

Canadian Forces Act

require him to attend before what is actually a foreign court-martial, that the first approach should be to ask him if he will consent to come. Then if the witness demurs or if it appears obvious that for some reason in connection with his employment he must give some official notification, or some other similar reason, the process of summoning could be used when necessary. I should like the parliamentary assistant to comment on that situation.

Mr. Campney: The purpose of the amendment is merely to give the United States authorities power to summon witnesses; but that is going to be subject to regulations, and a great deal of care is being taken in the preparation of these regulations. I would be glad to draw the hon. member's observations to the officials of the department. However, it is necessary to have full power, and I presume the regulations will set out the circumstances under which such power should be exercised.

Mr. Fulton: Is it possible to say at the moment whether the general intention is that the regulations are to provide that the power will be used only when consent is not forthcoming? Is some such general principle going to be followed?

Mr. Campney: I am not sure that the suggestion is practical in the conduct of a case or trial, but I will certainly see that my hon. friend's observations on that point are considered.

Mr. Stick: We have had a situation in Newfoundland for some time where United States courts-martial require civilian witnesses. Their authorities have worked in co-operation with our local justice department. As I understand this legislation, if the Americans in Newfoundland require a civilian resident of the province as a witness they will first go to the civil authorities and get their permission to call that witness. In other words, the Americans cannot summon a witness without permission of the civil authorities. If that is the case then it does not take any rights away from the civil authority.

Mr. Campney: That is included in the section.

Mr. Stick: That is the meaning of the section?

Mr. Campney: Yes.

Mr. Stick: Although the Americans have the right to call witnesses we do not lose any of our civil rights.

Mr. Campney: That is right.

Section agreed to.

Section 23 agreed to.

On section 24—*Sections amended.*

Mr. Fulton: Purely by way of inquiry as to the text, I notice that in the marginal note at the top of page 12 there is reference to the Family Allowances Act, 1944, whereas the section itself appears to relate to the Statute Law Amendment (Newfoundland) Act. Is there an error in the marginal note?

Mr. Campney: I am informed that the Statute Law Amendment (Newfoundland) Act amends a great many other statutes, and among them is the Family Allowances Act, 1944, to which this specific subsection is related.

Section agreed to.

On section 25—*Chairman of chiefs of staff committee.*

Mr. Fulton: I observe that this section provides for the appointment by the governor in council of an officer to be chairman of the chiefs of staff committee. The explanatory note makes it clear that this office has already been established and filled by order in council, of which of course members are well aware. Since we are now going to provide by statute for the position of chairman of the chiefs of staff committee, I am wondering whether, without unduly limiting the right of the governor in council to prescribe his duties, it would not be wise to make some reference in the statute itself to those duties which I understand refer generally to the co-ordination of the work of the Canadian forces with the other forces of the Atlantic pact countries. When the Minister of National Defence made his statement regarding the appointment of the chairman of the chiefs of staff committee, who is General Foulkes, my recollection is that he said one of the chief duties of this officer would be to provide for the integration of the training and operations of the Canadian forces with the forces of the North Atlantic treaty powers. I wonder, therefore, if it would not be wise to make some general provision that amongst the duties of this officer will be that of integrating the training and operations of the Canadian forces with the forces of any other country with whom Canada may be engaged in a joint effort.

Mr. Campney: I would expect that the duties to which the hon. member refers would at the present time be amongst those of the chairman of the chiefs of staff committee.