

National Defence Act

hon. members that such a proper provision is not found in many of the statutes of the provinces of Canada. In Ontario, for instance, such a provision is not made, and I know very well that many people in my riding are disappointed because provision with regard to the knowledge of the person to be appointed is not made. At times we have seen hotel operators appointed as magistrates in Ontario. I would respectfully submit to the minister that this provision regarding appointments should definitely be kept in the act.

I am also pleased to know that the purpose of the minister in bringing in these amendments is to help the people living in this remote part of Canada to obtain a more autonomous type of judicial operations.

Resolution reported and concurred in.

Mr. Hamilton (Qu'Appelle) thereupon moved for leave to introduce Bill C-26, to amend the Northwest Territories Act.

Motion agreed to and bill read the first time.

NATIONAL DEFENCE ACTAMENDMENTS RESPECTING COURT MARTIAL
APPEAL BOARD, ETC.

Hon. G. R. Pearkes (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 National Defence Act by providing for the court martial appeal board to be reconstituted as a superior court of record, to authorize the payment of travelling allowances to its members and to provide also for the appointment of, and the payment of fees to and the travelling expenses of military advisers to the court; and to provide further for certain changes in connection with the administration of the act.

Motion agreed to and the house went into committee, Mr. Rea in the chair.

Mr. Hellyer: Does the minister have an explanation?

Mr. Pearkes: Mr. Chairman, the bill that will be introduced if the resolution is adopted will be a relatively short one dealing with several unrelated matters. The first matter to be dealt with in the proposed bill is an amendment to the National Defence Act to facilitate the integration or unification of certain of the operations of the Canadian forces. It is the view of the government that this integration or unification, where practical, would result in both economy and efficiency of operation. As you know, in recent months steps have been taken to integrate the medical and chaplain services. The possibility of integration of other operations is under careful study.

The second subject dealt with in the bill is the question of rules of evidence at trials by court martial. A codification of the Canadian law of evidence applicable to courts martial has been prepared and authority will be sought to introduce this code.

The next subject is a proposal to introduce additional safeguards on the imposition of the penalty of death by courts martial. These safeguards will be similar to those in effect under civil law.

Perhaps the most important provision of the bill is the proposed amendment to replace the court martial appeal board by court martial appeal courts. If the proposal is adopted members of the services will have the right to have their appeals heard by a tribunal comparable to the provincial courts of appeal which hear appeals of persons convicted under the Criminal Code. Furthermore, the right of appeal to the Supreme Court of Canada would be enlarged so that service offenders would have the same right of appeal to that court as persons convicted in the criminal courts whose appeals have been disallowed by provincial courts appeal. The crown would be given the same right of appeal to the Supreme Court of Canada as it has in ordinary criminal cases.

The bill would also change the French version of the name of the Royal Canadian Air Force.

These amendments, Mr. Chairman, are designed to provide for a more equitable application of service discipline and to improve the administration of the Canadian forces. I therefore recommend the resolution to the committee for its favourable consideration.

Mr. Hellyer: Mr. Chairman, it is now ten o'clock.

Progress reported.

BUSINESS OF THE HOUSE

Mr. Chevrier: I have great pleasure in welcoming the Minister of Public Works back to the house and I tell him that, notwithstanding the fact that the Minister of Trade and Commerce has done a very creditable job in his absence we are delighted to see him return. Perhaps he will tell us what the business is for tomorrow and also for next week while he is on his feet.

Mr. Green: I thank the hon. member for Laurier for his very kind remarks. I must say that I was a little reluctant to leave the sunshine and the crocuses on the west coast. However, it is very nice to be back with so many friends.

Tomorrow we shall start with the resolution which was under debate at ten o'clock.