Veterans Affairs Canada | Anciens Combattants Canada

# Improper Conduct

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This policy replaces the following VPPM 5 policy: Article 2(5) - Conduct of Member or Veteran. This policy replaces the following PPM policy: Article 22 - Improper Conduct.

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# Purpose

The purpose of this policy is to provide guidance regarding disability and death benefit applications where the disability or death may have resulted from improper conduct on behalf of the member or Veteran.

# Policy

## Definition

1. Improper conduct includes wilful disobedience of orders, wilful self-inflicted wounding and vicious or criminal conduct.

## General

2. If the Department determines that a member or Veteran's disability or death was due to improper conduct, a disability or death benefit, as the case may be, may not be paid in respect of that disability or death.

## Evidence

3. In making a determination regarding entitlement, the Department may either:
    a. wait until a decision has been made by the military or other authorities on whether the member or Veteran wilfully injured himself/herself, wilfully disobeyed an order by military authorities or was criminally indicted for the offence which caused his/her disability or death; or

b. rule on the basis of the information provided, and if the decision is unfavourable, advise the applicant of his/her right to request a Departmental Review or appeal to the Veterans Review and Appeals Board once new information (e.g. Canadian Armed Forces Board of Inquiry ruling) becomes available.

### Exception Applicable for Self-Inflicted Injury as a Result of a Service-related Psychiatric Condition

4. In cases where a member or Veteran's self-inflicted injury is related to a service-related psychiatric condition, and that self-inflicted injury results in the member or Veteran's disability or death, a disability or death benefit, as the case may be, may be paid in respect of that disability or death.

## References

*Pension Act*, section 22; subsection 3(1)

*Veterans Well-being Act*, subsection 2(5)