

some person in Canada. Under the new Trade Marks Act, section 51, the holder or user of a registered trade mark or trade name may secure a court order confirming his position. Then under the act proposed to be amended here the customs officer is entitled to refuse entry of goods bearing that trade mark or trade name.

Section 4 also deals with a revision of the French version; it amends Schedule C to the French version by striking out item 1215 and by inserting therein the item specified in Schedule D. The only change is that in the French version the word "or" should read "and", as in the English version. The purpose is to correct a misprint.

Section 5 deals with the date of the coming into force of the various sections. It will be observed that sections 1, 2 and 4 came into force on March 21, 1956, and that section 3, the section that is prompted mainly by the new Trade Marks Act, comes into force six months after the day on which Royal Assent is given, the reason being that people who heretofore were refused the entry of goods bearing a trade mark or name registered in Canada may go to a competent court and get an order to present to the customs officer upon which he may thereafter act.

I would be glad to tell the whys and wherefores of each item of Schedule A, but let me say generally that the main items dealt with in that schedule arising under section 1 of the bill have to do with rewording and clarification. In one or two instances reductions in duty are involved. In no instances are there increases in duty. In one or two instances the revisions are necessary because of decisions given by the Tariff Board and with which the Government policy does not agree, and therefore there is a clarification of the item so as to conform with Government policy and to get away from the judicial interpretation given by the Tariff Board.

If there is any particular item which any senator wants to refer to, I will try to give the reason for it, otherwise I propose to illustrate by referring to several items. I go first to item 137a, the second item in Schedule A. Last year there was a revision of the tariff item with regard to sugar and molasses, and all reference to molasses powder was omitted entirely. This item reinstates molasses powder. It has a small use in Canada, I understand, chiefly as a component of a paste in the preparation of ginger.

Items 409f and 409g apply to agricultural implements. It was felt necessary to restate the items because of an interpretation by the Tariff Board. Item 409f contains a long list of farm machinery and implements. Part way down the list the following words appear: "All

the foregoing for use on the farm for farm purposes only". So that a particular list of machines and implements which are for use on the farm for farm purposes only are admitted under this item free of duty. Shortly after the war, I think, it was announced, as a policy of the Government that agricultural implements and parts thereof should be admitted free of duty. Item 409f concludes with the words "Parts of all the foregoing". This amendment, which was brought about by reason of a decision of the Tariff Board, makes it perfectly clear that parts of agricultural equipment as well as agricultural implements are entitled to free entry.

Item 409t gives double assurance with respect to certain classes of articles. That item provides for free entry of:

Axles, belts and belting, bolts, chains, nuts, pulleys, washers; all the foregoing when for use with the goods entitled to entry under tariff items . . .

Then follows the list of tariff items which relate to agricultural implements or equipment. As I have said, this is for the purpose of giving greater clarity to the matter and putting beyond doubt the policy of the Government that agricultural implements in the broadest sense must be given free entry.

The next item to which I should perhaps direct attention very briefly is 425b. It deals with power mowers. Unfortunately, the wording in the budget resolutions was too narrow, in that when it spoke about power lawn mowers it did not cover articles that formerly were free, such as tractor-drawn lawn mowers. This item gives a broader description of lawn mowers, and applies whether the motive power is built into the machine or attached to it.

I would refer next to item 446k, which relates to tools. This item was rewritten because of a decision of the Tariff Board in April of this year, that tools made to fit specific machines or which are specific attachments, will no longer be classified under the item covering tools, but instead will be classified as parts of such machines. This of course would have the effect of reducing the duty very considerably, to the prejudice of the domestic manufacturer. For that reason, we have a new definition in item 446k.

I should like to refer next to item 618b, which deals with tires. This also occurs by reason of a decision of the Tariff Board. As honourable senators know, there are large sized, off-the-highway tires, used on excavating machines and equipment of that kind. It is intended that tires shall be considered as tires in all circumstances, and will bear the particular rate of duty prescribed. But by reason of the decision of the Tariff Board that off-the-highway tires should be classified