

PROPOSED AMENDMENT
RE PAYMENT OF INTEREST ON ALL MONIES REFUNDED BY THE
DOMINION GOVERNMENT FROM TIME TO TIME

Proposed new Section to the
Consolidated Revenue and Audit Act
to be known as
Section 91A

INTEREST ON OVERPAYMENTS OR REFUNDS

91A. Interest at the rate of six per centum per annum, shall be allowed and paid upon any payment or overpayment in respect of any taxes or other revenues paid to the Crown, and subsequently refunded, or in respect of any refunds or credits, paid or allowed by the Crown, of customs drawbacks in the principal sum of \$100.00 or more in value, customs duties, business profits war taxes, excise, sales, income and all other taxes, miscellaneous and casual revenues, tolls, fees, dues, fines and penalties of all kinds, contractors' deposits and other cash deposits, and on other sundry refunds or credits not otherwise enumerated or specified in the principal sum of \$10.00 or more in value.

6% Interest on Refunds or credits

In respect of Customs drawbacks must exceed \$100.00.

Other items must exceed \$10.00.

(2) In the case of a refund such interest thereon shall be paid from the date of the payment or overpayment to the Crown, to a date preceding the date and delivery to the payee of the refund cheque by not more than thirty days, such date to be determined by the Governor in Council.

How interest on Refunds computed.

(3) In the case of a credit such interest shall be allowed from the date of the payment or overpayment to the Crown to the due date of the amount against which the credit is taken.

How interest on Credits Computed.

(4) Such interest charges on refunds or credits, as provided for in sub-sections (2) and (3) hereof, which may hereinafter be paid or allowed on the principal sum of any current or unpaid claim, or upon the principal sum of any claim arising or made and filed with the Crown and paid or allowed subsequent to the date of the coming into force of this section, must be equal to or exceed twenty-five cents, (25c), in value.

Interest must equal or exceed 25 cents.

(5) The provisions of this Section shall be retroactive and applicable to all refunds paid and to all credits allowed on the payment or overpayment of all taxes or other revenues as herein specified, collected on or after April 8th, 1915, provided, however, that all claims made and filed with the Crown for such interest charges accrued or accruing from April 8th, 1915, to the date of the coming into force of this section shall equal or exceed one dollar, (\$1.00), in value, and that all claims made for the payment or refund of such interest charges accrued or accruing within the said period must be filed with the Crown within twenty-four months from the date of the coming into force of this section.

Retro-active.

Date limit.

Interest must equal or exceed \$1.00

Time limit to file claims.

(6) In the case of a refund paid or a credit applied, prior to the coming into force of this section, interest at the rate of six per centum per annum shall be allowed and paid on the amount of such interest accrued as provided for in sub-section (5) hereof, from the date to which such interest accrued to a date preceding the issue and delivery to the payee of the refund cheque for payment of such interest by not more than thirty days, such date to be determined by the Governor in Council.

Interest on prior re-funds or credits.

How interest computed.

(7) This section shall be deemed to have come into force on the first day of April, 1933.

Date of coming into force.

NOTE:—The flexible, remedial and reciprocal fairness with which this proposed "Amendment" would operate in actual practice is illustrated on the reverse side of this page as a continuation of this (Exhibit C). (See over).