

## National Defence

that personnel was one of the matters which entered into the negotiation of the contribution to be made by the federal government.

**Mr. Ross (Souris):** But for the time being it is charged to the province.

**Mr. Claxton:** We are keeping accounts on that basis.

Section agreed to.

Sections 33 to 40 inclusive agreed to.

On section 41—*Presumption of death; authority to issue certificate.*

**Mr. Smith (Calgary West):** May we anticipate any complications in view of the conditions surrounding presumption of death in civil life? In civil life, after an absence of seven years, the onus is on the person seeking the order of presumption of death to show that all steps had been taken to find the missing person. Then the court will issue an order of presumption of death. However, under our law, the wife of an absent person who has married again is still guilty of bigamy.

The last part of the section contains these words:

—in relation to his status and service in the Canadian forces, be deemed to have died on that date.

Has any consideration been given to the civil position where there is a presumption that a person has died on a certain date?

**Mr. Claxton:** Yes. Of course this has relation only to his status as serving in the Canadian forces. We are endeavouring only to deal with the matter from the point of view of a man's interest, and his dependents' interest, in having some determination as to his death so that, for example, a pension may become payable to his widow. We do not purport to make any declaration or presumption of death that will have any bearing on his estate from the point of view of the civil jurisdiction of the provinces. I should add, however, that the provinces have found it very convenient indeed to have a declaration made by us. In the case of several of the provinces they have said by statute that a declaration or presumption of death made by us shall for provincial purposes be deemed to be a declaration or presumption of death. There is no conflict, and in fact there is a good deal of complementary action.

**Mr. Smith (Calgary West):** It strengthens the position instead of weakening it.

**Mr. Claxton:** That is right.

Section agreed to.

Sections 42 to 53 inclusive agreed to.

On section 54—*Powers of the defence research board.*

**Mr. Wright:** In speaking a few moments ago the minister stated—and I think quite rightly—that the type of equipment and armament with which our forces are supplied is more important today than the numbers in the forces. Under section 54(c) the defence research board may, with the approval of the minister:

Enter into contracts in the name of His Majesty for research and investigations with respect only to matters relating to defence.

Under this section the defence research board is given the power to conduct the various types of research necessary for the armed forces today, and that is entirely under the control of the minister. The type of research necessary today to develop radar, atomic and other weapons which may be used in a future war requires several years to complete and the expenditure of vast sums of money. There is very little use in commencing a research project involving new weapons unless you are prepared to carry it on for a number of years until you arrive at a successful conclusion. I think the power to institute this type of research is a pretty wide one to place in the hands of one minister of the government. I have every respect for the present minister, and I am sure if he were instituting a new research project the matter would go to the governor in council before it was started.

I understand there is a regulation providing that where an expenditure for research is to be more than \$15,000 the matter must be taken to the governor in council. Nevertheless that is not in the act. It is a regulation which can be changed from time to time without the consent of parliament. It is true that parliament will be notified of any change in the regulation when it is made. It seems to me, however, that the initiation of major research projects should be undertaken by the governor in council rather than the minister. At the present time I cannot conceive of the power being abused, but if one stops to think about it this is a permanent act. It will be on the statute books twenty-five years from now when we have passed on and other people will be concerned with it. With the world constituted as it is today it is possible that such a wide power placed in the hands of a minister might be abused. I would have preferred to see a provision in the act stating definitely that the governor in council should be the body to institute matters of major research rather than the minister on his own initiative.

**Mr. Claxton:** I appreciate the remarks of the hon. member. I think the situation here is the same as in the case of the national