

8 GEORGE VI.

CHAP. 19.

An Act to establish a Department of Veterans Affairs.

[Assented to 30th June, 1944.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as *The Department of Veterans Affairs Act*. Short title.

2. In this Act, unless the context otherwise requires, Definitions
(a) "Department" means the Department of Veterans Affairs; "Department".
(b) "Minister" means the Minister of Veterans Affairs; "Minister".
(c) "Deputy Minister" means the Deputy Minister of Veterans Affairs. "Deputy Minister".

3. (1) There shall be a department of the Government of Canada which shall be called the Department of Veterans Affairs over which the Minister of Veterans Affairs for the time being appointed by commission under the Great Seal of Canada shall preside. Establishment of Department.

(2) The Minister shall have the management and direction of the Department and shall hold office during pleasure. Management.

4. (1) The Governor in Council may appoint an officer who shall be called the Deputy Minister of Veterans Affairs who shall be the deputy head of the Department and who shall hold office during pleasure. Deputy Minister.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department shall be appointed or employed in the manner authorized by law. Officers and other employees.

(3) Notwithstanding anything contained in the immediately preceding subsection of this section, the Governor in Council may, by order, designate persons who, prior to the commencement of this Act, were members of the staff Transfer of members of staff.

of the Department of Pensions and National Health, to be members of the staff of the Department, and, upon such designation, such members shall be deemed to have been transferred to the Department on the date of the commencement of this Act, but no person shall by reason of such designation be eligible to be certified as permanent by the Civil Service Commission.

Duties,
powers and
functions of
Minister.

5. The duties, powers and functions of the Minister shall extend and apply to the administration of statutes enacted by the Parliament of Canada, and of orders of the Governor in Council, as are not by law assigned to any other Department of the Government of Canada or any Minister thereof, relating to the care, treatment, training, or re-establishment in civil life, of any person who served in the naval, military or air forces of His Majesty, any person who has otherwise engaged in pursuits relating to war, and of any other person designated by the Governor in Council, and to the care of the dependents of any such person, and shall extend and apply as well to all such other matters and such boards and other public bodies, subjects, services and properties of the Crown as may be designated, or assigned to the Minister by the Governor in Council.

Power to
make
regulations.

6. (1) Subject to the approval of the Governor in Council, the Minister may make such regulations, from time to time, as he may deem necessary and advisable,—

For control
of hospitals,
workshops
and other
institutions.

(a) for the control and management of any hospital, workshop, home, school or other institution, owned, acquired or used by His Majesty for the care, treatment or training of persons who served with the naval, military or air forces of His Majesty or any of His Majesty's allies and of the persons undergoing care, treatment or training therein, or who receive any benefit administered by the Minister;

Respecting
care, treat-
ment and
training.

(b) respecting the care, treatment or training to be furnished in any hospital, workshop, home, school or elsewhere, and providing for the care, treatment or training therein of persons entitled thereto under any statute or order of the Governor in Council administered by the Minister;

Respecting
artificial
limbs and
appliances.

(c) for the marking or stamping of artificial limbs or appliances issued from the Department, and to prevent the removal or defacement of such stamps or marks or the use of any counterfeit thereof, and to prevent the purchase, sale, receiving or other disposal of such artificial limbs or appliances without the authority of the Minister; to forbid any false statement, suggestion or representation with respect to any artificial limbs, appliances or other goods manufactured in or for or issued from the Department;

- (d) for the receipt and retention of any properties or moneys held or payable by the Crown or any other authority, person or persons on behalf of any persons or their dependents whenever such persons are being or have been cared for under the provisions of this Act, either by medical treatment, training or otherwise, and for giving therefor a valid receipt; and in the case of insane persons who are being or have been so cared for under this Act, the assumption or authorization of guardianship in whole or in part in respect of such properties or moneys, and for the disposal of such properties or moneys to such persons or their dependents, or as may be deemed expedient or the disposal thereof to the estates of such persons if deceased; For retention of properties or moneys and receipts therefor.
- (e) for prescribing the payments, grants or allowances, if any, to be made to persons or their dependents whenever such persons are being cared for under the provisions of this Act, either by medical treatment, training or otherwise; Respecting guardianship of insane.
- (f) with respect to reciprocal or other arrangements with the government of any country for the treatment, care and training and the issue of payments, grants or allowances to persons who have served in the naval, military or air forces of any such government when cared for under the provisions of this Act, either by medical treatment, training or otherwise, or to their dependents; and the assumption or authorization of guardianship in respect of property or moneys of such persons or of any persons who may be the beneficiaries of any of the said governments and the dependents of such persons, and for the disposal of such properties or moneys to such persons or their dependents or the disposal thereof to the estates of such persons if deceased; Prescribing payments, grants or allowances.
- (g) for the sheltered employment of former members of the naval, military or air forces of His Majesty or any of His Majesty's allies, including after-care of the tuberculous, for the granting of free transportation in Canada to any former member of such forces who has been pensioned for total blindness or for a disability which necessitates an escort when travelling; for providing burial expenses for former members of such forces who die in destitute circumstances; for the treatment of former members of such forces classified as wholly incurable or chronically recurrent cases needing institutional care; for the provision of measures of unemployment relief to former members of such forces and their dependents; and for the payment of compensation in respect of industrial accidents; the whole subject to such appropriations as Parliament may provide; Respecting reciprocal or other arrangements with governments.
- (h) Respecting sheltered employment, transportation, burial expenses, treatment of chronic cases; compensation in industrial accidents.

Respecting
administra-
tion of
canteen funds

(h) for the administration and disposal of canteen funds;

Penalties

(i) for imposing penalties for violation of any such regulation by way of fine not exceeding two hundred dollars or imprisonment for a term not exceeding three months enforceable upon summary conviction;

Generally

(j) for the purpose of carrying out the provisions of this Act with respect to any matter placed under the control and management of the Minister.

Regulations
to be laid
before
Parliament.

(2) Such regulations shall forthwith after approval by the Governor in Council be published in the *Canada Gazette* and laid before Parliament within fifteen days after they are made if Parliament is then sitting, and, if not, then within fifteen days after the commencement of the next ensuing session thereof.

Power
to take
evidence
on oath.

7. The Minister shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to the Department or the procedure of the Department under this Act, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada.

Substitution
of Depart-
ment,
Minister,
and Deputy
Minister in
certain other
Acts.
R.S., c. 157.
1930, c. 48.
1936, c. 47.

8. (1) Wherever the Department of Pensions and National Health, the Minister of Pensions and National Health or the Deputy Minister of Pensions and National Health is mentioned or referred to in the *Pension Act*, *The War Veterans' Allowance Act*, or *The Veterans' Assistance Commission Act, 1936*, or in any order or regulation made under any of the said Acts, and wherever the Department of Mines and Resources, the Minister of Mines and Resources or the Deputy Minister of Mines and Resources is mentioned or referred to in *The Veterans Land Act, 1942*, or in any order or regulation made thereunder, there shall in each and every such case be substituted the Department of Veterans Affairs, the Minister of Veterans Affairs and the Deputy Minister of Veterans Affairs respectively.

1942, c. 33.

1936, c. 33

(2) Notwithstanding section nine of *The Department of Mines and Resources Act*, whenever in the *Soldier Settlement Act* or in any order or regulation made thereunder, the Department of Interior, the Minister of Interior or the Deputy Minister of Interior is mentioned or referred to there shall in each and every such case be substituted the Department of Veterans Affairs, the Minister of Veterans Affairs and the Deputy Minister of Veterans Affairs respectively.

Department
of Soldiers'
Civil Re-
establishment

(3) Wherever in any Act of the Parliament of Canada, or in any regulation or order made thereunder, the Department of Soldiers' Civil Re-establishment, the Minister of Soldiers'

Civil Re-establishment or the Deputy Minister of Soldiers' Civil Re-establishment is mentioned or referred to, there shall in each and every such case be substituted the Department of Veterans Affairs, the Minister of Veterans Affairs and the Deputy Minister of Veterans Affairs respectively.

Appropriation
based on
1944-45
Estimates

9. The provisions made by any Appropriation Act for the financial year ending the thirty-first day of March, one thousand nine hundred and forty-five, based on Estimates 1944-45 to defray expenses of the public service of Canada within the Department of Pensions and National Health, shall apply to such similar or other as well as like classifications of the public service within the Department of Veterans Affairs as the Governor in Council may determine.

Report to be
laid before
Parliament.

10. The Minister shall annually lay before Parliament, within fifteen days after the meeting thereof, a report and statement of the transactions and affairs of the Department during the year then next preceding.

Repeal

11. Part I of *The Department of Pensions and National Health Act*, chapter thirty-nine of the statutes of 1928, is repealed.

Coming
into force.

12. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council.

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King's Most Excellent Majesty.