

or other of the departments that I have mentioned would not feel willing to make the concession in question, and it sometimes happened we were not able to get any further.

These were the formal restrictions under which the United States was operating and it is not necessary to add that even though an item was on the statutory list it did not necessarily follow that the negotiating team or the committee would be willing to make a concession. There were some instances in which they had to acknowledge regretfully that they did not feel that a concession on a particular item would be acceptable.

Another principle used in the United States negotiations was the most-favoured-nation principle with which you are familiar. That is, whatever concession they gave to any one country they had to give to all the other countries which might become members of the organization. Perhaps I might add that our American friends regard tariff discrimination as a very undesirable thing, and having protested against it themselves on many occasions they were particularly careful to avoid embarking upon it themselves. Consequently if any particular country had asked them to give it a concession in some way which would prevent the concession from being applicable to a competitor, that was not the sort of request that could have been expected to be favourably entertained. Generally speaking it is only fair to say that our experience with the United States negotiators was that they showed themselves very anxious to avoid anything that might possibly be interpreted as being unfair to one country as against another, or discriminatory either for or against another country.

Hon. Mr. NICOL: Do you consider that the representatives of the United States had less power to negotiate than the representatives of Canada at that conference?

Mr. KEMP: Yes, I am sure that is the case because they had, to begin with, these form restrictions that they could not reduce the rate of duty more than fifty per cent, they could not transfer any item from the dutiable list to the free list, and the items which they were free to negotiate were limited to those in this published list.

Hon. Mr. NICOL: Canada gave more power to its representatives than the United States gave to their representatives?

Mr. KEMP: Perhaps one should say that the restrictions upon the Canadian representatives were a little bit different. They were not quite so cut and dried; they were not to be found in a printed document. Nevertheless, they were there in the consciousness, which our representatives had, that some day or other they would be meeting a body like this one and would have to justify what they had done.

Mr. McKINNON: Might I add that there is the further difference that the United States negotiating results become effective without any reference to congress at all. In our case they can be brought into effect provisionally by order in council—

Hon. Mr. NICOL: How long can they remain in effect by order in council?

Mr. McKINNON: There is no period of time named at all in the statutory authority under which they are brought into effect by order in council.

Hon. Mr. TURGEON: If parliament decided not to sustain it, it could not go beyond the session.

Hon. Mr. NICOL: If no act had been presented it could go on forever under order in council.

Mr. McKINNON: That is a possible situation, sir, but the results of our negotiations with the United States, in 1935, were brought into effect by order in council and later submitted to parliament. In 1938 they were brought into