

with respect to the matter still remains, but this does provide a means of endeavouring to negotiate a way out of a difficulty which arises through sanitary or other regulations for the protection of animal or plant health or life. My hon. friend is thinking, and quite properly, of cases where apparently such regulations have been used to create a prohibition, always a difficult matter. There is no machinery in the United Kingdom-Canada agreement to deal with that. We have to appeal to them as a friendly co-member of the British commonwealth of nations to hear us on the matter. But in this agreement we have tried to set up machinery whereby there can be a technical examination of the merits and a report by such a committee to both governments.

Mr. HARRIS: I appreciate that, and that is the reason I brought up the point. I want to find out what kind of machinery this is going to be, because the minister will agree that it is something new.

Mr. DUNNING: The same provision was in the 1935 agreement with the United States.

Mr. HARRIS: Has it ever functioned?

Mr. DUNNING: We never had occasion to use it.

Mr. HARRIS: If you had, what sort of machinery would it be?

Mr. DUNNING: It would depend upon the particular nature of the disagreement. For instance, if it were something connected with animal health we would not appoint a man from the Department of Public Health.

Mr. HARRIS: But a man from some one of the departments?

Mr. DUNNING: We can get someone from outside if we wish. The government is quite free to do what it wishes in the matter. I cannot say in advance just who it would be.

Article agreed to.

On article XVI:

The provisions of this agreement relating to the treatment to be accorded by Canada and the United States of America, respectively, to the commerce of the other country shall apply, on the part of the United States of America, to the continental territory of the United States and such of its territories and possessions as are included in its customs territory on the day of the signature of this agreement. The provisions of this agreement relating to most-favoured-nation treatment shall apply, however, to all territories under the sovereignty or authority of the United States of America, other than the Panama canal zone.

Article agreed to.

On article XVII:

Except as otherwise provided in article V of this agreement:

(a) Nothing in the agreement shall entitle the United States of America to claim the benefit of any treatment, preference or privilege which may now or hereafter be accorded by Canada exclusively to territories under the sovereignty of His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, or under his majesty's protection or suzerainty.

(b) Nothing in the agreement shall entitle Canada to claim the benefit of any treatment, preference or privilege which may now or hereafter be accorded by the United States of America, its territories or possessions or the Panama canal zone exclusively to one another or to the republic of Cuba. The provisions of this subparagraph shall continue to apply in respect of any benefits now or hereafter accorded by the United States of America, its territories or possessions or the Panama canal zone to the Philippine islands, irrespective of any change in the political status of the Philippine islands.

Article agreed to.

On article XVIII:

1. The present agreement shall be ratified by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of Canada, and shall be proclaimed by the President of the United States of America. It shall enter definitively into force on the day of exchange of the instrument of ratification and a copy of the proclamation, which shall take place at Ottawa as soon as possible.

2. Pending the definitive coming into force of this agreement, the provisions of article IX shall be applied provisionally on and after the day following the proclamation of the agreement by the President of the United States of America, and the provisions of article I, article VI and article VII shall be applied provisionally on and after January 1, 1939, subject to the reservations and exceptions elsewhere provided for in this agreement.

3. Upon the provisional application of article I, article VI and article VII of the present agreement, and during the continuance of such provisional application, the provisions of article I, article III and article IV of the trade agreement concluded between Canada and the United States of America on November 15, 1935, at Washington, shall be inoperative, and upon the definitive coming into force of the present agreement the whole of the said agreement of November 15, 1935, shall terminate.

4. Subject to the provisions of article X and article XIII, this agreement shall remain in force for a term of three years from the date of the provisional application of article IX, and, unless at least six months before the expiration of the aforesaid term of three years the government of either country shall have given notice to the other government of intention to terminate the agreement upon the expiration of that term the agreement shall remain in force thereafter, subject to the provisions of article X and article XIII, until six months from the date on which the government of either country shall have given notice to the other government of intention to terminate the agreement.

Article agreed to.