

*Canadian Forces Act*

services were brought into effect on September 1, 1951. So that all the defence legislation that was planned four years ago has now been put into effect. Now there are a number of amendments to be made to other statutes consequential upon the amendments made to the National Defence Act.

For example a definition of the word "military" was given in the National Defence Act, and it is now considered desirable that that same definition be used in all other legislation. Altogether there are twenty-nine clauses in the bill which will be introduced. Of those clauses, some eighteen are purely textual changes. They are verbal, and are not even of a technical nature. Then, eleven clauses have to do with amendments of a textual nature, but of some substance.

Perhaps it will be of some assistance to hon. members in considering the bill which will be distributed immediately this resolution is adopted if I refer to the sections which make specific amendments and indicate briefly the nature of those amendments.

Section 5, subsection 2, would enable persons who served overseas with the Royal Canadian Navy during the second world war other than at sea to count such service for the purposes of the Civil Service Superannuation Act. It would thus give personnel who saw such service with the navy the same rights as have been given to personnel who served in the army and the Royal Canadian Air Force.

Section 6 would enable the governor in council to provide that persons who have accumulated pensionable service under the Defence Services Pension Act to count that service under the Civil Service Superannuation Act when they retire from the forces to accept civil service appointments in the Department of National Defence. A man who retires from the services to take a civil service position with the department may count his service for pension purposes.

**Mr. Adamson:** But only with the department?

**Mr. Claxton:** Yes. Section 8, subsection 2, would protect the pension rights of men appointed to short service commissions. This is now covered by order in council P. C. 2932, dated June 7, 1951. It is estimated that this would relate to three men in the navy, 171 in the army, 201 in the air force or a total of 375. It is only just that men who accept commissions on a short term basis and are promoted from the ranks should not lose their pensionable rights.

Section 8, subsection 6, will enable the governor in council to grant a pension to a contributor who has been a member of the military services for twenty years, who served

on active service during the second world war and subsequently in the regular forces but who has, at the date of his retirement, served for less than ten years in the regular forces. In other words, from the point of view of qualification for pension, service with the active forces during the war would be taken together with service with the regular forces since the war in order to make up the minimum period of ten years. It is estimated that 334 officers and men would be covered by this at the present time, but that number will be progressively reduced as these men complete ten years' service.

Section 14, subsection 2, would change the word "military" to "army" and would also delete reference to Newfoundland and the Irish Free State in a section of the Visiting Forces (British Commonwealth) Act. The Irish Free State, formerly designated as the Republic of Ireland, ceased to be a member of the commonwealth in April, 1949, and Newfoundland became incorporated with Canada by the act of union of that year. Clause 14, subsections 4 and 5, similarly delete reference to Newfoundland and the Irish Free State.

Section 17, subsection 2, would amend the Department of Veterans Affairs Act in order to continue the authority of that department to administer the service estate of former members of the forces who die while in DVA hospitals. That was provided for in the previous national defence legislation, but it was not carried into the National Defence Act.

Section 22, subsection 2, would provide for the attendance of civilian witnesses before United States courts-martial held in Canada. That is a privilege which we enjoy now with the United States and we want to put it on a reciprocal basis. Even in these cases the attendance of witnesses would require an order issued by a Canadian civilian magistrate.

Section 25 provides for the appointment by the governor in council of an officer as chairman of the chiefs of staff committee. This is now provided by order in council. It also gives the governor in council authority to make provision for compensation to civilians employed in the public service of Canada or doing research or consultative work in relation to the Canadian forces and the defence research board where disability or death is suffered in connection with their service. In applying this section it is expected that the governor in council will order that the Pension Act be made applicable in these cases. Cases might occur where a civilian worker engaged on research in connection with a dangerous weapon is killed or injured along with service personnel. At the present time a pension would be paid to the member