



Veterans Review and
Appeal Board Canada

Tribunal des anciens combattants
(révision et appel) Canada

Veterans Review and Appeal Board

Your Right To Be Heard



Review
and Appeal
Hearings

This publication is available in other formats upon request.

Web site: **www.vrab-tacra.gc.ca**

Toll free: **1-800-450-8006**

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represented by the Minister of Veterans Affairs, 2013.

Catalogue No.: V99-1/2013E-PDF

ISBN: 978-1-100-22701-6

Printed in Canada

Canada

Introduction

The Veterans Review and Appeal Board provides an independent appeal process if you are not satisfied with a disability decision made by Veterans Affairs Canada (the Department). The Board also provides the final level of appeal for War Veterans Allowance decisions.

You may request an independent hearing of your case if you are a/an:

- Veteran
- Canadian Armed Forces member
- Serving or discharged member of the Royal Canadian Mounted Police (RCMP)
- Eligible dependant/survivor

There are two levels of redress available to you at the Board: a Review Hearing and, if you remain dissatisfied, a subsequent Appeal Hearing.

The Board provides you with a full and fair hearing. This includes making sure that hearings are conducted in a timely manner by a competent, specialized and independent body of adjudicators.

Our Commitment

The Veterans Review and Appeal Board will make every effort to send you a written decision about your Review or Appeal case within 6 weeks of your hearing date. However, the Board must deal fairly with your case and may require more time to issue a decision.

What can the Veterans Review and Appeal Board do for me?

The Board can review the Department's decisions related to:

- Disability pensions or awards.
- Special awards, including Attendance Allowance, Exceptional Incapacity Allowance and Clothing Allowance.
- Dependent/survivor benefits.

If you are not satisfied with the decision you received from the Department, or with a First Decision of the former Canadian Pension Commission, you have the right to a Review Hearing before the Board.

The Board does not have the authority to review the Department's decisions related to:

- Health care benefits and services.
- New Veterans Charter programs for rehabilitation, financial benefits, group health insurance or career transition services.

Who can help me?

If you are not satisfied with a disability decision, you can contact a representative (an individual who acts on your behalf and helps present your case during hearings) to assist with your Review or Appeal. Your representative researches your case; helps determine if additional supporting evidence, medical reports or other documentation is required; and helps you prepare for the hearing.

The Bureau of Pensions Advocates, a free legal service provided by the Government of Canada, presents most Reviews and Appeals to the Board. Other service organizations, such as The Royal Canadian Legion or The War Amps of Canada, also represent applicants. You will find information on representatives on page 8 of this booklet.

If you wish to retain your own lawyer or representative, or if you choose to represent yourself, you must notify the Board in writing. You will be responsible for all of the costs associated with these representation options. The Board will provide you with information about hearing and scheduling procedures.

What is a Review Hearing?

The Review Hearing is the only time in the process when you may appear before the Board and testify regarding the facts of your case. Review Hearings are normally conducted by two Board members in locations across Canada. The Board also offers Review Hearings by teleconference and video conference to meet your needs. Please discuss these options with your representative.

At your hearing, your representative will present arguments on your behalf. Board members may ask you, your witnesses and your representative questions to better understand your case. Hearings are recorded and generally last an average of 30 minutes. However, the duration will depend on the time required to provide you with a full and fair hearing. Members try to keep the proceedings informal. You and your witnesses may be reimbursed for travel and living expenses related to attendance at your Review Hearing. For more details, please contact your representative.

After the hearing is finished, the Board members make a decision about your case. You and your representative will receive a written decision by mail.

What can I do if I am not satisfied with a Review decision?

If you are not satisfied with the decision from your Review Hearing, you should contact your representative to discuss an Appeal Hearing.

What is an Appeal Hearing?

An Appeal Hearing is a further opportunity for your representative to submit new information and to present arguments in support of your case. You are not permitted to testify in person again, although you are entitled to attend at your own expense. If you wish to attend your Appeal Hearing, you should notify your representative.

Three Board members who were not involved in your Review Hearing conduct your Appeal Hearing. Appeal Hearings are usually held at the Board's Head Office in Charlottetown as well as by teleconference.

After the Appeal Hearing is finished, Board members make a decision. You and your representative will receive a written decision by mail.

What can I do if I am not satisfied with an Appeal decision?

Decisions of an Appeal panel are final and binding. That said, an Appeal decision may be reconsidered if it is found to contain an error of fact or law, or new evidence comes to light at a later date. If you are still not satisfied, you should contact your representative to discuss other options available to you.

What happens after I receive the Board's decision?

The next step will depend on the nature of the Board's ruling in your case. The Board sends the decision to the Department to process if there is a change in your effective date or to the level of your entitlement or assessment. In some cases, a medical examination will be necessary to determine the extent of your disability before you can begin receiving benefits. The Department will notify you if this is required. Your departmental file will also include the Board's decision.

Where can I find more information?

This booklet describes the Board's hearings. However, it is not a legal document. For more precise legal information, please consult the *Veterans Review and Appeal Board Act*, and its related regulations, on our Web site at www.vrab-tacra.gc.ca. You may also phone 1-800-450-8006 toll free.

For more information on the Department's disability benefits, visit Veterans Affairs Canada's Web site at www.veterans.gc.ca.

You may also phone 1-866-522-2122 toll free, or e-mail information@vac-acc.gc.ca, for information about the Department's programs and services.

Contact Us

Please contact the **Veterans Review and Appeal Board** if you have questions or suggestions.

You have the right to be treated with respect, dignity, fairness and courtesy by the Board's staff and members. If you have concerns, please submit them to us in writing. The Board will acknowledge receipt of your complaint, carry out a thorough investigation and send you a written response. If your concerns relate to the outcome of the Board's decision in your case, please contact your representative to discuss your options.

Phone: In Canada and the United States,
call us toll-free at
1-800-450-8006 (English) or
1-877-368-0859 (French)

From all other locations, call us
collect at
0-902-566-8751 (English)
0-902-566-8835 (French)

Fax: **1-855-850-4644**

Mail: **Veterans Review and Appeal Board**
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Web site: www.vrab-tacra.gc.ca

To find a representative contact:

Bureau of Pensions Advocates
Phone toll free: **1-877-228-2250**
Web site: www.veterans.gc.ca
(Search "Bureau of Pensions Advocates")

The Royal Canadian Legion
Phone toll free: **1-877-Legion6**
(1-877-534-4666)
Web site: www.legion.ca

The War Amps of Canada
Phone toll free: **1-800-465-2677**
(Ask for the Service Bureau)
Web site: www.waramps.ca