of applicants eligible therefor in relation to the objects for which any re-establishment credit is proposed to be used and the soundness of the investment proposed by the applicant.(2) Unless the context otherwise requires and except as otherwise provided in these regulations, words and expressions in these regulations shall have the same meaning as like words and expressions respectively have in the Act.
3. The Minister shall keep such books and establish such records as he may consider necessary for the proper administration of Part II of the Act.
4. All or any part of the credit established in favour of any member may be made available to him or on his behalf upon his application therefor in writing, which application shall include:
 - (a) An election not to take benefits under The Veterans' Land Act, 1942, except section 13 thereof, or any educational, vocational or technical training benefits which are provided under The Veterans Rehabilitation Act;
 - (b) Full particulars of any of the said benefits applied for or already received by him;
 - (c) A statement verified by his affidavit as to the purpose for which he intends to use the credit; and
 - (d) Such further information as the Minister may require.
5. A member who makes an application under regulation 4 of these regulations shall submit to the Minister, in addition to his application, such other information and material as the Minister may require.

6. Where the Minister makes any payment under this Act or these regulations to a person other than the member, the person receiving payment shall furnish a receipt for such payment to the member on whose behalf the payment is made.

7. No credit shall be made available to a member for the purchase of a business unless the application therefor is first referred to the Re-establishment Credit Advisory Committee established for the district in which the member resides or the district in which he proposes to use the credit for the purpose of securing its advice as to the soundness of the investment in the case of such member.

8. A person applying for a credit may request that his application be referred to a Re-establishment Credit Advisory Committee.

9. The Minister may refer any application to a Re-establishment Credit Advisory Committee with a view to securing its advice and recommendation with respect thereto.

10. The Minister may pay to each member of a Re-establishment Credit Advisory Committee the sum of \$10 per day as an honorarium for each day or part of a day spent by such member in the business of the Committee.

11. (1) The Minister may allow members, to whom has been made available all or part of their re-establishment credits, to make the compensating adjustment referred to in section 10 of the Act through deductions in such amounts and at such times as will enable such adjustment to be completed contemporaneously with termination of the member's training under The Veterans Rehabilitation Act. These deductions may be made from appropriate allowances under The Veterans Rehabilitation Act which might otherwise be available to the members in full.

(2) The method of effecting the compensating adjustment set forth in subsection (1) of this regulation shall not be applicable to a member if, in the opinion of the Minister, training would not result in reasonable re-establishment owing to the advanced age of the member or for any other reason but shall be applicable to a member who, in the opinion of the Minister, is unable to obtain suitable employment but who possesses a potential physical and mental capacity for work.

(3) The compensating adjustment hereinbefore mentioned shall be considered to be either the amount of re-establishment credit made available to the member, or the anticipated costs of training, whichever is the lesser.

(4) Where there is an amount of credit still available to the member which is greater than the anticipated costs of training, no compensating adjustment need be made.

(5) Where due to factors or a combination of factors it would be impossible to make total compensating adjustment by deduction from training allowances within the duration of the course of training, the member shall be required to pay or provide additional compensating adjustment in such amount and manner as the Minister deems just: Provided always that such additional adjustment may be reasonably expected to effect total compensating adjustment contemporaneously with the duration of training.

COMMITTEE OF REVIEW—WAR SERVICE GRANTS ACT**Made by Order in Council P.C. 2476 of June 3, 1948**

His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Veterans Affairs, and pursuant to the provisions of The War Service Grants Act, 1944, as amended by Chapter 31—11-12 George VI, is pleased to approve and doth hereby approve the abolition by the Minister of Veterans Affairs of the Board of Review constituted under the said Act and the transfer of its powers, duties and functions to a Committee of at least three officers of the Department of Veterans Affairs, effective the sixteenth day of June, 1948.

His Excellency in Council is further pleased to order that the members of the said Committee, which shall be known as the Committee of Review, shall be appointed by the Minister of Veterans Affairs; that two members of the said Committee shall constitute a quorum whose decision shall be final except in cases where a favourable decision is not reached in which event the decision of three members of the Committee will be necessary, and that a copy of every decision of the Committee of Review shall be placed on the file of the Veteran concerned held at Head Office of the Department of Veterans Affairs.

G.P.P.T. W.S.G.A. 1945
Dec. Min. V.A.