

## AFTER RECESS

The house resumed at eight o'clock.

## CANADIAN FORCES ACT

AMENDMENTS TO DEFENCE SERVICES PENSION ACT, NATIONAL DEFENCE ACT, CANADIAN FORCES ACT, ETC.

**Hon. R. O. Campney** (Associate Minister of National Defence) moved that the house go into committee to consider the following resolution:

That it is expedient to introduce a measure to amend the Defence Services Pension Act to provide for the payment over a period of years of succession duties on the pensions of widows and children and to make certain minor adjustments in the present law; also to amend the National Defence Act to authorize the sale of material under section 11 of the act to international welfare organizations, to provide for a credit of rebates of duties and taxes upon material sold under that section, to make possible more effective administration of the estates of servicemen who die out of Canada, and to make certain amendments with regard to persons accompanying Canadian forces; also to make an amendment to the Visiting Forces (North Atlantic Treaty) Act consequential upon the enactment of the Crown Liability Act; also to amend the Senate and House of Commons Act in relation to time spent by members of the House of Commons on military service; and also to amend the Canadian Forces Act, 1950, to enable members of the regular forces who served in the Korean theatre in the special force to count the time so served for all purposes under the Defence Services Pension Act.

Motion agreed to and the house went into committee, Mr. Robinson (Simcoe East) in the chair.

**Mr. Pearkes:** Is the minister going to make a statement on this resolution?

**Mr. Campney:** Mr. Chairman, the bill which would be introduced in consequence of the adoption of this resolution would be entitled the Canadian Forces Act, 1954. It would be a bill similar in title and scope to the Canadian Forces Act passed by parliament in 1950, 1951, 1952 and at the last session. Hon. members will recall that those measures contained various provisions respecting national defence including amendments to the National Defence Act and to other statutes.

The bill which would follow this resolution, as is the case of its predecessors, would include amendments to several different acts, in this case five in number. These acts are: The National Defence Act; the Defence Services Pension Act; the Visiting Forces (North Atlantic Treaty) Act; the Senate and House of Commons Act; and the Canadian Forces Act, 1950. All matters dealt with in the bill relate directly to national defence.

*Canadian Forces Act*

The proposed amendments to the National Defence Act deal with a variety of subjects. Two of them, one relating to the enforcement of foreign customs laws, the other to the arrest of dependents of service personnel out of Canada, are designed to fulfil Canada's obligations under arrangements which have been made with foreign countries in which Canadian forces are serving.

Another proposed amendment to the National Defence Act would make it possible for defence material to be sold to international welfare organizations to be used for the relief of distress, in addition to foreign governments only, as is now the case.

Another proposed amendment would facilitate the administration of the estates of servicemen who die abroad.

Still another would remove any doubt as to the authority of service tribunals to restore stolen property to the rightful owners.

One of the more important amendments proposed would define the classes of persons who, although not members of the forces, are subject to the code of service discipline because they accompany the forces. One of those classes would be dependents of servicemen who accompany the Canadian forces out of Canada. Although it is proposed that such dependents should be subject to the code of service discipline, they will be triable only by a civilian judge or a barrister or advocate of ten years' standing appointed for the purpose. The purpose of this proposal is to enable dependents who are accused of having committed criminal offences abroad to be tried in all possible cases under Canadian law rather than under the law of the country in which the serviceman on whom they are dependent is posted.

There are several other proposed amendments to the code of service discipline. These are of a technical nature and can best be explained in detail when hon. members have the bill before them.

The bill contains several proposed amendments to the Defence Services Pension Act. The most important of these would enable the governor in council to make regulations providing for payment from the consolidated revenue fund of succession duties payable by a child or widow in respect of a pension and to provide for the manner in which such a payment shall be recovered from the pension. This provision would be similar to a provision of the Public Service Superannuation Act that this house enacted at the last session for the benefit of the widows and children of deceased civil servants.

The other amendments to the Defence Services Pension Act affect only limited classes of persons and are of a technical