Additional Award of Pension

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This policy replaces the following PPM policies: Article 39(2) - Additional Award of Pension; Article 56(2) Additional Award of Pension - Widows.

Table of Contents

Purpose
Policy
General
Survivors
References

Purpose

The purpose of this policy is to provide guidance regarding the additional award of pension beyond the three years allowable under subsections 39(1) and 56(1) of the *Pension Act*, as per subsections 39(2) and 56(2).

Policy

General

1. Additional awards should be paid at the current rates, i.e., the rate in effect on the date of the decision.
2. An additional award shall be paid at the rates for basic and additional pension set out in Schedule 1, if applicable.
3. In cases where dependant information is obtained immediately following the award, the Department will adjust the additional award to the rates of basic pension and additional pension due on behalf of spouse/common-law partner and/or children when calculating the retroactive adjustment (calculated at the rate in effect on the date of the original decision pertaining to the additional award).
4. Cases where dependant information is not obtained immediately following the award will be handled on a case by case basis.
5. In cases where a pensioner receives an increase in assessment at a later date that is retroactive to the effective date of pension entitlement, the calculation of the retroactive adjustment should include the additional award. This retroactive adjustment should be calculated at the rate in effect on the date of the original additional award decision.
6. As a general principle, a person should not be compensated twice in relation to a disability. Therefore, the Department may:
    a. offset any additional award from a British Gratuity or a similar award from another government;
    b. offset any Treatment Allowance paid during the same period covered by the additional award; and

c. offset any War Veterans Allowance payments paid during the same period covered by the additional award.

7. When an award is made and the pensioner received a lump sum payment or periodic payments because of a third party's legal liability or workers' compensation, the additional award shall be reduced accordingly (refer to policy entitled Reduction of Disability Award, Death Benefit or Disability Pension).

Survivors

8. Awards made under subsection 56(2) should be paid at current rates as there is no authority for using 56(2) to predate the term awarded under 56(1) of the *Pension Act.*

References

Pension Act, subsections 39(2) and 56(2)

Reduction of Disability Award, Death Benefit or Disability Pension