Mr. Cote (Verdun-La Salle): Yes; of course it has the power to make an order.

Mr. Speaker: It being nine o'clock, and the hour reserved for private and public bills having expired, the house will resume the business that was interrupted at six o'clock.

NATIONAL DEFENCE

CONSOLIDATION AND REVISION OF EXISTING LEGISLATION—ORGANIZATION FOR DEFENCE —CODE OF SERVICE, DISCIPLINE, ETC.

The house resumed consideration of the motion of Mr. Claxton for the second reading of Bill No. 133, respecting national defence.

Mr. O. L. Jones (Yale): Mr. Speaker, resuming the debate on the motion to set up a committee on national defence, I should like to place before you briefly the point of view of this group.

Mr. Speaker: Order. The house is considering the motion for second reading of Bill No. 133, not the resolution to set up a committee.

Mr. Jones: I stand corrected. It was my mistake, Mr. Speaker. We definitely welcome the efforts made to consolidate the five acts into one. As one who, in both the first war and the last war, had some experience in administrating some of the acts, I can assure you that I personally welcome this effort to remove the contradictions and confusions that were caused under the old legislation. With the conglomeration of sections and acts that we had to work with—I forget the number now; I think there were some six hundred to seven hundred sections—it was almost impossible, in the short time available during war, to train young officers to be efficient administrators of any of these acts, with the result that this confusion continued.

For instance, section 69 of the Militia Act made the Army Act from time to time in force in Great Britain, and the King's Regulations, applicable to Canada, as though they had been enacted by the parliament of Canada. So in the maintenance of discipline a man had to be charged with offences, not against the Militia Act of Canada, but against the appropriate section of the British Army Act. We have several glaring examples of confusion which have arisen from that complicated condition. For instance, certain offences are punishable more severely while the troops are on active service. The definition of "active service" as laid down in the British act applied during world war I when troops in Great Britain were not considered to be on active service; but when they went to France they became classified as being on active service. That conflicted with the requirements of the Canadian forces, especially at the time of world war II, when anyone who enlisted in Canada for overseas service was on active service. Yet that confusion remained and has remained until this day, and will remain until it is changed.

Troops called out under the National Resources Mobilization Act were not on active service. Then again, men were convicted and sentenced incorrectly because commanding officers did not understand the definition of "active service" as related to discipline. Hence hundreds of cases which had been tried incorrectly were later reviewed, and the sentences quashed. However, I feel that this new bill does clean up that difficulty.

Section 16 of the bill authorizes the governor in council to establish armed forces of whatever strength the governor in council pleases, and without limits. May I point out that the Militia Act of 1927 contained a limit of 10,000 officers and men for the permanent force. This was amended in 1947 to 30,000. Although that amendment at first did not include a limitation on the number of men, it was inserted at the request of parliament. This new bill has the same fault in that it does not include the number of men who can be enlisted in the permanent force. I feel this is one feature that has been fought bitterly, particularly in England, for generations, namely that the right of parliament to limit and to define the numbers in the forces should be maintained by parliament, and not by the minister or anyone else. That feature in my view should be reincluded in the bill.

I do not mind particularly what the numbers are. If the numbers now are not satisfactory I would be quite satisfied to have them doubled; but parliament must know the limit to which it is committed in the enlistment of men, particularly in peacetime. Otherwise we do not know to what expense we shall be subjected, with the minister having control without parliament. I do feel that if the figure now available, 30,000, is inadequate, it could be increased to 75,000.

Then subsection 4 of section 16 contains a limitation on the reserve force. I would suggest that a fair limit would be 120,000 or 150,000, whereas, as I understand it, the reserve force in February of this year, as reported in *Hansard* of March 29, stood at 48,912. So that with the reinsertion of the limitation that can be recruited, I think parliament could maintain the position for which it has fought and which it has held to the present time.

There is no provision in the new section 20 for the command of the armed forces to be vested in the king. Up to now the armed forces have been vested in the king, and through the usual channel of the governor