

# The Military Service Act

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## ITS MEANING AND EFFECT

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**T**HE MILITARY SERVICE ACT, 1917, received the Royal assent on the 29th day of August, and is now the Law of the land.

It has therefore become the duty of the Government to enforce this law impartially, promptly and effectively.

The purpose of the law is to provide much needed reinforcements for our heroic and sorely tried troops fighting in Flanders and in France.

To accomplish this end, Parliament has imposed upon the Civil administration the burden of carrying the Act into operation.

The selection of the men and the dealing with questions of exemption are in the hands of the Civil Authorities. It is not until the men are actually called to colours that the Militia Department intervenes.

The reinforcements to be raised are limited to 100,000 men, and those from whom they may be raised are divided into six classes, which are to be called out in the order in which they are named.

The first class comprises men not in the schedule of exceptions who, on the 6th July, 1917, were unmarried or



widowers without children, are at least 20 years of age and were born on or since 1st January, 1883. The second class includes married men or widowers with child or children between the same ages. The four remaining classes comprise older men, the third and fifth classes being unmarried men and widowers without children, and the fourth and sixth classes being married men and widowers with a child or children.

It is the intention of the Government to call out the first class by Proclamation to be issued as soon as possible. It is hoped that after all Claims for Exemption have been dealt with, this class will supply a sufficient number of men, who are physically fit, to furnish the reinforcements which the national honour and our duty to those at the Front demand, and that it may not be necessary to call out any of the subsequent classes.

The Proclamation calling out the first class will specify a date on or before which the members of the class must report for service, or claim exemption on one or other of the grounds specified in the Statute.

Forms on which Reports for Service or Claims for Exemption are to be made, will be placed in the hands of all Postmasters throughout the Dominion and it will be the duty of every member of the class in question to fill in one or other of these forms and submit it in the prescribed manner on or before the named day.

The grounds on which exemption may be claimed (which are similar to the grounds recognized in Great Britain and the United States) are as follows:

- (a) That it is expedient in the national interest that the man should, instead of being employed in Military Service, be engaged in other work in which he is habitually engaged.
- (b) That it is expedient in the national interest that the man should, instead of being employed in Military Service, be engaged in other work in which he wishes to be engaged and for which he has special qualifications.



- (c) That it is expedient in the national interest that, instead of being employed in Military Service, he should continue to be educated or trained for any work for which he is then being educated and trained.
- (d) That serious hardship would ensue, if the man were placed on active service, owing to his exceptional financial or business obligations or domestic position.
- (e) Ill health or infirmity.
- (f) That he conscientiously objects to the undertaking of combatant service and is prohibited from doing so by tenets and articles of faith, in effect on the sixth day of July, 1917, of any organized religious denomination existing and well recognized in Canada at such date, and to which he in good faith belongs.

No Claim for Exemption should be put forward unless one or other of these grounds in fact exists, and no loyal citizen should assist in, or allow himself to be made a party to, any Claim for Exemption unless thoroughly satisfied that it is made in good faith.

All Claims for Exemption will be disposed of by local tribunals established for the purpose to the number 1,250 and upwards throughout the Country.

Each of these tribunals consists of two members, one of whom is appointed by the County Court or District Judge, and the other by a Board of Selection established by the House of Commons and the Senate and nominated half by the Prime Minister and half by the Leader of the Opposition. These tribunals are entirely non-partizan and non-military and their local knowledge should enable them to deal intelligently and justly with the claims that come before them.

Provincial appellate tribunals and a central appellate tribunal for the whole of Canada are also provided to secure uniformity of interpretation in the application of the law.

No man will be required actually to join the colours till after a date which will be fixed by the Proclamation sufficiently late to permit the local tribunals to dispose of



most, if not all, applications for exemption which may come before them.

No one will gain any advantage by delay in Reporting for Service, nor will prompt Report result in any disadvantage.

Medical Boards are now in session at suitable centres throughout the Dominion. Any member of the first class, desirous of ascertaining immediately whether he is physically fit for service or not, may attend before any one of such Boards at any time convenient to himself and be examined free of charge. Information as to the time and place of the Sittings of these Boards will be found in the Daily Press. Certificates of physical unfitness issued by these Boards will be accepted by Exemption Tribunals when they sit, without further investigation. Men found physically fit who have not reported for service may nevertheless apply for exemption on any of the prescribed grounds including the ground of ill health or infirmity, if dissatisfied with the conclusion of the Medical Board.

The purpose of this circular is to furnish those affected by the Military Service Act with early information as to its effect and operation. It is not intended to relieve them from the necessity of familiarizing themselves with the provisions of the Proclamation of the Governor-General in Council, which will issue in due course, and will prescribe in detail the procedure above outlined and the consequences of failure to obey the requirements of the law.

The Proclamation in question will be published extensively, but personal notice to those affected will not be possible and they are advised to watch for the appearance of this Proclamation.

**Issued by Military Service Council.**

M.S.A.—18.

Ottawa, September 26th, 1917.