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CANADA
HOUSE OF COMMONS

22nd Parliament, 3rd Session
1956

BILLS (First Reading)

1. Oaths of office. Mr. St. Laurent (Quebec East) Not printed
2. Interest Act amdt. Mr. Argue
3. Small Loans Act amdt. Mr. Argue
4. Railway Act amdt. (bills of lading). Mr. Deschatelets
5. Industrial Relations and Disputes Investigation Act amdt. (voluntary revocable check-off). Mr. Knowles
6. Women's equal pay. Mrs. Fairclough
7. Immigration Act amdt. Mr. MacKenzie
8. Canada-Denmark Income Tax Agreement. Mr. McCann
9. Income Tax Act amdt. (communication of information). Mr. Knowles
10. Income Tax Act amdt. (corporation appeals). Mr. Knowles
51. Small Loans Act amdt. (costs, licences, repayment, etc.). Mr. Harris

52. Income Tax Act amdt. (re-assessment). Mr. Fulton
66. Criminal Code amdt. (nuisance). Mr. Diefenbaker
82. Prairie grain producers interim financing. Mr. Howe (Port Arthur)
83. Temporary wheat reserves. Mr. Howe (Port Arthur)
84. Canadian Farm Loan Act amdt. Mr. Harris
107. Transport Act amdt. (B.C. public carriers). Mr. Barnett
108. Exchequer court divorce jurisdiction. Mr. Knowles
121. Canada Elections Act amdt. (advance polls). Mr. Knowles
149. Financial Administration Act amdt. (bilingual negotiable instruments). Mr. Poulin
150. National Parks Act amdt. (penalties, procedures, etc.). Mr. Johnston (Bow River)
159. Civil Service Act amdt. (bilingual candidates). Mr. Girard
165. Industrial Development Bank Act amdt. Mr. Harris
167. Criminal Code amdt. (payment of fines). Mr. Diefenbaker
205. Canada Elections Act amdt. (hours of polling). Mr. Noseworthy, later Mr. Knowles
206. Supply (interim). Mr. Harris
207. Supply (further supplementary). Mr. Harris
208. Farm Improvement Loans Act amdt. Mr. Harris
210. Canada Grain Act amdt. (distribution of box cars). Mr. Argue
211. Canada annual holidays. Mr. Knowles
212. Telegraphs Act amdt. (submarine cables). Mr. Marler
213. Small Loans Act amdt. (advertising). Mr. Knight
214. Trans-Canada Highway Act amdt. Mr. Winters
215. National Housing Act amdt. Mr. Winters
216. St. Lawrence Seaway Authority Act amdt. (international bridges). Mr. Marler
248. Canadian National Railways (Bartibog-Tomogonops River). Mr. Marler
249. Department of Transport Act amdt. Mr. Marler
250. Northwest Territories Power Commission Act amdt. Mr. Lesage
252. Judges Act amdt. Mr. Garson
253. Veterans Business and Professional Loans Act amdt. Mr. Harris
254. Canada Lands Surveys Act amdt. Mr. Prudham
*256. Canadian Citizenship Act amdt. (courts, applications, etc.). Mr. Pickersgill
290. Tariff Board Act amdt. (membership). Mr. Harris
292. Patent Act amdt. (foods and medicines). Mr. Argue
298. Northern Ontario Pipe Line Crown Corporation. Mr. Howe (Port Arthur)
*349. Canada Shipping Act amdt. Mr. Marler
350. Farmers' Creditors Arrangement Act amdt. Mr. Castleden
*351. Post Office Act amdt. (transfer of contract). Mr. Lapointe
*352. Live Stock and Live Stock Products Act amdt. (hatcheries). Mr. Gardiner
*388. Navigable Waters Protection Act amdt. Mr. Winters
414. Supply (interim). Mr. Harris
415. Canadian National Railways (capital expenditures). Mr. Harris
416. Canadian forces. Mr. Campney
417. Emergency Gold Mining Assistance Act amdt. Mr. Prudham

* Those Bills are missing. May be found under Senate Bills.

418. Income tax (amdt.). Mr. Harris
* 433. National parks (Cape Breton Highlands). Mr. Lesage
435. Supply (interim). Mr. Harris
436. Unemployment assistance. Mr. Martin
* 437. Foreign Insurance Companies Act amdt. Mr. Harris
* 438. Canadian and British Insurance Companies Act amdt. Mr. Harris
439. Indian Act amdt. Mr. Pickersgill
440. Public Service Superannuation Act amdt. Mr. Harris
441. Canada statutory holidays with pay. Mr. Knowles
442. Federal-provincial tax sharing arrangements. Mr. Harris
443. Supreme Court (appeals, deputy registrar). Mr. Garson
444. Supply (interim). Mr. Harris
445. Female employees equal pay. Mr. Gregg
446. Royal Canadian Mounted Police (pensions). Mr. Garson
447. St. Lawrence Seaway Authority amdt. Mr. Marler
448. Customs Tariff. Mr. Harris
449. Unemployment insurance (fishermen). Mr. Gregg
450. Excise tax amdt. Mr. Harris
451. Canada-United States of America Tax Convention amdt. Mr. Harris
452. Canada-Germany Income Tax Agreement. Mr. Harris
453. Supply (main). Mr. Harris

* Those Bills are missing.

May be found under Senate Bills.

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Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Interest Act.

First reading, January 12, 1956.

MR. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

67626

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Interest Act.

R.S., c. 156.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 2 of the *Interest Act* is repealed and the following substituted therefor:

Rate of interest not to exceed twelve per cent per annum.

"**2.** Except as otherwise provided by this or by any other Act of the Parliament of Canada, any person may stipulate for, allow and exact, on any contract or agreement whatsoever, any rate of interest or discount that is agreed upon not exceeding twelve per cent per annum."

Explanatory Note.

The only change is the addition of the words "not exceeding twelve per cent per annum" underlined on the opposite page. The section as at present provides that there is no restriction as to the rate of interest except as provided by statute. The amendment limits the rate to twelve per cent.

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend the Small Loans Act.

First reading, January 12, 1956.

MR. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956.

67634

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend the Small Loans Act.

R.S., c. 251.

HER MAJESTY, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (2) of section 3 of the *Small Loans Act* is repealed and the following substituted therefor:

Not more than 1 per cent per month.

"(2) The cost of the loan mentioned in subsection (1) shall not exceed one per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding."

Loans, how repayable.

2. Subsection (1) of section 6 of the said Act is repealed and the following substituted therefor:

"**6.** (1) Every loan shall be repayable in approximately equal instalment of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan.

Limitation as to amount, time and cost of loan.

3. Paragraph *(b)* of section 14 of the said Act is repealed and the following substituted therefor:

"*(b)* lend money in sums not exceeding five hundred dollars in amount and may charge, exact or receive or stipulate for the payment by the borrower of a sum of money as the cost of a loan which shall not exceed an amount equivalent to the amounts or rates herein prescribed, namely one per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding; every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at

Explanatory Notes.

The purpose of this Bill is to provide for a reduction of the rate of interest or "cost of loan" allowed by the *Small Loans Act* from two per cent per month to one per cent per month.

1. Subsection (2) of section 3 at present reads as follows:

"(2) The cost of the loan mentioned in subsection (1): shall, *for a loan for a period of fifteen months or less*, not exceed two per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding, *and, for a loan for a period greater than fifteen months, the cost of the loan shall not exceed one per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding and in addition thereto such proportion of one per cent per month on the said amount and balances as fifteen is of the period of the loan expressed in months.*

2. Subsection (1) of section 6 at present reads as follows:

"**6.** (1) Every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan; *but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding twelve per cent per annum from such date.*"

3. Section 14 at present reads as follows:

"**14.** The Company may

(a) buy, sell, deal in and lend money on the security of, conditional sale agreements, lien notes, hire purchase agreements, chattel mortgages, trade paper, bills of lading, warehouse receipts, bills of exchange and choses in action; and may receive and accept from the makers, vendors or transferors thereof guarantees or other security for the performance and payment thereof and may enforce such guarantees and realize on such security;

(b) lend money in sums not exceeding five hundred dollars in amount and may charge, exact or receive or stipulate for the payment by the borrower of a sum of money as the cost of a loan which shall not exceed an amount equivalent to the amounts or rates herein prescribed, namely, *in the case of a loan for a period of fifteen months or less, two* per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding, *and in the case of a loan for a period greater than fifteen months, one per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding and in addition thereto such proportion of one per cent per month on the said amount and balances as fifteen is of the period of the loan expressed in months;* every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan, *but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding twelve per cent per annum from such date;* the cost of the loan or any part thereof or any interest accruing after default shall not be compounded or deducted or received in advance; the borrower may repay the loan or any part thereof before maturity on the date on which any instalment thereof falls due, without notice, bonus or penalty, but the borrower shall, when making such repayment, pay the portion of the cost of the loan accrued and unpaid up to the date of such repayment."

intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan; the cost of the loan or any part thereof or any interest accruing after default shall not be compounded or deducted or received in advance; the borrower may repay the loan or any part thereof before maturity on the date on which any instalment thereof falls due, without notice, bonus or penalty, but the borrower shall, when making such repayment, pay the portion of the cost of the loan accrued and unpaid up to the date of such repayment."

Cost not to be compounded or deducted

Prepayment

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Railway Act.

First reading, January 12, 1956.

Mr. DESCHATELETS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

64847

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Railway Act.

R.S., c.234; 1955, cc. 41, 55, s.2.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

R.S., c. 234.

1. Subsection (4) of section 353 of the *Railway Act* is repealed and the following substituted therefor:— 5

Bills of lading to be in French and English languages.

"(4) Railway companies shall print in both the English and French languages the bills of lading that are to be used along their lines."

Explanatory Notes.

Subsection (4) of section 353 of the *Railway Act* at present reads as follows:

"(4) Railway companies shall print in both the English and French languages the bills of lading that are to be used along their lines *within the limits of the Province of Quebec.*"

The only change consists in deleting the words "within the limits of the Province of Quebec" (in italics above).

Subsection (4) provides that within the limits of the province of Quebec, the bills of lading should be bilingual, while they should be drafted in English only for all other provinces.

The railway companies must therefore have two sets of forms and experience has shown that this is not practical. As numerous mistakes are being made which open the door to criticism.

The main purpose of having these bills of lading printed in both languages, is to permit the railway companies to give more effective service to both their English and French speaking customers; this amendment would therefore serve the best interest of all concerned without any further expenses involved.

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Industrial Relations and Disputes Investigation Act. (Voluntary revocable check-off).

First reading, January 13, 1956.

Mr. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

67725

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Industrial Relations and Disputes Investigation Act. (Voluntary revocable check-off).

R. S., c. 152.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 6 of the *Industrial Relations and Disputes Investigation Act,* is amended by adding thereto the following subsection:

Deduction of union dues.

"(3) Upon request of a trade union entitled to bargain collectively under this Act on behalf of a unit of employees and upon receipt of a request in writing signed by any employee in such unit, the employer of such employee shall, until the employee in writing withdraws such request, periodically deduct, and pay out of the wages due to such employee to the person designated by the trade union to receive the same, the union dues of such employee; and the employer shall furnish to such trade union the names of the employees who have given and withdrawn such authority."

Explanatory Note.

This bill adds a new subsection three to section six of the *Industrial Relations and Disputes Investigation Act.* The effect of this new subsection is to provide for the voluntary revocable check-off of union dues.

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to provide Equal Pay for Equal Work for Women.

First reading, January 16, 1956.

MRS. FAIRCLOUGH.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

67630

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to provide Equal Pay for Equal Work for Women.

WHEREAS it is desirable to enact a measure to prevent discrimination against women in respect of their employment by reason of their sex and, without limiting the generality of the foregoing, to ensure that women will be paid at the same rates as men for similar or comparable work: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as the *Women's Equal Pay Act, 1956.*

Application.

2. This Act shall apply in respect of employees who are employed upon or in connection with the operation of any work, undertaking or business that is within the legislative authority of the Parliament of Canada including, but not so as to restrict the generality of the foregoing,

(a) works, undertakings or businesses operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;

(b) railways, canals, telegraphs and other works and undertakings connecting a province with any other or others of the provinces, or extending beyond the limits of a province;

(c) lines of steam and other ships connecting a province with any other or others of the provinces or extending beyond the limits of a province;

(d) ferries between any province and any other province or between any province and any country other than Canada;

(e) aerodromes, aircraft and lines of air transportation;

(f) radio broadcasting stations;

(*g*) any work, undertaking or business outside the exclusive legislative authority of the legislature of any province;

(*h*) the civil service of Canada;

(*i*) any corporation established to perform any function or duty on behalf of the Government of Canada and in respect of employees of such corporations;

and in respect of the employers of all such employees in their relations with such employees and in respect of trade unions and employers' organizations composed of such employees or employers.

Definitions.

"Minister".

"Deputy Minister".

"Trade union". "Union".

"Employers' organization".

"Employment agency".

"Person".

3. In this Act,

(*a*) "Minister" means the Minister of Labour;

(*b*) "Deputy Minister" means the Deputy Minister of Labour;

(*c*) "trade union" or "union" means any organization of employees formed for purposes that include the regulation of relations between employees and employers;

(*d*) "employers' organization" means an organization of employers formed for purposes that include the regulation of relations between employers and employees;

(*e*) "employment agency" includes a person who undertakes with or without compensation to procure employees for employers and a person who undertakes with or without compensation to procure employment for persons;

(*f*) "person", in addition to the extended meaning given it by the *Interpretation Act*, includes employment agency, employers' organization and trade union.

Unfair wage practice.

4. (1) It shall be an unfair wage practice for any employer—

(*a*) to discriminate in the payment of wages between sexes by paying wages to any female employee at a rate less than the rate at which he pays wages to male employees for work of comparable character on jobs the performance of which requires comparable skills, except where such payment is made pursuant to a seniority or merited increase system which does not discriminate on the basis of sex; or

(*b*) to lay off or discharge or in any other manner discriminate against any employe because such employee has filed any charges, has instituted or caused to be instituted any proceeding, under or related to this Act, or has testified or is about to testify in any such proceedings.

Difference of rate of pay.

(2) A difference in the rate of pay between a female and a male employee based on any factor other than sex shall not constitute failure to comply with this section.

Conciliation officer to inquire into complaint.

5. (1) The Minister may on the recommendation of the Deputy Minister designate a conciliation officer to inquire into the complaint of any person that she has been discriminated against contrary to section 4 of this Act.

Complaint to be in writing.

(2) Every such complaint shall be in writing on the form prescribed by the Deputy Minister and shall be mailed or delivered to him at his office.

Duty of conciliation officer.

(3) The conciliation officer shall forthwith after he is appointed inquire into the complaint and endeavour to effect a settlement of the matter complained of.

Report.

(4) The conciliation officer shall report the results of his inquiry and endeavours to the Deputy Minister.

Commission.

6. (1) If the conciliation officer is unable to effect a settlement of the matter complained of, the Minister may, on the recommendation of the Deputy Minister, appoint a commission composed of one or more persons and shall forthwith communicate the names of the members of the Commission to the parties and thereupon it shall be presumed conclusively that the commission was appointed in accordance with this Act. And no order shall be made or protest entered or proceeding taken in any court, whether by way of injunction, declaratory judgment, certiorari, mandamus, prohibition, quo warranto or otherwise to question the appointment of the Commission, or to review, prohibit or restrain any of its proceedings.

Powers of Commission.

(2) The Commission shall have all the powers and enjoy all the rights and privileges of the Canada Labour Relations Board under section 58 of the *Industrial Relations and Disputes Investigation Act.*

Duties of Commission.

(3) The Commission shall give the parties full opportunity to present evidence and to make submissions and if it finds that the complaint is supported by the evidence it shall recommend to the Deputy Minister the course that ought to be taken with respect to the complaint, which recommendation may include reinstatement with or without compensation for loss of earnings and other benefits.

Majority recommendations prevail.

(4) If the commission is composed of more than one person, the recommendations of the majority shall be the recommendations of the commission.

Deputy Minister may ask for clarification, etc.

(5) After a commission has made its recommendations, the Deputy Minister may direct it to clarify or amplify any of its recommendations and they shall not be deemed to have been received by the Deputy Minister until they have been so clarified or amplified.

Minister's order.

(6) The Minister on the recommendation of the Deputy Minister may issue whatever order he deems necessary to carry the recommendations of the commission into effect, and the order shall be final and shall be compiled with in accordance with its terms.

Offence and penalty.

7. (1) Every person who fails to comply with any provision of this Act or with any order made under this Act is guilty of an offence and on summary conviction is liable to a penalty of not more than $100.

Penalties to Receiver General.

(2) The penalties recovered for offences against this Act shall be paid to the Receiver General of Canada and shall form part of the Consolidated Revenue Fund.

Consent to prosecution.

(3) No prosecution for an offence under this Act shall be instituted except with the consent in writing of the Minister on the recommendation of the Deputy Minister.

Rights saved.

(4) Nothing in this Act shall affect written contracts of employment and collective bargaining agreements that were made before the 1st day of May, 1956, but if any such contract or agreement is in force on the 1st day of May, 1956, this Act shall apply thereto on and after that day .

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend the Immigration Act.

First reading, January 26, 1956.

Mr. MacKenzie.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

64814

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to Implement an Agreement between Canada and the Kingdom of Denmark for the avoidance of Double Taxation with respect to Income Tax.

First reading, January 27, 1956.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

68298

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to implement an Agreement between Canada and the Kingdom of Denmark for the avoidance of Double Taxation with respect to Income Tax.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as the *Canada-Denmark Income Tax Agreement Act, 1956*.

Agreement approved.

2. The Agreement entered into between Canada and the Kingdom of Denmark, set out in the Schedule, is approved and declared to have the force of law in Canada.

Inconsistent laws.

3. In the event of any inconsistency between the provisions of this Act, or the Agreement, and the operation of any other law, the provisions of this Act and the Agreement prevail to the extent of the inconsistency.

Orders and regulations.

4. The Minister of National Revenue may make such orders and regulations as are, in his opinion, necessary for the purpose of carrying out the Agreement or for giving effect to any of the provisions thereof.

Commencement and duration.

5. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council, and shall continue in force until a day to be fixed by proclamation of the Governor in Council following the termination of the Agreement, and no longer.

SCHEDULE

AGREEMENT

BETWEEN THE

GOVERNMENT OF CANADA

AND THE

GOVERNMENT OF THE KINGDOM OF DENMARK

FOR THE AVOIDANCE OF

DOUBLE TAXATION

AND THE PREVENTION OF FISCAL EVASION

WITH RESPECT TO

TAXES ON INCOME

The Government of Canada and the Government of the Kingdom of Denmark

Desiring to conclude an Agreement for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income,

Have appointed for that purpose as their respective Plenipotentiaries:

The Government of Canada:
The Honourable Walter E. Harris, M.P.,
Minister of Finance;

The Government of the Kingdom of Denmark:
His Excellency O. Sehested,
Envoy Extraordinary and Minister Plenipotentiary of Denmark in Ottawa;

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

1. The taxes which are subject to this Agreement are:

(a) In Canada:

Income taxes, including surtaxes, which are imposed by the Government of Canada (hereinafter referred to as "Canadian tax");

(b) In Denmark:

National income taxes, the intercommunal income tax, the communal income tax (hereinafter referred to as "Danish tax").

2. This Agreement shall also apply to any other taxes of a substantially similar character imposed by either Contracting Government subsequent to the signing of this Agreement.

Article II.

1. In this Agreement, unless the context otherwise requires:

(a) The term "Denmark" means the Kingdom of Denmark, excluding the Faroe Islands and Greenland.

(b) The terms "one of the territories" and "the other territory" mean Denmark or Canada, as the context requires.

(c) The term "tax" means Danish tax or Canadian tax, as the context requires.

(d) The term "person" includes any body of persons, corporate or not corporate.

(e) The term "company" includes any body corporate.

(f) The terms "resident of Denmark" and "resident of Canada" mean respectively any person who is resident in Denmark for the purposes of Danish tax and not resident in Canada for the purposes of Canadian tax, and any person who is resident in Canada for the purposes of Canadian tax and not resident in Denmark for the purposes of Danish tax; a company shall be regarded as resident in Denmark if its business is managed and controlled in Denmark and as resident in Canada if its business is managed and controlled in Canada.

(g) The terms "resident of one of the territories" and "resident of the other territory" mean a person who is a resident of Denmark or a person who is a resident of Canada, as the context requires.

(h) The terms "Danish enterprise" and "Canadian enterprise" mean respectively an enterprise or undertaking carried on by a resident of Denmark and an enterprise or undertaking carried on by a resident of Canada; and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a Danish enterprise or a Canadian enterprise, as the context requires.

(i) The term "permanent establishment" when used with respect to an enterprise of one of the territories, means a branch, office, factory, or other fixed place of business, a mine, quarry or any other place of natural resources subject to exploitation. It also includes a place where building construction is carried on by contract for a period of at least one year, but does not

include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of the enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. In this connection—

(i) An enterprise of one of the territories shall not be deemed to have a permanent establishment in the other territory merely because it carried on business dealings in that other territory through a *bona fide* broker or general commission agent acting in the ordinary course of his business as such;

(ii) The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise;

(iii) The fact that a company which is a resident of one of the territories has a subsidiary company which is a resident of the other territory or which carries on a trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

2. In the application of the provisions of the present Agreement by one of the Contracting Governments any term not otherwise defined shall, unless the context otherwise requires, have the meaning which such term has under its own tax laws.

Article III.

1. The profits of a Danish enterprise shall not be subject to Canadian tax unless the enterprise is engaged in trade or business in Canada through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by Canada, but only on so much of them as is attributable to that permanent establishment.

2. The profits of a Canadian enterprise shall not be subject to Danish tax unless the enterprise is engaged in trade or business in Denmark through a permanent establishment situated therein. If it is so engaged, tax may be imposed on those profits by Denmark, but only on so much of them as is attributable to that permanent establishment.

3. Where an enterprise of one of the territories is engaged in trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to such permanent establishment the profits which it might be expected to derive in that other territory if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

4. No portion of any profits arising to an enterprise of one of the territories shall be attributed to a permanent establishment situated in the other territory by reason of the mere purchase of goods or merchandise within that other territory by the enterprise.

5. Where a company which is a resident of one of the territories derives profits or income from sources within the other territory, the Government of that other territory shall not impose any form of taxation on dividends paid by the company to persons not resident in that other territory, or any tax in the nature of an undistributed profits tax on undistributed profits of the company, by reason of the fact that those dividends or undistributed profits represent, in whole or in part, profits or income so derived.

6. Paragraphs 1 and 2 of this Article shall not be construed as preventing one of the Contracting Parties from imposing a withholding tax on income in the form of dividends, interest, rents or royalties, derived from sources within its territory by a resident of the territory of the other Party if such income is not attributed to a permanent establishment in the territory of the first Party.

Article IV.

Where—

(a) an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory, or

(b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory, and

in either case conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises,

then any profits which but for those conditions would have accrued to one of the enterprises but by reason of those conditions have not so accrued may be included in the profits of that enterprise and taxed accordingly.

Article V.

1. Notwithstanding the provisions of Articles III and IV, profits which a resident of one of the territories derives from operating ships or aircraft shall be exempt from tax in the other territory.

2. The Agreement dated 18th June, 1929 between Canada and Denmark providing for the reciprocal exemption from income tax on earnings derived from the operation of ships shall not have effect for any year or period for which the present Agreement has effect.

Article VI.

1. The rate of Canadian tax on dividends, interest, rents or royalties derived from sources within Canada by a resident of Denmark shall not exceed 15 per cent, unless such income is attributable to a permanent establishment in Canada maintained by such resident of Denmark.

2. Notwithstanding paragraph 1, the rate of Canadian tax on dividends paid to a company which is a resident of Denmark by a company resident in Canada, more than 50 per cent of whose shares which have under all circumstances full voting rights are owned by the former company, shall not exceed 5 per cent.

3. The rate of Danish tax on dividends, interest, rents or royalties derived from sources within Denmark by a resident of Canada shall not exceed 15 per cent, unless such income is attributable to a permanent establishment in Denmark maintained by such resident of Canada.

4. Notwithstanding paragraph 3, the rate of Danish tax on dividends paid to a company which is a resident of Canada by a company resident in Denmark, more than 50 per cent of whose shares which have under all circumstances full voting rights are owned by the former company, shall not exceed 5 per cent.

Article VII.

Copyright royalties and other like payments made in respect of the production or reproduction of any literary, dramatic, musical or artistic work (but not including rents or royalties in respect of motion picture films) and derived from sources within one of the territories by a resident of the other territory shall be exempt from tax in that first-mentioned territory.

Article VIII.

1. Remuneration (other than pensions) paid by one of the Contracting Governments to any individual for services rendered to that Government in the discharge of governmental functions shall be exempt from tax in the territory of the other Contracting Government if the individual is resident in that territory solely for the purpose of rendering these services.

2. The provisions of this Article shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the Contracting Governments for purposes of profit.

Article IX.

1. An individual who is a resident of Denmark shall be exempt from Canadian tax on profits or remuneration in respect of personal (including professional) services performed within Canada in any taxation year if—

(a) he is present within Canada for a period or periods not exceeding in the aggregate 183 days during that year, and

(b) the services are performed for or on behalf of a person resident in Denmark.

2. An individual who is a resident of Canada shall be exempt from Danish tax on profits or remuneration in respect of personal (including professional) services performed within Denmark in any year of assessment if—

(a) he is present within Denmark for a period or periods not exceeding in the aggregate 183 days during that year, and

(b) the services are performed for or on behalf of a person resident in Canada.

3. The provisions of this Article shall not apply to the profits or remuneration of public entertainers such as stage, motion picture or radio artists, musicians and professional athletes.

Article X.

1. Any pension or annuity derived from sources within Canada by an individual who is a resident of Denmark shall be exempt from Canadian tax.

2. Any pension or annuity derived from sources within Denmark by an individual who is a resident of Canada shall be exempt from Danish tax.

3. The term "annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

Article XI.

A professor or teacher from one of the territories who receives remuneration for teaching, during a period of temporary residence not exceeding two years, at a university, college, school or other educational institution in the other territory, shall be exempt from tax in that other territory in respect of that remuneration.

Article XII.

A student or business apprentice from one of the territories who is receiving full-time education or training in the other territory shall be exempt from tax in that other territory on payments made to him by persons in the first-mentioned territory for the purposes of his maintenance, education or training.

Article XIII.

1. Canada agrees to allow as a deduction from Canadian tax on any income derived from sources within Denmark that is subject to tax in Canada the amount of Danish tax payable in respect to that income, provided that the amount of the deduction shall not exceed the proportion of the Canadian tax that the income from Denmark that is subject to Danish tax bears to the total income subject to Canadian tax. For the purposes of this paragraph only, the term "Danish tax" shall not include the communal income tax.

2. Denmark agrees to allow as a deduction from Danish tax on any income derived from sources within Canada that is subject to tax in Denmark the amount of Canadian tax payable in respect to that income, provided that the amount of the deduction shall not exceed the proportion of the Danish tax that the income from Canada that is subject to Canadian tax bears to the total income subject to Danish tax.

3. For the purposes of this Article, profits or remuneration for personal (including professional) services performed in one of the territories shall be deemed to be income from sources within that territory, and the services of an individual whose services are wholly or mainly performed in ships or aircraft operated by a resident of one of the territories shall be deemed to be performed in that territory.

Article XIV.

1. The competent authorities of the Contracting Governments will upon request exchange information of a fiscal nature which is available to them, or which they are able to obtain under their own legislation and which would be useful to assure the regular assessment and collection of the taxes referred to in this Agreement, as well as the application with respect to these taxes of the legal provisions relative to the prevention of fiscal fraud.

The information so exchanged shall retain its secret nature and shall not be disclosed to persons other than those charged with assessment and collection of the taxes referred to in this Agreement.

The provisions of this Article shall not in any case be considered as requiring one of the Contracting Governments to disclose to the other Government, either, information other than that which its own fiscal legislation permits it to obtain, or information the furnishing of which would involve the disclosure of industrial, commercial or professional secrets or trade processes.

Neither shall these provisions be considered as imposing on one of the two Contracting Governments the obligation to perform an administrative act which would be contrary to its regulations or practices.

2. The term "competent authorities" means, in the case of Canada, the Minister of National Revenue or his authorized representative; and in the case of Denmark the Minister of Finance or his authorized representative.

ARTICLE XV.

1. The present Agreement may be extended, either in its entirety or with modifications, to the territories of the Faroe Islands and Greenland if in these territories there are imposed taxes substantially similar in character to those which are the subject of the present Agreement. The extension of the Agreement and the modifications thereto shall be specified and agreed between the Contracting Parties in notes to be exchanged for this purpose.

2. The termination of the present Agreement under Article XVIII shall, unless otherwise expressly agreed by both Contracting Parties, terminate the application of the present Agreement to any territory to which the Agreement has been extended under this Article.

ARTICLE XVI.

1. Any taxpayer who shows proof that the action of the revenue authorities of the two Contracting Parties has resulted in double taxation with respect to the taxes referred to in this Agreement, may lodge a claim with the state in which he resides. Should the claim be upheld, the competent authority of this state may come to an agreement with the competent authority of the other state with a view to equitable avoidance of the double taxation.

2. The competent authorities of the two Contracting Parties may likewise come to an agreement for the purpose of overcoming double taxation in cases not otherwise provided by this Agreement, as well as in the case where the interpretation or the application of this Agreement gives rise to difficulties or doubts.

ARTICLE XVII.

1. This Agreement is drafted in the English and Danish languages, the two texts having equal force.

2. The Agreement shall be ratified by the Contracting Parties, and the instruments of ratification shall be exchanged at Copenhagen with the shortest delay.

3. The Agreement shall come into force on the date on which the instruments of ratification are exchanged and shall thereupon have effect—

(a) In respect of Canadian tax, for the taxation years beginning on or after the 1st day of January in the calendar year in which the exchange of instruments of ratification takes place;

(*b*) In respect of Danish tax, for the taxation years beginning on or after the 1st day of April in the calendar year in which the exchange of instruments of ratification takes place.

ARTICLE XVIII.

This Agreement shall continue in effect indefinitely, but either of the Contracting Governments may on or before the 30th day of June in any calendar year following the calendar year in which the exchange of instruments of ratification takes place, give to the other Contracting Government notice of termination and in such event this Agreement shall cease to be effective—

(*a*) In respect of Canadian tax, for the taxation years beginning on or after the 1st day of January in the calendar year next following that in which notice is given;

(*b*) In respect of Danish tax, for the taxation years beginning on or after the 1st day of April in the calendar year next following that in which notice is given.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed the present Agreement and have affixed thereto their seals.

DONE at Ottawa, in duplicate, this 30th day of September, nineteen hundred and fifty-five.

FOR THE GOVERNMENT OF CANADA:
W. E. HARRIS

FOR THE GOVERNMENT OF DENMARK:
O. SEHESTED

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the Income Tax Act. (Communication of Information).

First reading, January 27, 1956.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
68326 OTTAWA, 1956

3rd Session, 22nd Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the Income Tax Act. (Communication of Information).

R.S., c. 148; 1952-53, c. 40; 1953-54, c. 57; 1955, cc. 54, 55, s. 1.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 133 of the *Income Tax Act* is repealed and the following substituted therefor:

Communication of information.

"**133.** Every person who, while employed in the service of Her Majesty, has communicated or allowed to be communicated to a person not legally entitled thereto any information obtained under this Act or has allowed any such person to inspect or have access to any written statement furnished under this Act is guilty of an offence and liable on summary conviction to a fine not exceeding $200.

Proviso.

Provided that nothing in this section shall operate to prevent a Minister of the Crown from communicating to the Senate or to the House of Commons any information with respect to corporations obtained under the provisions of this Act."

Explanatory Note.

The purpose of this bill is to make a change in section 133 of the *Income Tax Act*, which as it now stands can have the effect of preventing a Minister of the Crown from giving to the Senate or the House of Commons such information as it might be perfectly legitimate to ask for and obtain. No change is made with respect to information obtained from personal income tax returns. Such information must still be kept secret. On the other hand, the words added to section 133 by this bill would make it possible for a Minister to make public any information respecting corporations obtained under the provisions of the *Income Tax Act*.

Third Session, Twenty-Second Parliament, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Income Tax Act.
(Corporation Appeals).

First reading, January 27, 1956.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

68322

3rd Session, 22nd Parlement, 4 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Income Tax Act.
(Corporation Appeals).

R.S., c. 148; 1952-53, c. 40; 1953-54, c. 57; 1955, cc. 54, 55, s. 1.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (2) of section 91 of the *Income Tax Act* is repealed and the following substituted therefor:—

Hearing may be in camera.

"(2) An appeal may, in the discretion of the Board, the Chairman, the Assistant Chairman or hearing officer, as the case may be, be heard in camera or in public unless the appellant requests that it be heard in camera in which case it shall be so heard: Provided that if the appellant is a corporation the appeal shall be heard in public."

Proviso.

Explanatory Note.

The purpose of this bill is to make a change in subsection (2) of section 91 of the *Income Tax Act* to provide that appeals to the Income Tax Appeal Board when made by corporations must in all cases be heard in public. No change is made in the provision for appeals to the Board by individuals to be heard in camera, if such is desired.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act to amend the Small Loans Act.

First reading, February 6, 1956.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69389

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act to amend the Small Loans Act.

R.S. c. 251.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Paragraph *(a)* of section 2 of the *Small Loans Act* is repealed and the following substituted therefor:

"Cost."

"*(a)* "cost" in relation to a loan, means the whole of the cost of the loan to the borrower,

(i) whether it is called interest or is claimed as discount, deduction from an advance, commission, brokerage, chattel mortgage fees, or recording fees, or is claimed as fines, penalties or charges for inquiries, defaults or renewals, or is claimed as charges for life insurance, personal accident insurance, or sickness insurance or is otherwise claimed,

(ii) whether it is paid to or charged by the lender or is paid to or charged by any other person, and

(iii) whether it is fixed and determined by the loan contract itself, or in whole or in part by any other collateral contract or document by which the charges, if any, imposed under the loan contract or the terms of the repayment of the loan are effectively varied;"

(2) Paragraph *(c)* of section 2 of the said Act is repealed and the following substituted therefor:

"Loan."

"*(c)* "loan" means a loan made by a money-lender of not more than fifteen hundred dollars and includes the consideration for a wage assignment; and if, after deducting all payments, whether on account of interest, expenses or principal, made by the borrower to the

Explanatory Notes

1. (1) The purpose of the proposed amendment is to include amounts claimed as charges for life insurance, personal accident insurance or sickness insurance within the definition of "cost" in relation to a loan; to make slight changes in the wording; and to subdivide the paragraph into three subparagraphs. The existing paragraph reads as follows:

"*(a)* "cost" of a loan means the whole of the cost of the loan to the borrower whether the same is called interest or is claimed as discount, deduction from an advance, commission, brokerage, chattel mortgage and recording fees, fines, penalties or charges for inquiries, defaults or renewals or otherwise, and whether paid to or charged by the lender or paid to or charged by any other person, and whether fixed and determined by the loan contract itself, or in whole or in part by any other collateral contract or document by which the charges, if any, imposed under the loan contract or the terms of the repayment of the loan are effectively varied;"

(2) At present the Act does not apply to loans in excess of $500. The purpose of the proposed amendment is to change the limit of $500 to $1500. The existing paragraph reads as follows:

(c) "loan" means a loan made by a money-lender of not more than *five* hundred dollars and includes the consideration for a wage assignment; and if after deducting all payments whether on account of interest, expenses or principal, made by the borrower to the money-lender at or about the same time as a loan is made, the amount retained by the borrower is *five* hundred dollars or less, the transaction or transactions shall be deemed to have resulted in a loan of the amount so retained by the borrower notwithstanding that nominally a loan for a larger sum has been made;"

money-lender at or about the same time as a loan is made, the amount retained by the borrower is fifteen hundred dollars or less, the transaction or transactions shall be deemed to have resulted in a loan of the amount so retained by the borrower notwithstanding that nominally a loan for a larger sum has been made;"

(3) Paragraph *(h)* of section 2 of the said Act is repealed and the following substituted therefor:

"Wage assignment."

"*(h)* "wage assignment" means a sale, assignment, transfer or order for payment of wages, salary, commissions or other remuneration for services, whether earned or to be earned, when made or given in consideration of the payment of fifteen hundred dollars or less in money, credit or choses in action, and the amount whereby the assigned remuneration exceeds the amount of the consideration actually paid therefor shall for the purposes of this Act be deemed to be the cost of the loan."

2. Section 3 of the said Act is repealed and the following substituted therefor:

Limitation on cost of loans.

"**3.** (1) No money-lender shall, in respect of any loan, directly or indirectly, charge, exact or receive, or stipulate for the payment by the borrower of, a sum of money as a result of the payment of which the cost of the loan exceeds an amount equivalent to the amount or rate prescribed by this section, and any money-lender who enters into a transaction in contravention of the provisions of this section, is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both fine and imprisonment.

Maximum cost.

(2) The cost of a loan shall not exceed the aggregate of

(a) two per cent per month on any part of the unpaid principal balance not exceeding three hundred dollars,

(b) one per cent per month on any part of the unpaid principal balance exceeding three hundred dollars but not exceeding one thousand dollars, and

(c) one-half of one per cent per month on any remainder of the unpaid principal balance exceeding one thousand dollars.

Long-term loans.

(3) Where a loan of five hundred dollars or less is made for a period greater than fifteen months or where a loan exceeding five hundred dollars is made for a period greater than thirty months, the cost of the loan shall not exceed one per cent per month on the unpaid principal balance thereof.

(3) At present the consideration for a wage assignment where the consideration is $500 or less, is considered to be a loan subject to the Act. The purpose of the proposed amendment is to change the limit of $500 to $1,500. The present paragraph *(h)* reads as follows:

"*(h)* "wage assignment" means a sale, assignment, transfer or order for payment of wages, salary, commissions or other remuneration for services whether earned or to be earned when made or given in consideration of the payment of *five* hundred dollars or less in money, credit or choses in action, and the amount whereby the assigned remuneration exceeds the amount of the consideration actually paid therefor shall for the purposes of this Act be deemed to be the cost of the loan."

2. The purpose of the proposed amendment is to set up a new scale of maximum cost that may be charged for any loan that is subject to the Act. Also, the penalty provisions would be brought into line with the revised *Criminal Code*. The existing section 3 reads as follows:

"3. (1) No money-lender shall, in respect of any loan, directly or indirectly, charge, exact or receive, or stipulate for the payment by the borrower of, a sum of money as a result of the payment of which the cost of the loan exceeds an amount equivalent to the amount or rate prescribed *by subsection (2)*, and any money-lender who enters into a transaction in contravention of the provisions of this section, is guilty of an *indictable* offence and liable, *if an individual*, to imprisonment for a term not exceeding one year *and* to a *penalty* not exceeding one thousand dollars *and, if a corporation, to a penalty not exceeding five thousand dollars.*

(2) The cost of the loan mentioned in subsection (1) shall, for a loan for a period of fifteen months or less, not exceed two per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding, and, for a loan for a period greater than fifteen months, the cost of the loan shall not exceed one per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding and in addition thereto such proportion of one per cent per month on the said amount and balances as fifteen is of the period of the loan expressed in months."

More than one loan to a borrower.

(4) Where a money-lender has made a loan to a borrower and, while any part of the principal balance thereof remains unpaid, makes a loan to that borrower or that borrower's spouse,

(a) if the aggregate of the unpaid principal balances of such loans does not exceed fifteen hundred dollars, the total cost of such loans shall not thereafter exceed the cost permitted under this section for a single loan equal to such aggregate; and

(b) if the aggregate of the unpaid principal balances of such loans exceeds fifteen hundred dollars, the total cost of such loans shall not thereafter exceed the cost permitted under this section for a loan of fifteen hundred dollars, plus one-half of one per cent per month on any part of such aggregate in excess of fifteen hundred dollars."

3. Subsection (1) of section 5 of the said Act is repealed and the following substituted therefor:

Licences.

"**5** (1) No person shall transact the business of a money-lender unless such person has first obtained from the Minister a licence; but this section does not apply to a money-lender the cost of whose loans does not in any case exceed an amount equivalent to one per cent per month on the unpaid principal balance thereof."

4. Subsection (1) of section 6 of the said Act is repealed and the following substituted therefor:

Repayment of loans.

"**6.** (1) Every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan; but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding one per cent per month from such date."

5. (1) Paragraph *(b)* of section 14 of the said Act is repealed and the following substituted therefor:

Loans of $1,500 or less.

"*(b)* lend money in sums not exceeding fifteen hundred dollars in amount and may charge, exact or receive or stipulate for the payment by the borrower of a sum of money as the cost of a loan not exceeding the limits prescribed in subsections (2), (3) and (4), and repayable as prescribed in subsection (5)."

3. The purpose of the proposed amendment is to change the maximum cost permitted to unlicensed lenders from 12% per annum to 1% per month. The existing subsection (1) of section 5 reads as follows:

"5. (1) No person shall transact the business of a money-lender unless such person has first obtained from the Minister a licence; but this section does not apply to a money-lender the cost of whose loans does not in any case exceed an amount equivalent to *twelve per cent per annum upon the amount actually received by the borrower*."

4. The purpose of the proposed amendment is to change the rate of interest that may be charged on defaulted instalments after the due date of the final instalment from 12% per annum to 1% per month. The existing subsection (1) of section 6 reads as follows:

"6. (1) Every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan; but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding *twelve per cent per annum* from such date."

5. At present, the power of a Small Loans Company to make loans is subject to certain conditions and restrictions as respects the making of loans of $500 or less. The purpose of the proposed amendment is to extend this area of regulation to loans of $1,500 or less and to establish a new set of conditions and restrictions applicable to such loans. The proposed amendment would establish the same conditions for loans made by Small Loans Companies as would be established by the amendments proposed in clauses 2, 3 and 4 of this Bill with respect to loans made by money-lenders.

(2) Section 14 of the said Act is further amended by adding thereto the following subsections:

Maximum cost.

"(2) The cost of a loan made by the Company shall not exceed the aggregate of

(a) two per cent per month on any part of the unpaid principal balance not exceeding three hundred dollars,

(b) one per cent per month on any part of the unpaid principal balance exceeding three hundred dollars but not exceeding one thousand dollars, and

(c) one-half of one per cent per month on any remainder of the unpaid principal balance exceeding one thousand dollars.

Long-term loans.

(3) Where a loan of five hundred dollars or less is made for a period greater than fifteen months or where a loan exceeding five hundred dollars is made for a period greater than thirty months, the cost of the loan shall not exceed one per cent per month on the unpaid principal balance thereof.

More than one loan to a borrower.

(4) Where the Company has made a loan to a borrower and, while any part of the principal balance thereof remains unpaid, makes a loan to that borrower or that borrower's spouse,

(a) if the aggregate of the unpaid principal balances of such loans does not exceed fifteen hundred dollars, the total cost of such loans shall not thereafter exceed the cost permitted under this section for a single loan equal to such aggregate; and

(b) if the aggregate of the unpaid principal balances of such loans exceeds fifteen hundred dollars, the total cost of such loans shall not thereafter exceed the cost permitted under this section for a loan of fifteen hundred dollars, plus one-half of one per cent per month on any part of such aggregate in excess of fifteen hundred dollars.

Repayment of loans.

(5) The following provisions apply to every loan made by the Company:

(a) the loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan; but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding one per cent per month from such date;

No compounding or deduction in advance.

(b) the cost of the loan or any part thereof or any interest accruing after default shall not be compounded or deducted or received in advance; and

The existing paragraph *(b)* of section 14 reads as follows:

"*(b)* lend money in sums not exceeding *five* hundred dollars in amount and may charge, exact or receive or stipulate for the payment by the borrower of a sum of money as the cost of a loan *which shall not exceed an amount equivalent to the amounts or rates herein prescribed, namely, in the case of a loan for a period of fifteen months or less, two per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding, and in the case of a loan for a period greater than fifteen months, one per cent per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding and in addition thereto such proportion of one per cent per month on the said amount and balances as fifteen is of the period of the loan expressed in months;* every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan, but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding *twelve per cent per annum* from such date; the cost of the loan or any part thereof or any interest accruing after default shall not be compounded or deducted or received in advance; the borrower may repay the loan or any part thereof before maturity on the date on which any instalment thereof falls due, without notice, bonus or penalty, but the borrower shall, when making such repayment, pay the portion of the cost of the loan accrued and unpaid up to the date of such repayment."

Repayment before maturity.

(c) the borrower may repay the loan or any part thereof before maturity on the date on which any instalment thereof falls due, without notice, bonus or penalty, but the borrower shall, when making such repayment, pay the portion of the cost of the loan accrued and unpaid up to the date of such repayment."

R.S. c. 181.

6. The *Money-Lenders Act* is repealed.

7. Sections 1 to 5 of this Act are applicable only to loans made after the 31st day of December 1956.

6. The *Money-Lenders Act* was passed in 1906. It places a maximum limit of 12% per annum as respects interest on loans under $500. *The Small Loans Act*, passed in 1939, deals with loans in this same area and for practical purposes has superseded the *Money-Lenders Act*. The repeal of the latter is now proposed.

7. This clause would permit loans made prior to the coming into force of the proposed amendments to be dealt with in accordance with the law that existed at the time the loans were made.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act to amend the Income Tax Act.

First reading, February 6, 1956.

MR. FULTON

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

68318

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act to amend the Income Tax Act.

R.S., c. 148; 1952-53, c. 40; 1953-54, c. 57; 1955, cc. 54, 55, s. 1.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (4) of section 46 of the *Income Tax Act* is repealed and the following substituted therefor:

Rules *re* assessments.

"(4) *(a)* The Minister may

(i) at any time, if the taxpayer or person filing the return has made any wilful misrepresentation or committed any fraud in filing the return or supplying information under this Act, and

(ii) within 3 years from the day of an original assessment in any other case,

re-assess or make additional assessments of tax, interest or penalties.

(b) After the expiry of 3 years from the day of the original assessment, and subject only to the provisions of subparagraph (i) of paragraph *(a)* of this subsection, such assessment shall be deemed to be final except for the purposes of section 42 of this Act, and accordingly:

(i) such assessment shall not thereafter be subject to be re-opened or varied unless the Minister or some person thereunto authorized by him alleges that there was fraud or wilful misrepresentation in making or filing the return upon which the assessment was based, and

(ii) no entry, demand, requirement, search or inquiry shall be made or authorized under the provisions of section 126 of this Act for the purpose of re-opening, inquiring into, or varying such assessment or the return upon which it was based, nor shall any taxpayer or anyone on his

Explanatory Notes.

1. Subsection (4) of section 46 of the *Income Tax Act* at present reads as follows:

> "(4) The Minister may at any time assess tax, interest or penalties and may
> *(a) at any time, if the taxpayer or person filing the return has made any misrepresentation or committed any fraud in filing the return or supplying information under this Act, and*
> *(b) within 6 years from the day of an original assessment in any other case, re-assess or make additional assessments.*"

At the present time the Minister may re-open an assessment at any time for any reason, within a limit of six years from original assessment, and at any time without limit, for fraud or misrepresentation (Section 46 (4)). No person may destroy any records, books of account, etc., without written permission of the Minister (Section 125). The Minister is given virtually unlimited power to enter, search, require production of records, etc., for the purpose of such re-assessment, without any limit upon the time within which such search or production may be ordered (Section 126).

Current experience shows that the lack of limit on these powers and rights of the Minister can result in their exercise in a way which places the average taxpayer in an intolerable position. Without any allegation or suspicion of fraud, farmers and others are being required to produce records and accounts of transactions as far back as 7 or 8 years ago, this requirement being made many years after original assessment.

The taxpayer on the other hand has but one year after original assessment within which to appeal if he considers himself unfairly or improperly assessed. It is therefore considered that the Department's rights to re-open assessments should be limited to 3 years, unless there is fraud or misrepresentation.

The proposed new Section 46 (4) accordingly provides for a time limit of 3 years from the date of original assessment, and provides that after that time there must be an allegation of fraud or misrepresentation if it is desired to re-open that assessment. It is provided, however, that the assessment shall not be deemed to be final if the taxpayer wishes to re-open it for the purpose of averaging in accordance with section 42.

behalf be required to allow, answer, or comply with any such entry, demand, requirement, search or inquiry for any purpose other than the purpose contemplated in the said section 42 unless the Minister or some person thereunto authorized by him, at the time of making or authorizing such entry, demand, requirement, search or inquiry, alleges that there was fraud or wilful misrepresentation in filing the return or in answering or complying with any demand, requirement or inquiry made within such 3 year period.

(c) Nothing herein contained shall be deemed to derogate from the rights of a taxpayer under the said section 42."

Books and records.

2. Subsection (3) of section 125 of the said Act is repealed and the following substituted therefor:

"(3) Every person required by this section to keep records and books of account shall, unless written permission for their earlier disposal is obtained from the Minister, retain every such record of book of account and every account or voucher necessary to verify the information in any such record or books of account, for a period of 6 years from the date of original assessment."

Investigations

3. The first line of subsection (1) of section 126 of the said Act is repealed and the following substituted therefor:

"**126.** (1) Subject to the provisions of subsection (4) of section 46 and of subsection (3) of section 125, any person thereunto authorized by the".

2. The amendment to section 125 (indicated by underlining on the opposite page) would place a limit of 6 years on the length of time for which a taxpayer must retain his records.

3. The amendment to section 126 by reference back to the new proposed section 46 (4) would make the time limit therein contained govern also the period within which the powers given to the Minister in this section can be exercised. (The only change consists in the words underlined on the opposite page).

The position and rights of the taxpayer and the Department will thus be more nearly equated, though the balance will still be in favour of the latter.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 66.

An Act to amend the Criminal Code. (Nuisance.)

First Reading, February 8, 1956.

MR. DIEFENBAKER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69286

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 66.

An Act to amend the Criminal Code. (Nuisance.)

1953-54, c. 51.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The *Criminal Code*, chapter 51 of the statutes of Canada, 1953-54, is amended by inserting therein the following section:—

Throwing, etc., noxious products, etc., into river.

"**165**A. Every owner, lessee, or person operating any industrial plant, oil refinery, chemical works, sawmill or other plant or works, or any other person, who discharges or throws or allows to be discharged or thrown any noxious waste product, raw sewage, oil, sawdust, chemical or other matter or thing into a river, stream or other water any part of which is interprovincial or which flows into any interprovincial water, which has the effect of endangering the lives, safety, health or comfort of the public is guilty of

(a) an indictable offence and is liable to a fine of twenty-five thousand dollars for a first offence and of fifty thousand dollars for a second offence, or

(b) an offence punishable on summary conviction.

Explanatory Note.

The purpose of this Bill is to make it an offence for the owners of industrial plants and oil refineries or other persons to throw noxious products into an interprovincial river thus endangering the lives, safety, health or comfort of the public.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to provide for Short-Term Credit to Grain Producers in the Prairie Provinces to meet Temporary Financial Difficulties arising from inability to deliver all their Grain.

First reading, February 9, 1956.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to provide for Short-Term Credit to Grain Producers in the Prairie Provinces to meet Temporary Financial Difficulties arising from inability to deliver all their Grain.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short Title.

Short title.

1. This Act may be cited as the *Prairie Grain Producers Interim Financing Act, 1956.*

Interpretation.

Definitions.

2. (1) In this Act,

"Actual producer."
(a) "actual producer" means a producer actually engaged in the production of grain;

"Application."
(b) "application" means an application for a guaranteed loan;

"Bank."
(c) "bank" means a bank to which the *Bank Act* applies;

"Borrower."
(d) "borrower" means a person to whom a guaranteed loan has been made;

"Grain."
(e) "grain" means wheat, other than durum wheat, oats, barley and rye;

"Guaranteed loan."
(f) "guaranteed loan" means a loan or advance made by a bank to an actual producer in accordance with the requirements described in section 3;

"Permit book."
(g) "permit book" means a Canadian Wheat Board delivery permit issued pursuant to the *Canadian Wheat Board Act* by the Board for a crop year; and

"Prescribed form."
(h) "prescribed form" means a form prescribed by regulation or a form, used before or after the coming into force of this Act, to the like effect.

Words and expressions.
(2) Unless otherwise provided in this Act, words and expressions used in this Act have the same meaning as in the *Canadian Wheat Board Act.*

Guaranteed Loans.

Minister's liability to a bank.

3. (1) Subject to this Act, on and after the 1st day of October, 1956, the Minister of Finance is liable to pay to a bank the amount of loss sustained by it as a result of a guaranteed loan made to an actual producer upon the security, taken under section 88 of the *Bank Act*, of threshed grain of which he was the actual producer, if

Conditions of guaranteed loan.

(a) the loan was made on or after the 15th day of November, 1955 and before the 1st day of June, 1956;

(b) the loan was made pursuant to an application in a prescribed form signed by the borrower, in which the borrower stated

(i) the estimated quantity, at the time of application for the loan, of the threshed grain that he intends to deliver on his own behalf under his current or subsequent permit books, and

(ii) the estimated amount that would be payable for the sale of such grain if he were able to deliver and sell it at the time of such application;

(c) a responsible officer of the bank certified that

(i) he had scrutinized and checked the application for the loan with the care required of him by the bank in the conduct of its ordinary business, and

(ii) at the time the loan was made the borrower produced to the bank the permit book for the farm on which the grain was grown and endorsed therein a direction in a prescribed form that one-half of all moneys payable in respect of the purchase of grain delivered by him or on his behalf be paid to the bank until the loan is repaid in full;

(d) the rate of interest charged by the bank on the loan did not exceed five per cent per annum simple interest; and

(e) the amount of the loan did not exceed the lesser of

(i) one-half of the estimated amount set out in the application of the borrower as required by subparagraph (ii) of paragraph *(b)*, or

(ii) fifteen hundred dollars, minus the aggregate, at the time of the application for the loan, of the moneys that have been paid or are payable for the sale of grain delivered by or on behalf of the borrower under his current permit book before the making of the loan and on or after the 1st day of August, 1955, other than for grain delivered and entered in the permit book as the balance of the 1954-55 eight bushel quota.

Where more than one loan.

(2) Where more than one guaranteed loan is made to a borrower the amount of a previous guaranteed loan or loans made to that borrower in the same crop year shall be deducted from the amount specified in subparagraph (i) or (ii) of paragraph *(e)* of subsection (1), as the case may require, in calculating the amount of the loan.

When Minister not liable.

4. The Minister of Finance is not liable under this Act with respect to guaranteed loans made before the 1st day of June, 1956,

(a) to pay to a bank, in respect of losses sustained by it as a result of such guaranteed loans made by it, an amount in excess of the aggregate of

(i) fifteen per cent of that part of the aggregate principal amount of the guaranteed loans made by the bank that does not exceed one hundred thousand dollars, and

(ii) ten per cent of that part of the aggregate principal amount of the guaranteed loans made by the bank that exceeds one hundred thousand dollars, and

(b) to make any payment to a bank in respect of loss sustained by it as a result of a guaranteed loan made after the aggregate principal amount of the guaranteed loans made by all banks exceeds fifty million dollars.

REGULATIONS.

Regulations.

5. The Governor in Council may make regulations

(a) prescribing the forms of applications, directions, claims, reports or other documents to be used in connection with guaranteed loans or for the effective operation of this Act;

(b) defining for the purposes of this Act the expression "responsible officer of the bank";

(c) prescribing the method of determination of the amount of loss sustained by a bank as a result of a guaranteed loan and the procedure to be followed by a bank in making a claim for loss sustained by it as a result of a guaranteed loan;

(d) prescribing the steps to be taken by a bank to effect on behalf of the Minister of Finance collection of any guaranteed loan in respect of which payment has been made by the Minister to the bank under this Act, and to provide that on failure by the said bank to take such steps the amount of such payment may be recovered by the Minister;

(e) respecting subrogation of Her Majesty to the rights of a bank with respect to a guaranteed loan;

(f) requiring reports to be made to the Minister of Finance and to The Canadian Wheat Board by a bank in respect of guaranteed loans; and

(g) generally for carrying the purposes and provisions of this Act into effect.

Endorsements in Permit Books.

Endorsements in permit books to continue until loan is repaid.

6. Notwithstanding any other Act or law, where the permit book of a borrower has been endorsed as required by subparagraph (ii) of paragraph *(c)* of subsection (1) of section 3, the borrower is not, until his guaranteed loan is repaid in full, entitled to receive or use another permit book for the same or any subsequent crop year unless he executes therein an endorsement in the same prescribed terms or to the like effect.

Effect of endorsement.

7. Notwithstanding any other Act or law, where any endorsement referred to in subparagraph (ii) of paragraph *(c)* of subsection (1) of section 3 or in section 6 remains uncancelled,

Storage prohibited.

(a) no manager or operator of an elevator shall, after the coming into force of this Act, receive for storage grain delivered by or on behalf of the borrower who made the endorsement;

Priority of bank.

(b) the bank in whose favour the endorsement was made is, after the coming into force of this Act and until the guaranteed loan is repaid in full, entitled, in priority to all other persons, to one-half of all moneys payable in respect of the purchase of grain delivered under the permit book by or on behalf of the borrower who made the endorsement; and

Right of bank to recover.

(c) the bank in whose favour the endorsement was made may recover any of the moneys to which it is entitled under paragraph *(b)* by action or proceedings against the manager of the elevator or other person receiving delivery of the grain or receiving such moneys, as if the grain were delivered and sold on behalf of the bank, and any such moneys received by the bank shall be deemed to be a payment on account of the guaranteed loan.

Borrower entitled to cancellation.

8. Where a permit book has been endorsed in respect of a guaranteed loan and the loan has been repaid in full, a responsible officer of the bank by which the loan was made shall, at the request of the borrower, cancel the endorsement by an entry to that effect in the permit book.

General.

Offence and penalty.

9. (1) Every person who, after the coming into force of this Act, in respect of a guaranteed loan

(a) knowingly makes any misrepresentation in any application or other document or wilfully furnishes any false or misleading information; or

(b) if he is a borrower and his loan has not been repaid in full, delivers, or causes any other person to deliver on his behalf, under a permit book that has not been endorsed by the borrower as required by this Act, any grain of which he is the actual producer,

is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

Limitation on offences.

(2) A prosecution under subsection (1) may be instituted at any time within two years from the time when the subject matter of the complaint arose.

Additional penalty of unpaid loan.

(3) When a person is convicted of an offence under this section, there shall be imposed on him, in addition to any fine, a penalty equal to the amount of the guaranteed loan that has not been repaid by him together with interest on the loan to the date of payment of the penalty, and the penalty shall be paid to the bank by which the guaranteed loan was made, or, if payment has been made by the Minister of Finance to that bank in respect of the guaranteed loan, to the Receiver General of Canada, and the payment of the penalty to the bank or to the Receiver General under this section discharges the liability of the person so convicted to pay the loan.

Notice to The Canadian Wheat Board after payment made.

10. (1) Where the Minister of Finance has made a payment to a bank in respect of loss sustained by the bank as the result of a guaranteed loan, the Minister may give notice to The Canadian Wheat Board of the amount he has paid to the bank in respect of defaulted principal and in respect of any other charges or costs exclusive of interest and direct the Board to withhold and to remit to him that amount, together with interest at five per cent per annum from the time of default of the loan, out of the moneys that may at any time thereafter, other than at the time of the sale of grain by the borrower, become payable by the Board to the borrower.

Payment by Board to Minister and its effect.

(2) Notwithstanding the *Canadian Wheat Board Act*, the Board shall give effect to a direction given by the Minister under subsection (1) and payment by the Board pursuant thereto shall, without prejudice to the right of the borrower to recover from the Crown any amount so paid if he is entitled thereto, discharge the liability of the Board to the borrower with respect to the amount so paid.

Payment out of C.R.F.

11. Any amount payable to a bank under this Act may be paid out of the Consolidated Revenue Fund.

Annual report.

12. (1) Commencing with the fiscal year ending on the 31st day of March, 1957, the Minister of Finance shall, as soon as possible after the termination of each fiscal year,

and in any event within three months thereafter, prepare a report with regard to the administration of this Act during that fiscal year.

Report to be laid before Parliament.

(2) The Minister shall lay before Parliament the report prepared under subsection (1) within fifteen days after it is prepared or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

EXTENSION.

Extension by the Governor in Council.

13. (1) The Governor in Council may, by order, extend the application of this Act to authorize and govern guaranteed loans that may be made by banks on or after the 1st day of October, 1956 and before the 1st day of June, 1957.

Extension does not apply to borrowers who have outstanding loans.

(2) No person who has received a guaranteed loan under this Act before the 1st day of June, 1956 is, until such loan is repaid in full, entitled to receive a guaranteed loan referred to in subsection (1).

Application of Act.

(3) Where the Governor in Council has extended the application of this Act respecting guaranteed loans referred to in subsection (1), all of the provisions of this Act apply to such guaranteed loans, subject to the following modifications:

(a) in subsection (1) of section 3, the words "the 1st day of October, 1957" shall be substituted for the words "the 1st day of October, 1956";

(b) in paragraph *(a)* of subsection (1) of section 3, the words "on or after the 1st day of October, 1956 and before the 1st day of June, 1957" shall be substituted for the words "on or after the 15th day of November, 1955 and before the 1st day of June, 1956";

(c) there shall be included in paragraph *(b)* of subsection (1) of section 3, immediately after subparagraph (ii) thereof, the following subparagraph, namely,

"(iii) that he has not been a borrower before the 1st day of June, 1956, or, that, if he has been a borrower before that date, his loan has been repaid in full, as the case may require;";

(d) in paragraph *(e)* of subsection (1) of section 3, the words "on or after the 1st day of August, 1956, other than any moneys that have been paid to a bank in respect of a guaranteed loan made under this Act before the 1st day of June, 1956" shall be substituted for the words "on or after the 1st day of August, 1955, other than for grain delivered and entered in the permit book as the balance of the 1954-55 eight bushel quota"; and

(e) in section 4, the words "made on or after the 1st day of October, 1956 and before the 1st day of June, 1957," shall be substituted for the words "made before the 1st day of June, 1956,".

Regulations

(4) The Governor in Council may make such regulations as he deems necessary for carrying the purposes and provisions of this section into effect.

Coming into Force.

Coming into force

14. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act respecting the Payment of Carrying Costs of Temporary Wheat Reserves owned by The Canadian Wheat Board.

First reading, February 9, 1956.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

67072

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 83.

An Act respecting the Payment of Carrying Costs of Temporary Wheat Reserves owned by The Canadian Wheat Board.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title.

1. This Act may be cited as the *Temporary Wheat Reserves Act*.

INTERPRETATION.

Definitions.

2. (1) In this Act,

"Board."

(*a*) "Board" means The Canadian Wheat Board;

"Carrying charge rate."

(*b*) "carrying charge rate" means the amount per bushel per day paid by the Board for storage and interest to managers of country elevators in respect of wheat that they have purchased and received for the Board; and

"Stocks of wheat of the Board."

(*c*) "stocks of wheat of the Board" means the total quantity of wheat owned by the Board, as determined by the Board and approved by the Governor in Council, whether it is in storage in elevators or is in railway cars or vessels or in other facilities in Canada for the storage or transportation of wheat or in bond in the United States of America, but does not include any wheat of the Board that is being carried at the expense of persons other than the Board.

Application of the *Canadian Wheat Board Act*.

(2) Definitions or rules of interpretation contained in the *Canadian Wheat Board Act* apply to this Act.

Payment for Carrying Costs of Temporary Wheat Reserves.

Payment by Minister of Finance of carrying costs for carry over in excess of 178 million bushels.

3. Where, after the 31st day of July, 1955, the stocks of wheat of the Board exceed one hundred and seventy-eight million bushels at the commencement of a crop year, the Minister of Finance shall, out of the Consolidated Revenue Fund, pay to the Board for each day in that crop year an amount equal to the portion of the said stocks that exceeds one hundred and seventy-eight million bushels at the commencement of that crop year, multiplied by the carrying charge rate paid by the Board at the end of the immediately preceding crop year.

Payment in monthly instalments.

4. The moneys payable to the Board by the Minister of Finance under this Act shall be paid as follows:

(a) in respect of the crop year commencing on the 1st day of August, 1955, one-half of the total amount payable for the crop year shall be paid on the first day of the month next following the month in which this Act comes into force and the balance shall be paid in equal monthly payments for the remainder of the crop year; and

(b) in respect of any subsequent crop year, the total amount payable for the crop year shall be paid in equal monthly payments within such crop year.

Use of moneys by the Board.

5. The Board shall, as the Governor in Council on the recommendation of the Board directs, use moneys payable to it under this Act in payment of expenses incurred in connection with the operations of the Board attributable to wheat, and the Board shall adjust its accounts accordingly.

Limitation.

Limitation.

6. If at the commencement of a crop year the stocks of wheat of the Board are not in excess of one hundred and seventy-eight million bushels, no payment shall be made by the Minister of Finance to the Board under this Act in respect of that or any subsequent crop year.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act to amend the Canadian Farm Loan Act.

First reading, February 9, 1956.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

67067

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 84.

An Act to amend the Canadian Farm Loan Act.

R.S. cc. 36, 309.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Repeal.

1. Paragraph *(h)* of section 2 of the *Canadian Farm Loan Act* is repealed.

Repeal.

2. The heading "Part I" immediately before section 3 of the said Act is repealed.

3. Subsection (5) of section 3 of the said Act is repealed and the following substituted therefor:

Board is agent of Her Majesty.

"(5) The Board is a body corporate and politic and is for all purposes an agent of Her Majesty in right of Canada, and its powers under this Act may be exercised only as an agent of Her Majesty."

Re-lettering R.S. c. 309, s. 2.

4. Paragraph *(a)* of section 4 of the said Act is repealed, and paragraph *(aa)* of that section is re-lettered as paragraph *(a)*.

R.S. c. 309, ss. 3, 4, 5.

5. (1) Sections 5, 6 and 6A of the said Act are repealed and the following substituted therefor:

Capital stock.

"**5.** (1) The authorized capital of the Board is three million dollars divided into thirty thousand shares of the par value of one hundred dollars each.

Subscription.

(2) The Minister shall subscribe for the shares of capital stock of the Board, and shall pay the amount of such subscription out of the Consolidated Revenue Fund.

Minister may make loans to Board.

6. (1) The Minister may from time to time, out of the Consolidated Revenue Fund, lend money to the Board on such terms and conditions as the Governor in Council approves.

Explanatory Notes.

1. Paragraph *(h)* of section 2 now reads as follows:

"*(h)* "Farm Loan bond" means a bond issued under the authority of this Act;"

It is not intended to issue any more Farm Loan bonds, and all reference to these bonds in the Act may, therefore, be deleted.

2. Part II is being repealed so that a reference to Part I can be eliminated.

3. The present subsection (5) of section 3 reads as follows:

"(5) The Board shall be a body corporate and politic and be and be deemed to be for all the purposes of this Act, except contractual dealings between the Government of Canada and the Board relating to the purchase by that Government of the capital stock or bonds of the Board or the repurchase by the Board of those bonds, the agent of Her Majesty in right of Canada and to take security, receive, lend, pay, agree, acquire, hold, convey, transfer and otherwise do as this Act directs or authorizes as such agent and not otherwise."

The amendment would delete the reference to Farm Loan bonds, and would also substitute the standard agency clause.

4. The present paragraph *(a)* of section 4 reads as follows:

"*(a)* issue and sell bonds to be known as Canadian Farm Loan bonds, buy the same on its own account and retire the same at or before maturity;"

5. Sections 5, 6 and 6A at present read as follows:

"**5.** (1) The Board shall pay interest to the Minister, at such rate and on such other terms as the Governor in Council from time to time determines, on the balance outstanding from time to time of the initial capital advanced to the Board by the Government of Canada, and the amount outstanding of the initial capital so advanced shall be repaid to the Minister, at such times as the Governor in Council directs, out of earnings of the Board, but no such repayment shall be made by the Board under this subsection unless, at the time the repayment is to be made, the amount in the reserve fund established under section 9 is not less than the aggregate of the amount to be repaid and the amount of all repayments previously made.

(2) The Board shall from time to time

(a) issue capital stock consisting of shares having a par value of one dollar each, and

(b) retire capital stock so issued,

in such amounts as are necessary to ensure that the par value of the stock outstanding at any time approximates five per cent of the principal amount of the loans outstanding at that time.

(3) The Minister shall subscribe to and pay for the capital stock issued pursuant to subsection (2), and when stock is retired pursuant to subsection (2) the Board shall pay to the Minister an amount equal to the par value of the stock so retired.

(4) Subsections (2) and (3) shall come into force upon a day to be fixed by proclamation of the Governor in Council, after the principal amount of loans outstanding reaches twenty times the par value of the capital stock outstanding on the 31st day of March, 1952.

"**6.** (1) The total principal amount outstanding of Farm Loan bonds and of loans made by the Minister pursuant to section 6A shall not at any time exceed twenty times the par value of the outstanding capital stock of the Board.

Maximum amount.

(2) The total principal amount outstanding of loans made by the Minister to the Board shall not at any time exceed twenty times the par value of the outstanding capital stock of the Board."

Surrender of existing stock.

(2) The shares of capital stock of the Board outstanding at the coming into force of this Act and held by the Minister shall be surrendered to the Board and cancelled, and the par value thereof shall be deducted from the amount payable by the Minister under subsection (2) of section 5 of the *Canadian Farm Loan Act* as enacted by this Act.

Repayment of initial advance.

(3) The Board shall repay to the Minister the outstanding amount of the initial capital advance made to the Board by the Government of Canada.

R.S., c. 309, s. 6.

6. (1) Paragraph *(a)* of section 7 of the said Act is repealed and the following substituted therefor:

"*(a)* loans shall be made

(i) on the security of first mortgages on farm lands, the principal amount of which shall not exceed sixty-five per cent of the actual value of such lands and the buildings thereon as appraised by the Board, but in making its appraisal the Board shall consider the value of the buildings only to the extent to which they add to the value of the land as farm land, and

(ii) if, in the opinion of the Board, additional security is required, on such additional security as the Board considers proper,

but the total amount outstanding of loans made under this Act to any one person, alone or jointly with others, shall not at any time exceed fifteen thousand dollars;"

(2) Paragraph *(f)* of section 7 of the said Act is repealed and the following substituted therefor:

"*(f)* every loan made under this section shall be repayable upon such terms and within such periods not in excess of twenty-five years as the Board may prescribe; but all loans repayable over a period in excess of five years shall be repayable in equal annual, semi-annual or monthly instalments of principal and interest;"

7. (1) Section 9 of the said Act is repealed and the following substituted therefor:

Reserve.

"**9.** (1) The Board shall establish a reserve out of which may be paid any losses sustained by the Board in the conduct of any of its operations under this Act.

(2) Such bonds shall be issued at such a rate of interest as in the opinion of the Board will make the market value of the bonds at the date of issue approximately par.

(3) The bonds shall be issued for such period, not exceeding thirty-five years, and in such denominations as the Board may determine.

(4) Provision may be made for the redemption of the bonds at the option of the Board before their due date, in which case the Board may provide for the payment of such premium as it may deem reasonable.

(5) Each Farm Loan bond shall be signed by the Commissioner or a member of the Board designated by the Board and by the secretary or treasurer of the Board and shall have printed thereon a certificate signed by the Commissioner or a member of the Board designated by the Board to the effect that the bond is issued under the authority of this Act and that at the time of issue the Board holds mortgages or charges on farm lands and personalty the principal amount of which then outstanding is not less than the total principal amount then outstanding of Farm Loan bonds and of loans made by the Minister pursuant to section 6A.

"6A. Subject to section 6, the Minister may from time to time out of the Consolidated Revenue Fund lend money to the Board on such terms and conditions as the Governor in Council approves."

The amendments would reorganize the capital structure of the Board. It is intended to cancel existing share stock and to issue new stock up to a par value of three million dollars.

6. (1) The present paragraph *(a)* of section 7 reads as follows:

"*(a)* loans shall be made

(i) on the security of first mortgages on farm lands, the principal amount of which shall not exceed *sixty* per cent of the actual value of such lands and the buildings thereon as appraised by the Board, but in making its appraisal the Board shall consider the value of the buildings only to the extent to which they add to the value of the land as farm land, and

(ii) if, in the opinion of the Board, additional and collateral security is required, on such additional and collateral security as the Board considers proper,

but the total amount outstanding of loans made under this Part to any one person, alone or jointly with others, shall not at any time exceed *ten* thousand dollars;"

The proposed amendment provides that loans may be made up to sixty-five per cent of the value of the lands, with a maximum loan of fifteen thousand dollars.

(2) The present paragraph *(f)* reads as follows:

"*(f)* every loan made under this section shall be repayable upon such terms and within such periods not in excess of twenty-five years as the Board may prescribe; but all loans repayable over a period in excess of five years shall be repayable in equal annual or semi-annual instalments of principal and interest;"

The amendment provides for monthly instalments as well as annual and semi-annual.

7. The present section 9 reads as follows:

"**9.** (1) The Board shall annually carry to a reserve fund twenty-five per cent of the net earnings of the Board until the said reserve shall equal twenty-five per cent of the paid capital stock of the Board, and thereafter there shall be carried to the reserve fund at least ten per cent of the net earnings.

Maintenance of reserve.

(2) The Board shall at the end of each fiscal year, if the amount standing to the credit of the reserve established under subsection (1) is less than the par value of the outstanding capital stock of the Board, credit to the reserve the net earnings of the Board in that fiscal year or so much thereof as is required to increase the amount of the reserve to such par value, and any net earnings of the Board remaining shall be paid to the Receiver General of Canada."

Existing reserves.

(2) As soon as conveniently may be after the coming into force of this Act there shall be credited to the reserve established under section 9 of the *Canadian Farm Loan Act*, as enacted by this Act, an amount equal to the par value of the outstanding capital stock of the Board, issued under the *Canadian Farm Loan Act* as amended by this Act, out of the aggregate of the money standing to the credit of the reserves of the Board existing at the coming into force of this Act, and an amount equal to the remainder of such reserves shall be paid to the Receiver General of Canada at the end of the fiscal year in which this Act came into force.

Repeal.

8. Sections 10, 11, 15 and 16 of the said Act are repealed.

(2) A dividend may be declared annually on the capital stock of the Board when in the judgment of the Board the net earnings of the Board warrant such payment; but no dividend greater than five per cent shall be declared until the reserve fund has reached the amount of twenty-five per cent of the paid capital stock.

(3) Whenever, whether as the result of proceedings taken to realize upon a mortgage or other security or as the result of compromise or agreement, the right or interest in the land or other property concerned that by law remained in the mortgagor or other person after the making or giving of the mortgage or other security becomes vested in the Board so that it holds, as against such mortgagor or other person, title, ownership and right to possession, or whenever, as the result of such proceedings, an amount is realized that is not sufficient to discharge in full the amount of the loan, interest, costs and charges, the capital stock of the Board subscribed for by the Government of Canada shall be cancelled to an amount equivalent to that so subscribed for with relation to loans of the like amount and the amount paid upon capital stock in respect of such loan shall be transferred to reserve account."

It is intended that henceforth there be only one reserve fund not exceeding an amount equal to the capital.

8. Sections 10, 11, 15 and 16 at present read as follows:

"**10.** (1) The Board may appoint, for any province or provinces in which it operates or is about to operate, such chief executive officer as, on the nomination of the Board and the recommendation of the Minister, the Governor in Council may approve.

(2) Such officer shall, in the province or provinces for which he is appointed have charge of the operations of the Board and exercise and perform such powers and duties as it may confer and impose upon him.

11. (1) There shall be a board to be known as the Canadian Farm Loan Advisory Board (herein referred to as the Advisory Board), consisting of not less than five and not more than ten members to be appointed by the Governor in Council.

(2) The Governor in Council may designate one of the members of the Advisory Board to be the Chairman and another of the members to be the Vice-Chairman.

(3) The members of the Advisory Board shall be paid out of the revenues of the Board such remuneration as the Governor in Council determines.

(4) The Advisory Board shall from time to time consider, discuss with the Board and make recommendations to the Board concerning the lending policies of the Board, the principles underlying the valuation of farm property and the conditions affecting or that may affect lending policy or outstanding or future loans.

(5) The Board shall determine the times and places at which the Advisory Board shall meet and the mode of calling meetings.

15. (1) Notwithstanding anything contained in the Acts mentioned in this section, any company as defined in the *Canadian and British Insurance Companies Act*, may invest its funds or any portion thereof, in the purchase of Farm Loan bonds, and any British company as defined in the *Canadian and British Insurance Companies Act* and any company, as defined in the *Foreign Insurance Companies Act*, may hold the said bonds as assets in Canada for the purposes of the said Acts.

(2) Notwithstanding anything contained in the *Loan Companies Act*, any loan company subject to the provisions of the said Act, or any of them, may invest its funds, or any portion thereof, in the purchase of Farm Loan bonds.

(3) Notwithstanding anything contained in the *Trust Companies Act*, any trust company subject to the provisions of the said Act, or any of them, may invest its funds or any portion thereof in the purchase of Farm Loan bonds.

16. (1) The Minister may purchase from time to time, on behalf of Her Majesty in right of Canada, from the Board, bonds issued by the Board, which bonds shall on the request of the Minister be repurchased by the Board at the price originally paid therefor when funds for that purpose become available through the public sale of Farm Loan bonds; but the amount of such bonds held at any one time by the Minister on behalf of Her Majesty in right of Canada shall not exceed fifty million dollars.

(2) The Governor in Council may authorize the guarantee of the principal and interest of Farm Loan bonds to the amount of forty million dollars.

(3) The guarantee or guarantees may be signed on behalf of Her Majesty by the Minister and such signature shall be conclusive evidence for all purposes of the validity of the guarantee and that the provisions of this Act have been complied with."

These provisions are no longer required.

R.S. c. 309, s. 9.

9. (1) Paragraph *(d)* of section 17 of the said Act is repealed and the following substituted therefor:

"*(d)* the form of mortgages and of applications for loans;"

Repeal.

(2) Paragraph *(i)* of section 17 of the said Act is repealed.

Repeal.

10. (1) Sections 18 to 22 of the said Act are repealed.

Savings.

(2) Notwithstanding subsection (1), any matter arising after the coming into force of this Act in respect of loans made under section 19 of the *Canadian Farm Loan Act* shall be governed and dealt with under the provisions of sections 19, 20 and 22 of that Act as though those sections had not been repealed.

Repayment of capital advanced under *Canadian Fisherman's Loan Act.*

11. (1) The Canadian Farm Loan Board shall repay to the Minister of Finance an amount equal to the capital provided by the Government of Canada to the Board under paragraph *(a)* of section 4 of the *Canadian Fisherman's Loan Act* and an amount equal to the par value of the capital stock issued under paragraph *(b)* of that section, less

(a) the operating deficit of the Board under that Act as of the commencement of this Act, and

(b) the value of mortgages and other property acquired under that Act, and held by the Board at the commencement of this Act,

and upon payment of such amounts the shares shall be deemed to be cancelled and all liability of the Board under that section to the Government of Canada shall be deemed to be discharged.

Proceeds of mortgages.

(2) The proceeds of mortgages and property referred to in paragraph *(b)* of subsection (1), less administrative costs, shall be paid to the Minister of Finance and shall form part of the Consolidated Revenue Fund.

9. Paragraphs *(d)* and *(i)* of section 17 read as follows:

"*(d)* the form of applications for loans, Farm Loan bonds and mortgages;
"*(i)* the duties and salaries of the chief executive officers appointed under section 10; and"

10. Section 18 is no longer required. Sections 19 to 22 provide for supplementary advances on the security of a second mortgage. By reason of the increase in the amount of loans under the proposed amendment to section 7, provision for supplementary loans will no longer be required.

11. Section 13 of the *Fisheries Improvement Loans Act* which was proclaimed in force on December 12, 1955, reads as follows:

"**13.** No loan shall be made to any person under the *Canadian Fisherman's Loan Act* on or after the day on which this Act comes into force."

The purpose of this section is to provide for repayment of the capital advanced by the Government to the Board under the *Canadian Fisherman's Loan Act* less the deficit of the Board on its operations under that Act and the amount of outstanding loans.

Subsection 2 provides for the payment to the Government of the proceeds of outstanding loans as received.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 107.

An Act to amend the Transport Act.

First reading, February 15th, 1956.

Mr. BARNETT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69725

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 107.

An Act to amend the Transport Act.

R.S., c. 271; 1955, c. 59.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (4) of section 12 of the *Transport Act* is repealed and the following substituted therefor:—

Not applicable to ships plying between certain ports.

"(4) The provisions of this Part do not apply in the case of ships engaged in the transport of goods or passengers between ports or places in Hudson Bay, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, and the Gulf and River St. Lawrence east of the western point of the Island of Orleans, or between any two or more places therein, nor does this Part apply between any of such ports or places and ports or places outside of Canada."

Explanatory Notes.

1. Subsection (4) of section 12 at present reads as follows:—

"(4) The provisions of this Part do not apply in the case of ships engaged in the transport of goods or passengers

(a) between ports or places in British Columbia, or

(b) between ports or places in Hudson Bay, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, and the Gulf and River St. Lawrence east of the western point of the Island of Orleans, or between any two or more places therein,

nor does this Part apply between any of such ports or places and ports or places outside of Canada."

The purpose of this bill is to provide that Part II of the *Transport Act*, relating to transport by water, shall apply in the case of ships engaged in the transport of goods or passengers between ports or places in British Columbia.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 108.

An Act respecting the Jurisdiction of the Exchequer Court of Canada.

First reading, February 15, 1956.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69721

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 108.

An Act respecting the Jurisdiction of the Exchequer Court of Canada.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as the *Exchequer Court Divorce Jurisdiction Act.*

Jurisdiction of Exchequer Court.

2. The Exchequer Court of Canada (hereinafter referred to as "the Court") shall have jurisdiction to entertain an action for dissolution of marriage from a person domiciled in the province of Quebec or Newfoundland and shall have power and authority to grant a divorce *a vinculo matrimoni* to such a person on the ground that the defendant has since the celebration of his or her marriage been guilty of adultery.

Conditions upon which decree be pronounced.

3. If the Court is satisfied by the evidence that the case of the plaintiff has been proved, and does not find that the plaintiff has been in any manner accessory to or has connived at the adultery of the defendant, or that the plaintiff has condoned the adultery complained of, or that the action was commenced and is proceeded with in collusion with the defendant or the co-respondent, then the Court may give judgment declaring such marriage to be dissolved:

Proviso.

Provided always that the Court shall not be bound to give such judgment if it finds that the plaintiff since his marriage to the defendant has been guilty of adultery, or if the plaintiff has, in the opinion of the Court, been guilty of unreasonable delay in commencing or proceeding with the action or has been guilty of mental or physical cruelty to the defendant, or has, without just cause, deserted the defendant or separated *a mensa et thoro* from the defendant, before the adultery complained of or has otherwise conducted to the commission of adultery by the defendant.

Explanatory Notes.

There are at present courts for divorce and matrimonial causes in all the provinces except Quebec and Newfoundland. In these provinces, a plaintiff can obtain dissolution of marriage only by a private Act of the Federal Parliament. As the number of divorce cases has considerably increased in the last ten years, this procedure for that and various other reasons is becoming more and more objectionable. The purpose of this Bill is therefore to provide that the Exchequer Court of Canada will in future have jurisdiction in divorce in the case of actions originating from Quebec and Newfoundland. The jurisdiction as to alimony, care of the children and other matrimonial causes will remain in the provincial courts of those two provinces.

This Bill does not change the grounds for divorce. It does not establish divorce courts in Quebec or Newfoundland. It does not make available to persons residing in Quebec or Newfoundland anything not now available to them. It merely transfers the hearing of divorce petitions, in the case of persons residing in these two provinces, from Parliament to the Exchequer Court of Canada.

The Bill provides further that the said Court shall hear such divorce cases only at Ottawa.

Jurisdiction to be exercised at Ottawa.

4. The jurisdiction conferred upon the Exchequer Court of Canada by this Act shall be exercised only at the city of Ottawa.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act to amend the Canada Elections Act.

First reading, February 17, 1956.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69613

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act to amend the Canada Elections Act.

R.S., cc. 23, 306, 334, ss. 8, 9; 1952-53, c. 24, s. 7; 1955, c. 44.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Repeal.

1. (1) Subsections (4) and (12) of section 2 of the *Canada Elections Act*, are repealed.

(2) Subsection (27) of section 2 of the said Act is repealed and the following substituted therefor:

"Polling day", "day of polling" or "ordinary polling day".

"(27) "polling day", "day of polling" or "ordinary polling day" means the day provided by section 21 for holding the poll at an election;"

Rules amended.

2. *Rules (40) and (41)* of Schedule A to section 17 of the said Act are repealed and the following substituted therefor:

"*Rule (40).* The revising officer shall, immediately after the conclusion of his sittings for revision, prepare from his record sheets, for each polling division comprised in his revisal district, five copies of the statement of changes and additions for each candidate officially nominated at the pending election in the electoral district and three copies for the returning officer, and shall complete the certificate printed at the foot of each copy thereof; if no changes or additions have been made in the preliminary list for any polling division, the revising officer shall nevertheless prepare the necessary number of copies of the statement of changes and additions by writing the word "Nil" in the three spaces provided for the various entries on the prescribed form and by completing the said form in every other respect.

Explanatory Notes.

The privilege of voting at an advance poll is now restricted to a limited number of voters, namely commercial travellers, fishermen, persons employed upon railways, vessels, airships, etc., members of the reserve forces, the R.C.M.P. etc.

The purpose of the suggested amendments to the *Canada Elections Act* is to extend this privilege to all electors who believe that they will for any reason be absent from their polling divisions on the ordinary polling day.

1. Subsections (4) and (12) of section 2 at present read as follows:

"(4) 'commercial traveller' means a person employed on salary or on commission by a manufacturer or wholesale merchant to travel from place to place selling goods to or taking orders for goods from, jobbers and retailers;"

"(12) 'fishermen' means all persons who are engaged or employed on inland, coastal, or deep-sea waters, on salary or wages, or on shares in association with others, or on their own behalf, in the process of fishing as an industry, including sealing and whaling;"

Subsection (27) at present reads as follows:

"(27) 'polling day' or 'day of polling' means the day fixed as provided by section 21 for holding the poll at an election;"

These are consequential amendments.

2. *Rules (40)* and *(41)* of Schedule A to section 17 at present read as follows:

"*Rule (40).* The revising officer shall, immediately after the conclusion of his sittings for revision, prepare from his record sheets, for each polling division comprised in his revisal district, five copies of the statement of changes and additions for each candidate officially nominated at the pending election in the electoral district and *two* copies for the returning officer, and shall complete the certificate printed at the foot of each copy thereof; if no changes or additions have been made in the preliminary list for any polling division, the revising officer shall nevertheless prepare the necessary number of copies of the statement of changes and additions by writing the word "Nil" in the three spaces provided for the various entries on the prescribed form, and by completing the said form in every other respect.

Rule (41). Upon the completion of the foregoing requirements, and not later than Wednesday, the twelfth day before polling day, the revising officer shall deliver or transmit to each candidate officially nominated at the pending election in the electoral district the five copies, and to the returning officer the three copies, of the statement of changes and additions for each polling division comprised in his revisal district, certified by the revising officer pursuant to Rule (40); in addition he shall deliver or transmit to the returning officer the record sheets, duly completed, the duplicate notices to persons objected to, with attached affidavits, in Forms Nos. 15 and 16, respectively, every used application made by agents in Forms Nos. 17 and 18, respectively, and all other documents in his possession relating to the revision of the lists of electors for the various polling divisions comprised in his revisal district."

3. Subsection (3) of section 21 of the said Act is repealed and the following substituted therefor:

Nomination day.

"(3) The day for the close of nominations (in this Act referred to as nomination day) in the electoral districts specified in Schedule Four shall be Monday, the twenty-eighth day before polling day, and in all other electoral districts shall be Monday, the twenty-first day before polling day."

4. Sections 94 to 98 of the said Act are repealed and the following substituted therefor:

Establishment of advance polls.

"**94.** (1) Every returning officer shall, when so instructed by the Chief Electoral Officer, establish one or more advance polling districts in his electoral district, and each advance polling district shall consist of such number of polling divisions as may be approved by the Chief Electoral Officer in each case.

Establishment of advance polling stations.

(2) One advance polling station shall be established in each advance polling district.

Advance polls conducted as ordinary polls.

(3) Except as provided in this section and in sections 96 to 98, advance polls shall be held, conducted and officered in the same manner as ordinary polling stations, and shall be regarded as such for all purposes of this Act.

When advance polls to be open.

(4) Advance polls shall be open between the hours of two and ten o'clock in the afternoons and evenings of Friday and Saturday, the tenth and ninth days preceding ordinary polling day, and shall not be open at any other time.

"*Rule (41).* Upon the completion of the foregoing requirements, and not later than *Thursday*, the *eleventh* day before polling day, the revising officer shall deliver or transmit to each candidate officially nominated at the pending election in the electoral district the five copies, and to the returning officer the *two* copies, of the statement of changes and additions for each polling division comprised in his revisal district, certified by the revising officer pursuant to Rule (40); in addition he shall deliver or transmit to the returning officer the record sheets, duly completed, the duplicate notices to persons objected to, with attached affidavits in Forms Nos. 15 and 16, respectively, every used application made by agents in Forms Nos. 17 and 18, respectively, and all other documents in his possession relating to the revision of the lists of electors for the various polling divisions comprised in his revisal district."

3. The words "twenty-first", underlined on the opposite page, are substituted for the word "fourteenth".

4. Sections 94 to 98 at present read as follows:—

"*Advance Polls.*

"**94.** (1) Subject as hereinafter provided, one or more advance polls shall be established in each of the places mentioned in Schedule Two for the purpose of taking the votes of such persons as are described in section 95 and whose names appear on the list of electors for any polling division of the electoral district in which such places are situated.

(2) Every such polling station shall be located so as to suit the convenience of that class of electors which, in the judgment of the returning officer, is most likely to resort in any considerable number thereto.

(3) The Chief Electoral Officer may from time to time amend Schedule Two by striking therefrom the name of any place or by adding thereto the name of any other place, and, so amended, such Schedule has effect as if incorporated into this Act; but he shall amend under the following circumstances only:

(a) if a total of less than fifteen votes is cast at the advance poll held at such place, he shall after the election strike off the name of that place; or

(b) if he is advised and believes that a total of fifteen votes will be cast in case an advance poll is established in any incorporated village, town or city having a population of five hundred or more as determined by the last census taken pursuant to sections 16 and 17 of the *Statistics Act*, he may add the name of such place.

(4) The Chief Electoral Officer shall give notice, under his hand, published in the *Canada Gazette*, of all amendments made to such Schedule, and he shall, at every election, furnish to every returning officer a copy of such Schedule as it then stands amended.

Notice in Form No. 65.

(5) The returning officer shall, after nomination day and not later than Wednesday, the nineteenth day before the ordinary polling day,

(a) give a public notice in the electoral district of the advance poll, in Form No. 65, setting out

(i) the numbers of the polling divisions comprised in every advance polling district established by him,

(ii) the location of each advance polling station,

(iii) the place where the deputy returning officer of each advance polling station shall count the number of votes cast thereat, and

(iv) that the counting referred to in subparagraph (iii) shall take place at nine o'clock in the evening of the ordinary polling day;

(b) mail one copy of such notice to the various postmasters of the post offices situated within his electoral district, five copies to each candidate officially nominated at the election and two copies to the Chief Electoral Officer; and

(c) notify each postmaster in writing of the provisions of subsection (6) when he sends the notice.

To be posted up.

(6) Upon receiving a notice described in subsection (5), a postmaster shall post it up in some conspicuous place in his post office to which the public has access and keep it so posted until the time fixed for the closing of the polls on the ordinary polling day has passed, and failure to do so is ground for his dismissal from office, and for the purpose of this provision the postmaster shall be deemed to be an election officer and liable as such.

Postmaster election officer.

Who may vote at advance polls.

"**95.** Any elector whose name appears on the list of electors prepared for a polling division comprised in an advance polling district who believes that he will for any reason be absent from and unable to vote in such polling division on the ordinary polling day at a pending election may vote at the advance polling station established in such district if, before casting his vote, he takes and subscribes to an affidavit for voting at an advance poll, in Form No. 66, before the deputy returning officer of such district.

Duties of deputy returning officer respecting affidavits for voting at an advance poll.

"**96.** (1) Upon being satisfied that a person who applies to vote at an advance polling station is a person whose name appears on the list of electors prepared for a polling division comprised in the advance polling district and who believes that he will, for any reason, be absent from and unable to vote in such polling division on the ordinary polling day, the deputy returning officer shall

(a) fill in the affidavit for voting at an advance poll, in Form No. 66, to be taken and subscribed to by the person so applying,

(5) In case the date of the writ for an election falls within sixty days after notice so given of any such amendment that amendment shall not be in force nor have any effect at such election.

(6) Except as provided in this section and in sections 96 and 97, all advance polls shall be held, conducted and officered in the same manner as and for all purposes of this Act be regarded as ordinary polling stations.

(7) Advance polls shall be open and shall only be open between the hours of two and ten o'clock in the afternoons and evenings of the Thursday, Friday and Saturday immediately preceding polling day..

(8) The returning officer shall, not later than twelve days before polling day, give public notice in the electoral district of the advance poll and of the location of each advance polling station and such notice shall be in Form No. 65; the returning officer shall mail one copy of such notice to the various postmasters of the post offices situated within his electoral district, five copies to each candidate officially nominated at the election and two copies to the Chief Electoral Officer; the returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (9).

(9) Every postmaster shall, forthwith after receipt of a copy of the Notice of Holding of Advance Poll in Form No. 65, post it up in some conspicuous place in his post office to which the public has access and maintain it so posted up until the time fixed for the closing of the advance polls on the Saturday immediately preceding the ordinary polling day, and failure to do so is ground for his dismissal from office, and for the purpose of this provision such postmaster shall be deemed to be an election officer and liable as such.

"**95.** The privilege of voting at an advance poll shall extend and shall extend only

(a) to such persons as are employed as commercial travellers as defined in subsection (4) of section 2, to such persons as are employed as fishermen as defined in subsection (12) of the said section, and to such persons as are employed upon railways, vessels, airships, or other means or modes of transportation (whether or not employed thereon by the owners or managers thereof), and to any of such persons only if, because of the nature of his said employment, and in the course thereof, he is necessarily absent from time to time from the place of his ordinary residence, and if he has reason to believe that he will be so absent on polling day at the pending election from, and that he is likely to be unable to vote on that day in, the polling division on the list for which his name appears; and

(b) to such persons as are members of the reserve forces of the Canadian Forces or to such persons as are members of the Royal Canadian Mounted Police Force, and to any of such persons only if, on account of the performance of duties or training in such forces, he has reason to believe that he will be necessarily absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on that day in, the polling division on the list of electors for which his name appears.

"**96.** (1) No person otherwise entitled to vote at an advance poll shall be permitted to do so unless

(a) he produces to the deputy returning officer at the advance polling station an advance poll certificate, in Form No. 66, that he is the person to whom the privilege of voting at an advance poll extends, which certificate shall be signed by

(i) the returning officer,

(ii) the election clerk in the name of the returning officer and on his behalf, or

(iii) a person specially deputized by the returning officer, with the prior consent of the Chief Electoral Officer, to issue advance poll certificates, whose name and authority have been communicated by the returning officer to the deputy returning officer of such advance poll, and to each candidate officially nominated at the pending election; and

(*b*) allow such person to take and subscribe to such affidavit before him,

(*c*) complete the attestation clause on such affidavit,

(*d*) consecutively number each such affidavit in the order in which it was taken and subscribed to, and

(*e*) direct the poll clerk to keep a record, called the "Record of Completed Affidavits for Voting at an Advance Poll" on the form prescribed by the Chief Electoral Officer, of every such affidavit in the order in which it was taken and subscribed to.

Person who takes affidavit allowed to vote.

(2) After a person who applies to vote at an advance polling station has taken and subscribed to the affidavit referred to in subsection (1), he shall be allowed to vote, unless an election officer or any agent of a candidate present at the advance poll desires that he take an oath, in Form No. 41, or, in the case of urban polling divisions, that he take and subscribe to an affidavit, in Form No. 42, and he refuses.

Exception.

No poll book kept, but notations to be made on affidavit.

(3) There shall be no poll book supplied to or kept at an advance poll, but the poll clerk thereat shall under the direction of the deputy returning officer preserve each completed affidavit for voting at an advance poll, in Form No. 66, and mark thereon such notations as he would be required by this Act to mark opposite the elector's name in the poll book at an ordinary polling station.

Record of Completed Affidavits for Voting at an Advance poll.

(4) The poll clerk shall, immediately after an affidavit for voting at an advance poll, in Form No. 66, has been completed, enter in the Record of Completed Affidavits for Voting at an Advance Poll the name, occupation and address of the elector who completed the affidavit and the number of the polling division appearing in the affidavit.

Elector voting at advance poll not to vote on ordinary polling day.

(5) No elector who has taken and subscribed to an affidavit for voting at an advance poll, in Form No. 66, is entitled to vote on the ordinary polling day.

Examining and sealing of ballot box.

"**97.** (1) At the opening of an advance poll at two o'clock in the afternoon of the first day of voting, the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present,

(*a*) open the ballot box and ascertain that there are no ballot papers or other papers or material contained therein,

(*b*) lock and seal the ballot box with a special metal seal prescribed by the Chief Electoral Officer, and

(*c*) place the ballot box on a table in full view of all present and keep it so placed until the close of the advance poll on such day of voting.

(b) he signs in the presence of the deputy returning officer the statement of identification and declaration printed at the foot or end of Form No. 66.

(2) Such advance poll certificates shall be issued only on the personal application of the elector concerned and after the officer applied to has been satisfied that the applicant is a person to whom the privilege of voting at an advance poll extends.

(3) The returning officer or the election clerk, or any other person specially deputized by the returning officer, by whom any advance poll certificate is issued shall

(a) fill in and sign such certificate and mention thereon the date of its issue,
(b) see that such certificate has been duly signed by the applicant,
(c) consecutively number every such certificate in the order of its issue,
(d) keep a record of every such certificate in the order of its issue, on the form prescribed by the Chief Electoral Officer,
(e) not issue any such certificate in blank, and
(f) before the hour of the opening of the ordinary polls on polling day, send a copy of the advance poll certificate issued to the deputy returning officer for the polling station at which the person to whom such certificate has issued would in the ordinary course be entitled to vote.

(4) No person who has obtained an advance poll certificate is entitled to vote on the ordinary polling day except upon his producing such certificate and delivering the same up to the deputy returning officer at the ordinary polling station established for the polling division on the list for which his name appears.

(5) There shall be no list of electors nor poll book supplied to or kept at an advance poll, but the poll clerk thereat shall assist the deputy returning officer as required, preserving each certificate deposited and marking thereon such notations as, if there were a poll book, he would be required by this Act to mark opposite the elector's name in the poll book.

(6) An elector who is by this section authorized to vote at an advance poll may vote at any advance poll within the electoral district in which he is qualified to vote; no deputy returning officer shall permit any person to vote at an advance poll upon any certificate in Form No. 66 issued by the returning officer or any other officer of another electoral district.

"**97.** (1) At the opening of the advance poll, at two o'clock in the afternoon of the first day of voting, the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present, open the ballot box and ascertain that there are no ballot papers or other papers or material enclosed therein, after which the ballot box shall be locked and sealed with one of the special metal seals prescribed by the Chief Electoral Officer for the use of deputy returning officers; the ballot box shall then be placed on a table in full view of all present and shall be maintained so placed until the close of the advance poll on such day of voting.

Re-opening of advance poll.

(2) At the re-opening of the advance poll at two o'clock in the afternoon of the second day of voting, the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present,

(a) unseal and open the ballot box, leaving the special envelope or envelopes containing the ballot papers spoiled or cast on the first day of voting unopened in the ballot box,

(b) take out and open the special envelope containing the unused ballot papers and the completed affidavits for voting at an advance poll, in Form No. 66, and

(c) lock and seal the ballot box and place it upon the table, as prescribed in subsection (1).

Proceedings at close of advance poll each day of voting.

(3) At the close of the advance poll at ten o'clock in the evening of each of the two days of voting, the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present,

(a) unseal and open the ballot box;

(b) empty the ballot papers cast during the same day of voting, in such manner as not to disclose for whom any elector has voted, into a special envelope supplied for that purpose, seal such envelope with a gummed paper seal prescribed by the Chief Electoral Officer and indicate on such envelope the number of such ballot papers;

(c) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose, seal such envelope and indicate on such envelope the number of such spoiled ballot papers; and

(d) count the unused ballot papers and the completed affidavits for voting at an advance poll, in Form No. 66, and place them in the special envelope supplied for that purpose, seal such envelope with a gummed paper seal prescribed by the Chief Electoral Officer and indicate on such envelope the number of such unused ballot papers and completed affidavits;

Affixing of signatures and special metal seals.

the deputy returning officer and the poll clerk shall, and such of the candidates or their agents or the electors representing candidates as are present may, affix their signatures on the gummed paper seals affixed to the above mentioned special envelopes before such envelopes are placed in the ballot box; the deputy returning officer shall then lock and seal the ballot box, as prescribed in subsection (1).

(2) At the re-opening of the advance poll, at two o'clock in the afternoon of the second and third days of voting, the ballot box shall be unsealed and opened by the deputy returning officer in full view of such of the candidates or their agents or the electors representing candidates as are present, and the special envelope containing the unused ballot papers shall be taken out and opened; the special envelope or envelopes containing the ballot papers cast on the preceding day or days of voting shall, unopened, remain in the ballot box; the ballot box shall then be locked and sealed, and placed upon the table, as prescribed in subsection (1).

(3) At the close of the advance poll, at ten o'clock in the evening of each of the three days of voting, the deputy returning officer shall in full view of such of the candidates or their agents or the electors representing candidates as are present,

(a) unseal and open the ballot box;

(b) empty the ballot papers cast during the same day of voting (in such manner as not to disclose for whom any elector has voted) into a special envelope supplied for the purpose;

(c) seal such envelope with a gummed paper seal prescribed by the Chief Electoral Officer;

(d) count the unused ballot papers and the used advance poll certificates which up to that time have been presented;

(e) place the unused ballot papers and used advance poll certificates in another special envelope supplied for the purpose;

(f) endorse on such envelope the number of such unused ballot papers and used advance poll certificates; and

(g) seal the said envelope with a gummed paper seal prescribed by the Chief Electoral Officer;

the deputy returning officer and such of the candidates or their agents or the electors representing candidates as are present, shall affix their signatures on the gummed paper seals affixed to both of the above mentioned special envelopes, before such envelopes are placed in the ballot box; the ballot box shall then be locked and sealed as prescribed in subsection (1).

Custody of ballot box.

(4) In the intervals between voting hours at the advance poll and until nine o'clock in the evening of the ordinary polling day, the deputy returning officer shall keep the ballot box in his custody, locked and sealed in the manner prescribed in subsection (1), and such of the candidates or their agents or the electors representing candidates as are present at the close of the advance poll on each of the two days of voting, may, if they so desire, take note of the serial number embossed on the special metal seal used for locking and sealing the ballot box, and may again take note of such serial number at the re-opening of the advance poll on the second day of voting and at the counting of the votes in the evening of the ordinary polling day.

Collecting of Record of Completed Affidavits for Voting at an Advance Poll.

(5) As soon as possible after the close of advance polls at ten o'clock in the evening of Saturday, the ninth day before the ordinary polling day, the returning officer shall have collected the Record of Completed Affidavits for Voting at an Advance Poll in the most expeditious manner available from the deputy returning officer of every advance polling district established in his electoral district.

Count of votes on the ordinary polling day.

(6) The deputy returning officer shall, at nine o'clock in the evening of the ordinary polling day, attend with his poll clerk at the place mentioned in the Notice of Holding of Advance Poll, in Form No. 65, and there, in the presence of such of the candidates and their agents as may attend, open the ballot box and the sealed envelopes containing ballot papers, count the votes and take all other proceedings provided by this Act for deputy returning officers and poll clerks in connection with the conduct of an election after the close of the ordinary poll, except that such statements and other documents as other provisions of this Act may require to be made and to be written in or attached to the poll book shall be made in a special book of statements and oaths relating to advance polls prescribed by the Chief Electoral Officer.

Provisions applicable to advance polls.

(7) Subject to sections 94 to 98, the provisions of this Act relating to ordinary polls shall in so far as applicable apply to advance polls.

Striking from lists of electors names of persons who have voted at advance polls.

98. (1) As soon as the returning officer has collected the Records of Completed Affidavits for Voting at an Advance Poll pursuant to subsection (5) of section 97, and before the lists of electors are placed in the ballot boxes to be distributed to ordinary polling stations, he shall strike off such lists the names of all electors appearing in such records.

(4) In the intervals between voting hours at the advance poll and until six o'clock in the afternoon of the ordinary polling day, the ballot box shall remain in the custody of the deputy returning officer; the ballot box shall be kept locked and sealed in the manner prescribed in subsection (1), and such of the candidates or their agents or the electors representing candidates as are present at the close of the advance poll on each of the three days of voting, may, if they so desire, take note of the serial number embossed on the special metal seal used for locking and sealing the ballot box, as herein prescribed, and may again take note of such serial number at the re-opening of the advance poll on the second and third days of voting and at the counting of the votes on the ordinary polling day.

5) The deputy returning officer shall, at six o'clock in the afternoon of polling day, attend with his poll clerk at the polling station where the advance poll was held, and there, in the presence of such of the candidates and their agents as may attend, open the ballot box and the sealed envelopes containing ballots, count the votes and take all other proceedings provided by this Act for deputy returning officers and poll clerks in connection with the conduct of an election after the close of the poll, except that such statements and other documents as other provisions of this Act may require to be made and to be written in or attached to the poll book shall be made as so required and be annexed to the certificates in Form No. 66 in this section referred to.

(6) Subject to the provisions of sections 94 to 97, the provisions of this Act lating to ordinary polls shall in so far as applicable apply to advance polls.

"**98.** Any person who, corruptly,

(a) for the purpose of obtaining from any officer who is by this Act authorized to grant it, a certificate in Form No. 66, makes to such officer any false statement;

(b) forges or fabricates any such certificate, or any name thereon, or not being the person named therein, presents any such certificate to any deputy returning officer or poll clerk at any polling station;

(c) makes before any deputy returning officer a false declaration as to the cause or necessity of his voting at an advance poll;

(d) after having obtained from an officer by this Act authorized to grant it, a certificate in Form No. 66 votes or attempts to vote at any other than an advance poll, except upon presentation on polling day of such certificate as provided by this Act; or

(e) in any other manner contravenes any provision of sections 94 to 97,

is guilty of an offence against this Act punishable on summary conviction as provided in this Act."

Where lists of electors have been distributed to ordinary polling stations.

(2) If the ballot boxes have been distributed to the ordinary polling stations, the returning officer shall notify each deputy returning officer concerned by the best means available of the names of the electors appearing in the Record of Completed Affidavits for Voting at an Advance Poll that are on the list of electors for his polling station and shall instruct him to strike those names off such list, and each deputy returning officer so instructed shall forthwith comply with those instructions.

Name inadvertently struck off.

(3) If, in complying with subsections (1) and (2), the name of an elector is inadvertently struck off a list of electors, the elector concerned shall be allowed to vote on the ordinary polling day upon taking the oath, in Form No. 41, after the deputy returning officer or the poll clerk has communicated with the returning officer to ascertain if such a mistake has really been made.

Returning officer to transmit copy of Record of Completed Affidavits for Voting at an Advance Poll to candidates.

(4) The returning officer shall, not later than Wednesday, the fifth day before the ordinary polling day, transmit a copy of each Record of Completed Affidavits for Voting at an Advance Poll collected by him pursuant to subsection (5) of section 97 to each candidate officially nominated in his electoral district.

Offences and penalties respecting advance polls.

"**98A.** Every person who, corruptly,

(a) makes before a deputy returning officer a false declaration in the affidavit for voting at an advance poll, in Form No. 66, as to the cause or necessity of his voting at an advance poll;

(b) after having taken and subscribed to an affidavit for voting at an advance poll, in Form No. 66, votes or attempts to vote at an advance poll other than the one where such affidavit was taken and subscribed to or at a poll on the ordinary polling day; or

(c) in any other manner contravenes any provision of sections 94 to 97;

is guilty of an offence against this Act punishable on summary conviction as provided in this Act."

5. Subsection (1) of section 101 of the said Act is repealed and the following substituted therefor:

Political broadcasts forbidden.

"**101.** (1) No person shall be allowed to broadcast a speech or any entertainment or advertising program over the radio on the ordinary polling day and on the two days immediately preceding it in favour or on behalf of any political party or any candidate at an election."

6. Forms Nos. 65 and 66 of the said Act are repealed and the following substituted therefor:

5. The word "ordinary" has been inserted in section 101. This is a consequential amendment.

6. The changes in Forms Nos. 65 and 66 are consequential.

"FORM No. 65.

NOTICE OF HOLDING OF ADVANCE POLL (Sec. 94(5).)

Electoral District of.....

Take notice that, pursuant to the provisions of sections 94 to 97, inclusive, of the Canada Elections Act, an advance poll will be opened in the undermentioned advance polling district(s).

FOR ADVANCE POLLING DISTRICT No. 1, comprising polling divisions Nos. ..... of the above mentioned electoral district, the advance polling station will be located at (Specify in capital letters the exact location of the advance polling station), and the votes cast thereat will be counted on Monday, the ordinary polling day, at nine o'clock in the evening, at (Specify in capital letters the exact location where the count will be held).

(Proceed as above in respect of any other advance polling district.)

And further take notice that the said advance polling station(s) will be open between the hours of two and ten o'clock in the afternoons and evenings of Friday and Saturday, the tenth and ninth days before the day fixed as the ordinary polling day at the pending election in the above mentioned electoral district.

And further take notice that any elector whose name appears on the list of electors prepared for a polling division comprised in such advance polling district who has reason to believe that he will be absent on the ordinary polling day at the pending election from, and that he is likely to be unable to vote on that day in, such polling division may vote in advance of the ordinary polling day at the advance polling station established in the advance polling district comprising the polling division on the list of electors for which his name appears, if before casting his vote, he takes and subscribes to an affidavit for voting at an advance poll, in Form No. 66, of the Canada Elections Act, before the deputy returning officer of the said advance polling district.

And further take notice that the office of the undersigned which has been established for the conduct of the pending election is located at ..... in the Town / City / Village of.....

Dated at .....this....day of.....19....

(Print name of returning officer)
Returning Officer."

"FORM No. 66.

AFFIDAVIT FOR VOTING AT AN ADVANCE POLL.
(Sec. 95.)

Consecutive number of affidavit.....

Electoral District of.....

Advance Polling District No. .....

I, the undersigned, ..., whose occupation is ..... and whose address is ..... do swear (or solemnly affirm):

1. That my name appears on the list of electors prepared for polling division No. ..... comprised in the above mentioned advance polling district.

2. That I have reason to believe that I will be absent on the ordinary polling day at the pending election from, and that I will be unable to vote on that day in, the above mentioned polling division.

SWORN (or affirmed)
before me
at.....,

this ..... day of....., ...
19.... (Signature of deponent)

.....
Deputy returning officer."

PARTICULARS TO BE RECORDED BY POLL CLERK IN THE ADVANCE POLLING STATION

Consecutive number of elector on list of electors.	FORM NUMBER OF ORAL OATH OR AFFIDAVIT, IF ANY, THE ELECTOR IS REQUIRED TO SWEAR.	RECORD THAT OATH SWORN OR REFUSED (If sworn, insert "Sworn" or "Affirmed"; if refused, insert "Refused to be Sworn" or "Refused to Affirm" or "Refused to Answer").	RECORD THAT ELECTOR HAS VOTED When ballot paper put into ballot box, insert "Voted".	REMARKS

Repeal.

7. Schedule Two to the said Act is repealed.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 149.

An Act to amend the Financial Administration Act.

First reading, February 22, 1956.

MR. POULIN.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

70169

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 149.

An Act to amend the Financial Administration Act.

R.S., c. 116; 1955, c. 3.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The *Financial Administration Act* is amended by inserting therein, immediately after section 33, the following section:

Negotiable instruments to be printed in English and French.

"**33A.** The form and material of every negotiable instrument issued under section 33 and of every negotiable instrument issued by or for any department or by or for any Crown corporation as defined in paragraph *(c)* of subsection (1) of section 76 shall be subject to approval by the Minister, but each such negotiable instrument shall be printed in both the English and the French languages."

Explanatory Notes.

The purpose of this Bill is to provide that every cheque, draft, traveller's cheque, bill of exchange, postal note, money order, postal remittance and any other similar remittance of any department as defined in paragraph *(f)* of section 2 of the *Financial Administration Act* or of any Crown corporation enumerated in schedules B, C and D of the same Act shall be printed in both the English and the French languages.

This is in accordance with the principle established in the *Bank of Canada Act* where it is enacted (subsection (4) of section 21) that the notes payable to bearer on demand and intended for circulation in Canada issued by the Bank shall be printed in both the official languages.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 150.

An Act to amend the National Parks Act.

First reading, February 27, 1956.

Mr. JOHNSTON.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 150.

An Act to amend the National Parks Act.

R.S., c. 189; 1953-54, c. 6; 1955, c. 37.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. (1) Subsection (1) of section 8 of the *National Parks Act* is repealed and the following substituted therefor:

Penalties.

"**8.** (1) Any person violating any provision of this Act or any regulation, in addition to any civil liability thereby incurred, is liable on summary conviction to a penalty of not more than fifty dollars, and in default of payment of such penalty and of the costs of prosecution, such person may be imprisoned for any term not exceeding one month."

(2) Paragraph *(b)* of subsection (2) of the said section is repealed and the following substituted therefor:

Arrest, search and seizure.

"*(b)* with warrant or other legal process enter and search any building, premises structure or residence and without warrant or other legal process at any time enter and search any camp, vessel, boat, vehicle, conveyance, or other place, and open and examine any trunk, box, barrel, parcel, or other package or receptacle, whether within or without the boundaries of any Park, where he has reason to believe there is any fish, mammal or bird or any parts thereof, or any firearms, traps or other devices for capturing or destroying fish, birds, or mammals in respect of which a breach of this Act or of the regulations may have been committed;

Explanatory Notes.

1. The purpose of this bill is to make a change in subsections (1) and (2) of section 8 of the *National Parks Act* in order that the rights of citizens may be better protected and also that the penalties and procedure may be brought more in line with present day practices.

(1) The word "fifty" (underlined on the opposite page) is substituted for the words "five hundred" and the words "one month" substituted for "six months". The words "with or without hard labour" are deleted after the word "imprisoned" towards the end of subsection (1).

(2) The words "with warrant or other legal process" are inserted in this paragraph so as to provide that constables may not enter and search buildings, premises or structures without warrant or other legal process.

Section 8 of the Act at present reads as follows:—

"8. (1) Any person violating any provision of this Act or any regulation, in addition to any civil liability thereby incurred, is liable on summary conviction to a penalty of not more than *five hundred* dollars, and in default of *immediate* payment of such penalty and of the costs of prosecution, such person may be imprisoned *with or without hard labour* for any term not exceeding *six months*.

(2) Any constable or any person having the powers of a constable under the provisions of this Act or the regulations may,

(a) on view, arrest any person found committing an offence against this Act or the regulations or found committing within a Park any unlawful act;

(b) without warrant or other legal process at any time enter and search any *building, premises, structure,* camp, vessel, boat, vehicle, conveyance, or other place, and open and examine any trunk, box, barrel, parcel, or other package or receptacle, whether within or without the boundaries of any Park, where he has reason to believe there is any fish, mammal or bird or any parts thereof, or any firearms, traps or other devices for capturing or destroying fish, birds, or mammals in respect of which a breach of this Act or of the regulations may have been committed;

(c) on view, seize, whether within or without the boundaries of any Park, any timber, hay, mineral, fish, mammal or bird, or any part thereof, arms, ammunition, explosives, traps, nets, rods, vessels, boats, vehicles, equipment, outfit, appliance, or any other article whatsoever that he has reason to believe are or have been possessed or used in connection with the commission of a violation of any of the provisions of this Act and the regulations.

(3) Where any chattel is seized under the provisions of this Act, the same shall, without undue delay, be taken before a magistrate or two justices of the peace who, upon satisfactory proof that such chattel was in possession or used contrary to the provisions of this Act or was used in connection with the commission of any offence under this Act and the regulations, may order same to be forfeited to Her Majesty; or, in the case of timber, trees, hay or minerals, to be held for such time as may be deemed proper, pending payment of any penalty in lieu of forfeiture."

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 159.

An Act to amend the Civil Service Act.

First reading, March 1, 1956.

MR. GIRARD.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

70165

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 159.

An Act to amend the Civil Service Act.

R.S., c. 48; 1955, c. 35, s. 3.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 28 of the *Civil Service Act* is repealed and the following substituted therefor:

List of competitors eligible for appointment.

"**28.** (1) Immediately after each examination, the Commission shall prepare a list of the competitors eligible for appointment as a result of that examination and shall cause the list to be published in the *Canada Gazette*.

Order of merit.

(2) In preparing the list mentioned in this section, the Commission shall place the competitors who have, by the examination, been shown to possess the necessary qualifications, on the list in accordance with the following provisions:

(a) those who are in receipt of a pension

(i) by reason of their service in World War I, or

(ii) by reason of their service only in World War II, and who at the commencement of such service were domiciled in Canada or Newfoundland,

who have from causes attributable to such service lost capacity for physical exertion to an extent which makes them unfit efficiently to pursue the avocations which they were pursuing before the war, and who have not been successfully re-established in some other avocation, shall be placed, in order of merit, ahead of other competitors;

Explanatory Notes.

This proposed amendment is intended without interfering with the preference which is now granted to war veterans, to grant a certain preference to bilingual competitors eligible for appointment as a result of civil service examinations.

The changes in section 28 are made by inserting therein (in subsection (2)) a new paragraph as paragraph *(c)*, by re-lettering paragraph *(c)* as paragraph *(d)* and adding to the new paragraph the words underlined therein on page 2.

(b) those who are veterans and who do not come within the provisions of paragraph *(a)*, or who are widows of veterans, shall be placed, in order of merit, on the list immediately following the competitors, if any, mentioned in paragraph *(a)*;

(c) those who have qualified, by examination, in the knowledge and use of the two official languages of Canada, being the English and the French languages;

(d) those who do not come within paragraphs *(a)*, *(b)* or *(c)* shall be placed, in order of merit, on the list following those competitors mentioned in paragraph *(c)*, but if there are no such competitors as mentioned in paragraph *(c)*, then following the competitors mentioned in paragraph *(b)*, but if there are no such competitors as mentioned in paragraph *(b)* then following the competitors mentioned in paragraph *(a)*, if any."

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 165.

An Act to amend the Industrial Development Bank Act.

First reading, March 8, 1956

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956

THE HOUSE OF COMMONS OF CANADA.

BILL 165.

An Act to amend the Industrial Development Bank Act.

R.S., cc. 151; 326.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Paragraph *(d)* of section 2 of the *Industrial Development Bank Act* is repealed and the following substituted therefor:

"Industrial enterprise."

"*(d)* "industrial enterprise" means an enterprise in which is carried on the business of

(i) manufacturing, processing, assembling, installing, overhauling, reconditioning, altering, repairing, cleaning, packaging, transporting or warehousing of goods,

(ii) logging, operating a mine or quarry, drilling, construction, engineering, technical surveys or scientific research,

(iii) generating or distributing electricity or operating a commercial air service, or the transportation of persons, or

(iv) supplying premises, machinery or equipment for any business mentioned in subparagraph (i), (ii) or (iii) under a lease, contract or other arrangement whereby title to the premises, machinery or equipment is retained by the supplier;"

2. Subsection (1) of section 3 of the said Act is repealed and the following substituted therefor:

Bank continued.

"**3.** (1) There shall continue to be a bank, called the Industrial Development Bank, consisting of those persons as members who for the time being comprise the Board of Directors of the Bank of Canada, who shall constitute a corporation, which is for all purposes of this Act an agent of Her Majesty in right of Canada."

Explanatory Notes

1. The present definition of "industrial enterprise" reads as follows:

> "*(d)* "industrial enterprise" means a business in which the manufacture, processing or refrigeration of goods, wares and merchandise or the building, alteration or repair of ships or vessels or the generating or distributing of electricity is carried on;"

The purpose of the amendment is to enlarge the classes of loans that may be made under the Act.

2. The present subsection (1) of section 3 reads as follows:

> "**3.** (1) There shall *be established* a bank, to be called the Industrial Development Bank, consisting of those person as members who for the time being comprise the Board of Directors *and the Assistant Deputy Governor* of the Bank of Canada, who shall constitute a corporation which shall be for all purposes of this Act the agent of Her Majesty in right of Canada."

The purpose of the amendment is to delete the reference to Assistant Deputy Governor. This office was discontinued by the 1954 amendments to the *Bank of Canada Act.*

3. Subsection (3) of section 5 of the said Act is repealed and the following substituted therefor:

Directors' fees.

"(3) The Directors, other than the Governor or Deputy Governor of the Bank of Canada or the Deputy Minister of Finance, are entitled to receive for attendance at Directors' meetings and Executive Committee meetings such fees as may be fixed by the by-laws of the Bank, but the aggregate amount of the fees paid to all Directors exclusive of expenses shall not exceed ten thousand dollars in any fiscal year."

4. Subsection (3) of section 6 of the said Act is repealed and the following substituted therefor:

Absence, etc., of President.

"(3) The Board may authorize one of the members of the Board, or an officer of the Bank, to act as President for the time being in the event that the President is absent or unable to act or the office is vacant, but no such person has authority to act as President for a period exceeding sixty days without the approval of the Governor in Council."

R.S. c. 326.

5. (1) Subsections (1) and (2) of section 15 of the said Act are repealed and the following substituted therefor:

Loans, investments and guarantees.

"**15.** (1) Subject to section 14, where in the opinion of the Board or of an officer authorized for that purpose by the Board

(a) a person is engaged or about to engage in an industrial enterprise in Canada,

(b) credit or other financial resources would not otherwise be available on reasonable terms and conditions, and

(c) the amount invested or to be invested in the industrial enterprise by persons other than the Bank and the character of that investment are such as to afford the Bank reasonable protection,

the Bank may lend or guarantee loans of money to that person, and where that person is a corporation,

(d) enter into underwriting agreements in respect of the whole or any part of any issue of stock, bonds or debentures of the corporation, and

(e) purchase or otherwise acquire with a view to resale thereof the whole or any part of any issue of stock, bonds or debentures of the corporation from the corporation or from a shareholder of the corporation or from any person with whom the Bank has entered into an underwriting agreement in respect of the said issue and may subsequently sell or otherwise dispose of the said stock, bonds or debentures.

3. The present subsection (3) of section 5 reads as follows:

"(3) The Directors, other than the *Directors who are respectively* Governor, Deputy Governor or *Assistant Deputy Governor* of the Bank of Canada or the Deputy Minister of Finance, are entitled to receive for attendance at Directors' meetings and Executive Committee meetings such fees as may be fixed by the by-laws of the Bank, but the aggregate amount of the fees paid to all Directors exclusive of expenses shall not exceed ten thousand dollars in any fiscal year."

The amendment eliminates reference to Assistant Deputy Governor.

4. The present subsection (3) of section 6 reads as follows:

"(3) In the event of the absence or incapacity of the President from whatever cause arising, the Board shall authorize a Director or officer of the Bank to act as President for the time being who shall have and may exercise all the powers and functions of the President, but no such person has authority so to act for a period exceeding sixty days without the approval of the Governor in Council."

The amendment would permit the establishment, in advance of the event, of authority for a Director or officer to act as President during the absence or incapacity of the President or during a vacancy in the office of President.

5. (1) The present subsections (1) and (2) of section 15, as amended by R.S.C. c. 326, read as follows:

"**15.** (1) Subject to section 14, where in the opinion of the Board

(a) a person is engaged or about to engage in an industrial enterprise or commercial air service in Canada,

(b) credit or other financial resources would not otherwise be available on reasonable terms and conditions, and

(c) the amount invested or to be invested in the industrial enterprise or commercial air service by persons other than the Bank and the character of that investment are such as to afford the Bank reasonable protection,

the Bank may lend or guarantee loans of money to that person, and where that person is a corporation,

(i) to enter into underwriting agreements in respect of the whole or any part of any issue of stock, bonds or debentures of the corporation, and

(ii) purchase or otherwise acquire with a view to resale thereof the whole or any part of any issue of stock, bonds or debentures of the corporation from the corporation or from any person with whom the Bank has entered into an underwriting agreement in respect of the said issue and may subsequently sell or otherwise dispose of the said stock, bonds or debentures.

(2) Notwithstanding subsection (1), the aggregate of the amounts of the loans or liabilities of the Bank and of the expenditures by the Bank for securities held by it, specified in subsection (3), shall not at any time exceed *fifty million* dollars."

The amendment to subsection (1) would permit approval of loans by an officer authorized by the Board, and would also authorize the Bank to purchase stock, bonds or debentures of a corporation from a shareholder of the corporation.

The proposed amendment to subsection (2) would raise the limit on the aggregate amount of loans exceeding two hundred thousand dollars from fifty million dollars to seventy-five million dollars.

Express reference to a commercial air service is no longer necessary because it is included in the expanded definition of industrial enterprise.

Limitation on commitments.

(2) Notwithstanding subsection (1), the aggregate of the amounts of the loans or liabilities of the Bank and of the expenditures by the Bank for securities held by it, specified in subsection (3), shall not at any time exceed seventy-five million dollars."

(2) Paragraph *(e)* of subsection (3) of section 15 of the said Act is repealed and the following substituted therefor:

"*(e)* the total amount of loans owing by any person to the Bank and of loans to the said person guaranteed by the Bank to the extent that they are so guaranteed and, where the said person is a corporation, of liabilities of the Bank under any underwriting agreements with respect to the issue of stock, bonds or debentures by the corporation and of expenditures by the Bank for stock, bonds or debentures held by it issued by the corporation, if the said total amount exceeds two hundred thousand dollars, but there shall be deducted from the said total amount before including it in the said aggregate the amount of any loan, liability or expenditure included in the said aggregate under paragraph *(a)*, *(b)*, *(c)* or *(d)*."

6. (1) The heading "Collateral Security" immediately preceding section 16 of the said Act is repealed and the heading "SECURITY" is substituted therefor.

(2) The portion of subsection (1) of section 16 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Security for loans.

"**16.** (1) The Bank may take, accept or acquire and may hold security of any kind and in any form for the due discharge of obligations under any loan made or guaranteed or agreement made by it under this Act, and without limiting the generality of the foregoing, may for such purpose take, accept or acquire and hold as security."

(3) Subsection (2) of section 16 of the said Act is repealed and the following substituted therefor:

Dealings with security.

"(2) The Bank may surrender, retransfer or reconvey any kind or form of security held by it and take, accept or acquire and may hold, in exchange therefor, the same or any other kind or form of security."

7. (1) The portion of subsection (1) of section 17 of the said Act that precedes paragraph *(b)* thereof is repealed and the following substituted therefor:

Stock, bonds or debentures.

"**17.** (1) In the event of any default in payments due under any loan made or guaranteed or agreement made by

(2) The present paragraph *(e)* reads as follows:

"*(e)* the total amount of loans owing by any person to the Bank and of loans to the said person guaranteed by the Bank to the extent that they are so guaranteed and, where the said person is a corporation, of liabilities of the Bank under any underwriting agreements with respect to the issue of stock, bonds or debentures by the corporation and of expenditures by the Bank for stock, bonds or debentures held by it issued by the corporation, if the said total amount exceeds two hundred thousand dollars, but there shall be deducted from the said total amount before including *in it* the said aggregate the amount of any loan, liability or expenditure included in the said aggregate under paragraph *(a)*, *(b)*, *(c)* or *(d)*."

The only purpose of the amendment is to correct a transposition of two words in printing the Revised Statutes.

6. The present section 16 reads as follows:

"**16.** (1) The Bank may take, accept or acquire and may hold *collateral* security of any kind and in any form for *the repayment of any loan* made or guaranteed by it under this Act, and without limiting the generality of the foregoing, may for such purpose take, accept or acquire and hold as *collateral* security

(a) stock, bonds or debentures of municipal and other corporations, whether secured by mortgage or otherwise, or Dominion, provincial, British, foreign and other public securities;

(b) warehouse receipts and bills of lading;

(c) goods, wares and merchandise; and

(d) mortgages or hypothecs of any real or personal, movable or immovable property.

(2) The Bank may surrender, retransfer or reconvey any kind or form of *collateral* security held by it and take, accept or acquire and may hold, in exchange therefor, the same or any other kind or form of *collateral* security."

The proposed amendment will permit the Bank to take security for the discharge of all obligations under a loan. The amendment also eliminates reference to collateral, following the amendments to the *Bank Act* in 1954.

7. (1) The present subsection (1) of section 17 reads as follows:

"**17.** (1) In the event of any default in the repayment of any loan made or guaranteed by the Bank, the Bank may sell and transfer any stock, bonds, debentures or securities acquired and held by it as *collateral* security for the *repayment thereof*, in the manner and subject to the conditions following, namely:

(a) the Bank shall give notice to the *holder* thereof of its intention to sell the stock, bonds, debentures or securities by mailing the notice in the post office, post-paid, to the last known address of the *holder*, as shown by the records of the Bank;

(b) the Bank may, on the expiration of at least thirty days after the mailing of such notice, sell the stock, bonds, debentures or securities; and

(c) upon such sale being made, the President or other officer of the Bank authorized in that behalf may execute a transfer of the stock, bonds, debentures or securities to the purchaser thereof in the appropriate form and manner."

the Bank, the Bank may sell and transfer any stock, bonds, debentures or securities acquired and held by it under this Act in respect of the loan or agreement, in the manner and subject to the conditions following, namely:

(a) the Bank shall give notice to the owner thereof of its intention to sell the stock, bonds, debentures or securities by mailing the notice in the post office, postpaid, to the last known address of the owner, as shown by the records of the Bank;"

(2) Subsection (2) of section 17 of the said Act is repealed and the following substituted therefor:

Effect of transfer.

"(2) A transfer executed under the authority of this section vests in the purchaser all the rights in or to the said stock, bonds, debentures or securities that were possessed by the owner thereof with the same obligation of warranty on his part as if he were the vendor thereof, but without any warranty from the Bank."

8. The portion of subsection (1) of section 18 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Rights re warehouse receipt, etc.

"**18.** (1) Any warehouse receipt or bill of lading acquired and held by the Bank as security under this Act, vests in the Bank from the date of the acquisition thereof,"

9. Section 22 of the said Act is repealed and the following substituted therefor:

Real property.

"**22.** (1) The Bank may acquire and hold an absolute title in or to real or immovable property mortgaged or hypothecated to it as security for the due discharge of obligations under a loan made or guaranteed or agreement made by it, either by obtaining a release of the equity of redemption in the mortgaged property or by procuring foreclosure of the mortgage or by purchase at a judicial sale of the hypothecated property or by any means whereby, as between individuals, an equity of redemption can, by law, be barred or a transfer of title can be effected, and may purchase and acquire any prior mortgage, hypothec or charge on such property.

Sale.

(2) The Bank may sell or otherwise dispose of any real or immovable property and may take or hold mortgages, hypothecs, liens and charges to secure payment of the purchase price, or for any unpaid balance of the purchase price, and may act upon any power to sell contained in any mortgage held by the Bank, authorizing or enabling it to sell or convey any property so mortgaged."

The amendment is consequential upon the amendments to section 16, and would substitute owner for holder.

(2) The present subsection (2) of section 17 reads as follows:

"(2) A transfer executed under the authority of this section vests in the purchaser all the rights in or to the said stock, bonds, debentures or securities that were possessed by the *holder* thereof with the same obligation of warranty on his part as if he were the vendor thereof, but without any warranty from the Bank *or by the President of the Bank*."

The only changes are the substitution of owner for holder, and elimination of the last phrase in the subsection as being unnecessary.

8. The opening words of subsection (1) of section 18 read as follows:

"**18.** (1) Any warehouse receipt or bill of lading acquired and held by the Bank as *collateral* security under this Act, vests in the Bank from the date of the acquisition thereof,"

The only change is deletion of collateral.

9. Section 22 reads as follows:

"**22.** (1) The Bank may acquire and hold an absolute title in or to real or immovable property mortgaged or hypothecated to it as *collateral* security for the *repayment of a loan* made or guaranteed by it, either by obtaining a release of the equity of redemption in the mortgaged property or by procuring foreclosure of the mortgage or by purchase at a judicial sale of the hypothecated property or by any means whereby, as between individuals, an equity of redemption can, by law, be barred or a transfer of title can be effected, and may purchase and acquire any prior mortgage, hypothec or charge on such property.

(2) The Bank may sell or otherwise dispose of any real or immovable property the absolute title to which is vested in the Bank or exercise and act upon any power to sell contained in any mortgage held by the Bank, authorizing or enabling it to sell or convey any property so mortgaged."

The proposed amendment to subsection (1) is consequential upon the amendments to section 16. The proposed amendment to subsection (2) would make it clear that the Bank may take a mortgage to secure the purchase price of property sold by it.

10. Section 23 of the said Act is repealed and the following substituted therefor:

General rights as to security.

"**23.** Notwithstanding sections 17, 18, 19, 20, 21 and 22 and without in any way limiting or restricting any of the rights or powers conferred on the Bank by those sections, security of any kind and in any form may be taken, accepted, acquired, held, sold, transferred, conveyed or otherwise in any way dealt with, disposed of or realized on by the Bank in the same manner as by a private individual and the Bank has and may exercise all the rights, powers and privileges in respect thereof that a private individual would have or might exercise in like circumstances."

11. (1) Paragraph *(b)* of section 24 of the said Act is repealed and the following substituted therefor:

"*(b)* accept deposits as security for the due discharge of obligations under any loan made or guaranteed by the Bank, or as security for the due performance of any agreement with the Bank;"

(2) Paragraph *(d)* of section 24 of the said Act is repealed and the following substituted therefor:

"*(d)* open deposit accounts with the Bank of Canada or any bank to which the *Bank Act* applies; and"

12. Subsection (5) of section 29 of the said Act is repealed and the following substituted therefor:

Publication.

"(5) A copy of each statement required under subsections (1) and (2) shall be published in the next succeeding issue of the *Canada Gazette*."

10. The present section 23 reads as follows:

"**23.** Notwithstanding sections 17, 18, 19, 20, 21 and 22 and without in any way limiting or restricting any of the rights or powers conferred on the Bank by *the said* sections, *collateral* security of any kind and in any form may be taken, accepted, acquired, held, sold, transferred, conveyed or otherwise in any way dealt with, disposed of or realized on by the Bank in the same manner as by a private individual and the Bank has and may exercise all the rights, powers and privileges in respect thereof that a private individual would have or might exercise in like circumstances."

The amendment would delete collateral.

11. (1) The present paragraph *(b)* of section 24 reads as follows:

"*(b)* accept deposits from debtors of the Bank for the purpose of facilitating the payment of any moneys owing to the Bank;"

The purpose of the amendment is to authorize the Bank to accept deposits as security for the discharge of all obligations under loans and as security for the carrying out of any agreement with the Bank.

(2) The present paragraph *(d)* of section 24 reads as follows:

"*(d)* open deposit accounts with the Bank of Canada or any bank *incorporated by* the *Bank Act;* and"

The only change is to make the reference to chartered banks uniform with the new *Bank Act.*

12. The present subsection (5) of section 29 reads as follows:

"(5) A copy of each statement *or report referred to in this section* shall be published in the next succeeding issue of the *Canada Gazette* following its receipt by the Minister of Finance."

The amendment would delete reference to the annual reports mentioned in subsection 3 of section 29. These reports are laid before Parliament, are separately published and are readily available, so that publication in the *Canada Gazette* is not required.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 167.

An Act to amend the Criminal Code (Payment of Fines).

First reading, March 9, 1956.

MR. DIEFENBAKER.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

71194

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 167.

An Act to amend the Criminal Code (Payment of Fines).

1953-54, c. 51.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (3) of section 694 of the *Criminal Code* is repealed and the following substituted therefor:

Payment of fine deferred or made by instalments.

"(3) A summary conviction court may direct that any fine, pecuniary penalty or sum of money adjudged to be paid, shall be paid forthwith, or if the accused is unable to pay forthwith, order that the amount so ordered be paid by instalments and in the amounts and under such conditions as the case may require, subject to the provisions of the two next following sections."

2. The said Act is further amended by inserting therein the following sections as sections 694A and 694B.

Obligation to allow time for payment of fines.

"**694A.** (1) A warrant committing a person to prison in respect of non-payment of a fine adjudged to be paid by the court shall not be issued forthwith unless the court which passed the sentence is satisfied that he is possessed of sufficient means to enable him to pay the fine forthwith, or unless, upon being asked by the court whether he desires that time should be allowed for payment, he does not express any such desire, or unless the court for any other special reason expressly desires that no time shall be allowed.

Representations made by defendant.

(2) Where any such person desires to be allowed time for payment the court in deciding what time shall be allowed shall consider any representation made by him, but the time allowed shall not be less than fourteen clear days: Provided that if before the expiration of the time allowed the person convicted surrenders himself to any summary

Explanatory Note.

The object of this Bill is to provide that when a fine is imposed under the Summary Convictions provisions of the *Criminal Code* (Part XXIV), there shall be mandatory action taken by the Court to assure, subject to certain reservations, that a Warrant of Commitment shall not issue for imprisonment forthwith of the person on whom the fine has been imposed, because of financial inability to make immediate payment.

conviction court having jurisdiction to issue a warrant of commitment in respect of the non-payment of such fine as aforesaid, and states that he prefers immediate committal to awaiting the expiration of the time allowed, that court may if it thinks fit forthwith issue a warrant committing him to prison.

Offenders between 16 and 21.

(3) Where a person so allowed time for payment as aforesaid appears to the court to be not less than sixteen nor more than twenty-one years of age, the court may, if it thinks fit, and subject to any rules made under section four hundred and twenty-four of this Act, order that he be placed under the supervision of such person as may be appointed by the court until the fine adjudged to be paid is paid, and in such case before issuing a warrant committing the offender to prison in respect of non-payment of the fine a summary conviction court shall consider any report as to the conduct and means of the offender, which may be made by the person under whose supervision the offender has been placed.

(4) In all cases where time is not allowed for payment, the reasons of the court for the imediate committal shall be stated in the warrant of comitmment.

Allowance of further time.

"**694B.** Where time has been allowed for payment of a fine adjudged to be paid by a conviction or order of the court, further time may, subject to any rules made under section four hundred and twenty-four of this Act, on an application by or on behalf of the offender, be allowed by a summary conviction court having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, or the court may, subject as aforesaid, direct payment by instalments of the fine so adjudged to be paid."

205.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend the Canada Elections Act.
(Hours of Polling)

First reading, March 19, 1956.

MR. NOSEWORTHY.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

71045

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 205.

An Act to amend the Canada Elections Act.
(Hours of Polling)

R.S., cc. 23, 306, 334, ss. 8, 9; 1952-53, c. 24, s. 7; 1955, c. 44.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (5) of section 31 of the *Canada Elections Act* is amended by adding thereto the following proviso.

Proviso.

"Provided that in the case of a by-election held at any time between the first day of October in any year and the thirty-first day of May in the following year the poll shall be opened at the hour of eight o'clock in the forenoon and kept open until seven o'clock in the afternoon of the same day."

Explanatory Notes.

The purpose of this Bill is to extend the hours of polling at by-elections held during any of the months when standard time is in general operation.

Subsection (5) of section 31 of the *Canada Elections Act* at present reads as follows:

"(5) The poll shall be opened at the hour of eight o'clock in the forenoon and kept open until six o'clock in the afternoon of the same day, and each deputy returning officer shall, during that time, in the polling station assigned to him, receive in the manner hereinafter prescribed the votes of the electors duly qualified to vote at such polling station."

Appropriation bill
No 1st. Reading

206.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

AS PASSED BY THE HOUSE OF COMMONS
21st MARCH, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
71736 OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 206.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1957, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 1, 1956.*

$528,819,279.84 granted for 1956-57.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole five hundred and twenty-eight million, eight hundred and nineteen thousand, two hundred and seventy-nine dollars and eighty-four cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-sixth of the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

$479,979 granted for 1956-57.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2, a sum not exceeding in the whole four hundred and seventy-nine thousand, nine hundred and seventy-nine dollars, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one sixth of the total of the amounts of the several items set forth in Schedule A.

$714,781.42 granted for 1956-57.

4. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2, a sum not exceeding in the whole seven hundred and fourteen thousand, seven hundred and eighty-one dollars and forty-two cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-twelfth of the total of the amounts of the several items set forth in Schedule B.

Power to raise loan of $500,000,000 for public works and general purposes. R.S., c. 116.

5. (1) The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of the *Financial Administration Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not to exceed in the whole, the sum of five hundred million dollars, as may be required for public works and general purposes.

Lapse of prior borrowing powers.

(2) All borrowing powers authorized by section 5 of chapter 60 of the statutes of 1955 which are outstanding and unused shall expire on the date of the coming into force of this Act.

Account to be rendered. R.S., c. 116.

6. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act*.

SCHEDULE A

Based on the Main Estimates, 1956-57. The amount hereby granted is $479,979, being one-sixth of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1957, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	B—UNEMPLOYMENT INSURANCE COMMISSION		
197	To provide for the transfer of labour to and from places where employment is available and expenses incidental thereto, in accordance with regulations of the Governor in Council.....	75,000	
	LEGISLATION		
	THE SENATE		
199	General Administration (including share of the former Printing of Parliament).....	533,523	
	HOUSE OF COMMONS		
202	General Administration—Estimates of the Clerk (including share of the former Printing of Parliament).....	1,555,515	
203	Estimates of the Sergeant-at-Arms.....	715,836	
			*2,879,874

* Net Total $479,979.

SCHEDULE B

Based on the Main Estimates, 1956-57. The amount hereby granted is $714,781.42, being one-twelfth of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1957, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	EXPERIMENTAL FARMS SERVICE		
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
15	Operation and Maintenance	6,953,586	
	TRADE AND COMMERCE		
	STANDARDS BRANCH		
425	Electricity and Gas Inspection Services	782,515	
426	Weights and Measures Inspection Services	841,276	
			*8,577,377

* Net Total $714,781.42.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 207.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

Appropriation Bill
No 1st Reading

AS PASSED BY THE HOUSE OF COMMONS,
22nd MARCH, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

71845

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 207.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1956.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1956, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 2, 1956.*

$26,213,628 granted for 1955-56.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole twenty-six million, two hundred and thirteen thousand, six hundred and twenty-eight dollars towards defraying the several charges and expenses of the public service, from the 1st day of April, 1955, to the 31st day of March, 1956, not otherwise provided for, and being the total of the amounts of the items set forth in the Schedule for the fiscal year ending the 31st day of March, 1956, as laid before the House of Commons at the present session of Parliament.

Account to be rendered. R.S., c. 116.

3. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act.*

SCHEDULE.

Based on the Further Supplementary Estimates (2), 1955-56. The amount hereby granted is $26,213,628, being the total of the amounts of the items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1956, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION SERVICE		
	Health of Animals—		
538	To provide for payment of compensation to owners of animals affected with diseases coming under the Animal Contagious Diseases Act, which have died or have been slaughtered in circumstances not covered by the above Act and Regulations made thereunder, and to provide for payments to owners for loss of cattle during treatments for immunization against Hemorrhagic Septicaemia, and sheep and goats that reacted to tuberculin tests, all as detailed in the Estimates....	2,304	
	MARKETING SERVICE		
539	Subsidies for Cold Storage Warehouses under the Cold Storage Act, and Grants, in the amounts detailed in the Estimates—Further amount required.....	1	
	TERMINABLE SERVICES		
540	Freight Assistance on Western Feed Grains—Further amount required.....	500,000	
541	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs—Further amount required.....	290,000	
	SPECIAL		
542	Estimated amount required to recoup the Agricultural Prices Support Account to cover the net operating loss of the Agricultural Prices Support Board during the fiscal year 1955-56, including authority to credit to the account the net revenue received into the Agricultural Products Board Account from the sale of New Zealand meat received in exchange for beef shipped to the United Kingdom.....	5,757,483	
543	To provide a grant to the Estate of the late Alfred Anderson, former employee of the Department, in lieu of Supplementary Death Benefits under the Public Service Superannuation Act.....	3,546	
			6,553,334

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION		
	A—Department		
	Indian Affairs Branch		
	Welfare of Indians—		
544	Operation and Maintenance—Further amount required.....	250,000	
	Education—		
545	Administration, Operation and Maintenance—Further amount required.....	854,000	
546	Construction or Acquisition of Buildings Works, Land and Equipment—Further amount required.....	162,000	
	B—National Gallery of Canada		
547	Administration, Operation and Maintenance, including Industrial Design Division—Further amount required.....	29,600	
548	Payment to the National Gallery Purchase Account for the purpose of acquiring works of art in conformity with Section 8 of the National Gallery Act—Further amount required.....	885,000	
			2,180,600
	EXTERNAL AFFAIRS		
	A—Department and Missions Abroad		
549	To provide for official hospitality—Further amount required...	12,000	
	B—General		
550	To provide for the Canadian Government's Assessment for Membership in International and Commonwealth Organizations, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of March, 1956—Further amount required....	16,229	
	Terminable Services		
551	To provide for a Gift of Medical Supplies and other Emergency Material as a contribution to Flood Relief for India and Pakistan.....	100,000	
552	To provide for a Gift of Flour as a contribution to Hurricane Relief for Barbados, Grenada, St. Vincent and British Honduras.....	50,000	
			178,229
	FINANCE		
	Administration of Various Acts and Costs of Special Functions		
553	Administration of the Farm Improvement Loans Act and the Veterans' Business and Professional Loans Act—Further amount required, including the costs of administering the Fisheries Improvement Loans Act and the Prairie Grain Producers' Interim Financing program.....	6,500	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	PAYMENTS TO MUNICIPALITIES		
554	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with the Municipal Grants Act, and the Rural Municipal Grants Regulations established by Order in Council of January 11, 1956, P.C. 1956-38, and to provide for payments to municipalities under Order in Council of October 6, 1954, P.C. 1954-1497, in respect of the cost of medical and hospital services and supplies furnished to federal employees and other persons specified therein—Further amount required, including authority, notwithstanding Section 7 of Chapter 49 of the Statutes of 1955 (an act to amend the Municipal Grants Act), for payment of grants under Section 5 of the Municipal Grants Act to the municipalities of Midland and Welland, in the province of Ontario, and Ste. Foy, in the province of Quebec	530,500	
	SPECIAL		
555	To provide for the expenses of a Committee to review and advise upon certain technical questions relating to the administration of the sales and excise taxes	20,000	
556	To provide for the expenses of the Royal Commission on television and radio broadcasting, including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board to officers, clerks or employees permanently employed in the Civil Service for services rendered by them to the Commission	34,000	
557	To authorize the expenditure for international relief purposes, or other relief purposes authorized by the Governor in Council, of the unexpended portion of the grant made by the Government of Canada to the Canadian National European Flood Relief Fund by Vote 572 of the Appropriation Act No. 2, 1953	1	
			591,001
	FISHERIES		
	FIELD SERVICES		
558	To provide for the destruction of Harbour and Gray Seals—Further amount required	3,000	
	SPECIAL		
559	To provide for assistance in the construction of vessels of the dragger and/or long liner type, subject to such terms and conditions as may be approved by the Governor in Council—Further amount required	72,249	
560	Amount required to recoup the Fisheries Prices Support Account to cover a payment that was made to the Government of Newfoundland in the present fiscal year with respect to the 1953 production of salted codfish	646,984	
			722,233
	JUSTICE		
	A—DEPARTMENT		
561	Departmental Administration—Further amount required		16,000

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION		
	HOUSE OF COMMONS		
562	General Administration—Estimates of the Clerk—Further amount required	.....	65,000
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	SURVEYS AND MAPPING BRANCH		
563	Canadian Hydrographic Service—Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	850,000	
	GENERAL		
564	Payments to the Royal Canadian Air Force and Commercial Companies for Air Photography, and to provide for the expenses of the Interdepartmental Committee on Air Surveys, including purchases of equipment — Further amount required	550,000	
	B—DOMINION COAL BOARD		
565	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council—Further amount required	896,350	2,296,350
	NATIONAL FILM BOARD		
566	To provide for the dismantling, conversion and installation of existing equipment, acquisition of new equipment, removal expenses and other costs related to the transfer of the National Film Board to new building—Further amount required	.....	67,000
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
567	Northern Administration Division—Yukon Territory including Forest Conservation—Operation and Maintenance—Further amount required	.....	14,000
	PUBLIC WORKS		
	PROPERTY AND BUILDING MANAGEMENT BRANCH		
568	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, heating, etc.—Further amount required	200,000	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	BUILDING CONSTRUCTION BRANCH		
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
569	Prince Edward Island	275,000	
570	Manitoba	3,200,000	
571	British Columbia	650,000	
	HARBOURS AND RIVERS ENGINEERING BRANCH		
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
572	Newfoundland ($72,000, less the amount of $71,999 available from savings in other listed projects detailed in previous Estimates for 1955-56 for this Province)	1	
573	Quebec ($16,500, less the amount of $16,499 available from savings in other listed projects detailed in previous Estimates for 1955-56 for this Province)	1	
574	Alberta and Northwest Territories ($25,000, less the amount of $24,999 available from savings in other listed projects detailed in previous Estimates for 1955-56 for this Province)	1	
			4,325,003
	TRANSPORT		
	A—DEPARTMENT		
	MARINE SERVICES		
	Pilotage Service—		
575	Administration, Operation and Maintenance—Further amount required	18,000	
	RAILWAY AND STEAMSHIP SERVICES		
576	Prince Edward Island Car Ferry and Terminals Deficit, 1955—Additional amount in excess of the sum of $1,553,000 already appropriated, to provide for the payment during the fiscal year 1955-56 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in payment of the deficit (certified by the Auditors of the National Company) in the operation of the Prince Edward Island Car Ferry and Terminals arising in the calendar year 1955—Further amount required	71,639	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Concluded*		
	RAILWAY AND STEAMSHIP SERVICES—*Concluded*		
577	Maritime Freight Rates Act—Additional amount in excess of the sum of $10,575,000 already appropriated for the payment to the Railway Companies operating in the select territory designated by the Act, during the fiscal year 1955-56, of the difference occurring on account of the application of the Act, between the tariff tolls and normal tolls under approved tariffs (estimated and certified to the Minister of Transport by the Canadian National Railway Company and approved by Auditors of the said Company respecting the Eastern Lines of the Canadian National Railways, and in the case of the Other Railways by the Board of Transport Commissioners for Canada) on all traffic moved during the calendar year 1955 (Chap. 174, R.S.)—Further amount required	605,342	
	PENSIONS AND OTHER BENEFITS		
578	Supplemental Pension Allowances to former employees of Newfoundland Railways, Steamships and Telecommunication Services transferred to Canadian National Railways—Further amount required	21,303	
	GENERAL		
579	To provide for reimbursement of the Department of Transport Stores Account for the value of stores which have become obsolete, unserviceable, lost or destroyed	13,832	
580	Payment to The St. Lawrence Seaway Authority of an amount equal to the net proceeds realized from the sale of property under the administration or control of the Authority and paid into the Consolidated Revenue Fund during the current fiscal year	80,000	
	AIR SERVICES		
	Telecommunications Division		
581	Airways and Airports—Radio Aviation Services—Administration, Operation and Maintenance—Further amount required	50,000	
	Meteorological Division		
582	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	194,000	
	Civil Aviation Division		
583	Airways and Airports—Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required, including authority to charge to Vote 499 of the Appropriation Act No 5, 1955 (as supplemented), the cost of lands purchased, by means of loans provided for the acquisition of land required to control properties in the vicinity of main terminal airports in order to prevent the erection of hazards to flying and for future development of those airports, that are not held for re-sale	4,000,000	
584	Contributions toward Airport Development and Other Airport Projects on Cost-Sharing Basis, in the amounts detailed in the Estimates—Further amount required	63,000	

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General		
	Canadian Maritime Commission		
585	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required	127,771	
			5,244,887
	LOANS, INVESTMENTS AND ADVANCES		
	External Affairs		
586	To provide for an advance to the Cash Reserve Fund of the Administrative Budget of the Intergovernmental Committee for European Migration in an amount of $85,100 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of March, 1956, which is	84,990	
	National Film Board		
587	To provide that during the current and subsequent fiscal years the expenditures made by the National Film Board and shown in the National Film Board Operating Account referred to in Section 18 of the National Film Act may, notwithstanding subsection (4) of that Section, exceed the receipts shown in the Account by not more than $900,000 or such lesser amount as may be fixed by the Treasury Board	1	
	Trade and Commerce		
588	To provide, subject to regulations of the Treasury Board, for working capital advances in the current and subsequent fiscal years to posts and employees on posting abroad, and to authorize the creation of a special account in the Consolidated Revenue Fund to which shall be credited expenditure made by and advances recovered from the said posts and employees, the excess of the amounts charged over the amounts credited to the account at any time not to exceed $250,000, of which $200,000 was provided under Vote 657 of the Appropriation Act No. 2, 1952	50,000	
	Transport		
	Air Services		
589	To provide for the acquisition of land required to control properties in the vicinity of main terminal airports in order to prevent the erection of hazards to flying and for future development of those airports—Further amount required	3,700,000	
590	To authorize the operation of a revolving fund in accordance with the provisions of Section 58 of The Financial Administration Act for the purpose of financing the purchase of materials and supplies to be held in Northwest Communication System Stores for use on both Capital and Maintenance Works, the amount to be charged to the revolving fund at any time not to exceed $250,000, of which $100,000 was provided under Vote 559, Appropriation Act No. 4, 1952, and $25,000 under Vote 632, Appropriation Act No. 2, 1953	125,000	
			3,959,991
	Total		26,213,628

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 208.

An Act to amend the Farm Improvement Loans Act.

First reading, March 22, 1956.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

71344

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 208.

An Act to amend the Farm Improvement Loans Act.

R. S. c. 110; 1952-53, c. 36.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1952-53, c. 36, s. 3.

1. Paragraph *(d)* of subsection (1) of section 3 of the *Farm Improvement Loans Acts* is repealed and the following substituted therefor:

Payment of bank losses.

"*(d)* the principal amount of the loan did not at the time of the making of the loan, together with the amount owing in respect of other guaranteed farm improvement loans previously made to the borrower and disclosed in his application, or of which the bank had knowledge, exceed the sum of five thousand dollars;"

1952-53, c. 36, s. 4.

2. Subsection (2) of section 4 of the said Act is amended by striking out the word "and" at the end of paragraph *(c)* thereof, by adding the word "and" at the end of paragraph *(d)* thereof, and by adding thereto the following paragraph:

"*(e)* the period commencing on the 1st day of April, 1956, and ending on the 31st day of March, 1959."

1952-53, c. 36, s. 4.

3. Section 5 of the said Act is amended by striking out the word "or" at the end of paragraph *(b)* thereof, and by repealing paragraph *(c)* thereof and substituting therefor the following:

"*(c)* made during the period commencing on the 1st day of April, 1956, and ending on the 31st day of March, 1959, after the aggregate principal amount of the guaranteed farm improvement loans made by all banks during that period exceeds three hundred million dollars; or

(d) made after the 31st day of March, 1959."

Explanatory Notes

Clause 1. The present provision, as enacted by s. 3 of c. 36 of the 1952-53 statutes, reads as follows:

> "*(d)* the principal amount of the loan did not at the time of the making of the loan, together with the amount owing in respect of other guaranteed farm improvement loans previously made to the borrower and disclosed in his application, or of which the bank had knowledge, exceed the sum of *four* thousand dollars;"

The purpose of the amendment is to increase the loan limit to five thousand dollars.

Clauses 2 and 3. The purpose of these clauses is to extend the Act for a further three-year term.

4. Paragraphs *(a)* and *(b)* of subsection (1) of section 7 of the said Act are repealed.

5. (1) Subsection (1) of section 8 of the said Act is repealed and the following substituted therefor:

False statement in application for loan or misuse of loan.

"**8.** (1) Any person who makes a statement in an application for a guaranteed farm improvement loan that is false in any material respect or who uses the proceeds of such loan for a purpose other than that stated in his application, is guilty of an offence and liable on summary conviction to a fine of not more than five hundred dollars."

(2) Section 8 of the said Act is further amended by adding thereto the following subsections:

Time limit.

"(3) Proceedings for an offence under this section may be commenced at any time within twelve months from the day on which evidence, sufficient in the opinion of the Minister to justify prosecution for the offence, comes to his knowledge.

Certificate.

(4) For the purposes of subsection (3), a document purporting to have been issued by the Minister or by any person purporting to be acting on his behalf, certifiying as to the day on which the evidence referred to in that section came to the knowledge of the Minister, shall be received in evidence as conclusive proof of such fact without proof of the signature or of the official character of the person appearing to have signed the document and without further proof."

Coming into force.

6. If this Act is assented to after the 31st day of March, 1956, it shall be deemed to have come into force on the 1st day of April, 1956.

Clause 4. Subsection (1) of section 7 now reads as follows:

"7. (1) Notwithstanding anything in the *Bank Act* or any other statute, if a bank makes a guaranteed farm improvement loan

(a) for the purpose of financing the construction, repair or alteration of or making of additions to, any building or structure on a farm, or

(b) for any purpose other than that specified in paragraph *(a)* and the principal amount of the loan exceeds two thousand dollars and the period for repayment thereof is longer than five years,

the bank may, at the time of making the loan take as security for the repayment thereof and the payment of interest thereon

(c) a mortgage or hypothec upon the farm in respect of which the proceeds of the loan are to be expended, or

(d) an assignment of the rights and interest of a purchaser of the farm under an agreement of sale."

The purpose of the amendment is to permit banks to take, in all cases, the security mentioned in this section.

Clause 5. The purposes of the proposed amendments to section 8 are to provide a maximum penalty of five hundred dollars recoverable on summary conviction, and to extend the time for prosecutions.

The present subsection (1) of section 8 reads as follows:

"8. (1) Any person who makes a statement in an application for a guaranteed farm improvement loan that is false in any material respect or who uses the proceeds of such loan for a purpose other than that stated in his application, is guilty of an offence and liable to a fine of *not less than twenty-five dollars and* not more than five hundred dollars."

Clause 6.—The purpose of this clause is to ensure continuity in the event that the Bill is assented to after the day on which the guarantee would otherwise expire.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 210.

An Act to amend the Canada Grain Act.
(Distribution of Box Cars.)

First reading, April 9, 1956.

Mr. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72140

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 210.

An Act to amend the Canada Grain Act.
(Distribution of Box Cars.)

R.S., cc. 25, 308; 1955, c. 9.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The *Canada Grain Act* is amended by inserting therein, immediately after section 72 thereof, the following sections:

Producer may enter and assign his acreage.

"**72A.** Any producer, as defined in section 15 of the *Canadian Wheat Board Act*, chapter 44 of the Revised Statutes of Canada, 1952, may, before the 1st day of October in any year, enter in the car order book his acreage seeded to grain as shown in his Permit Book pursuant to sections 18 and 19 of the said Act, and may assign that acreage among the elevator companies at his marketing point.

Railway agent to apportion railway cars.

"**72B.** If, at any time, no unfilled application for a car appears in the car order book at a marketing point, the railway agent shall then apportion railway cars among the elevator companies in the proportion that the acreage has been divided among the elevator companies, provided the Canadian Wheat Board may order cars loaded at any elevator for the purpose of shipping

(i) out of condition grain or grain in danger of spoilage;

(ii) grain of a kind and grade that cannot otherwise be acquired for the purpose of meeting Canadian Wheat Board sales or other requirements."

Explanatory Notes.

The purpose of this Act is to remove discrimination in the allocation of box cars by providing in a new section of the Car Order Book a rule for the fair allocation of box cars among elevator companies at a marketing point where the Car Order Book, as presently constituted, is not in effect. By allocating their seeded acreage among the elevator companies at a marketing point, producers themselves will determine the distribution of box cars at that point.

The ability of the Canadian Wheat Board to allocate box cars for the shipment of out of condition grain and to meet sales is fully protected under the new rule.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 211.

An Act to provide for Annual Holidays with Pay for Employees.

First reading, April 9, 1956.

MR. KNOWLES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72144

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 211.

An Act to provide for Annual Holidays with Pay for Employees.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as the *Canada Annual Holidays Act.*

Interpretation.

2. In this Act,

"Average wage."

(a) "average wage" in respect of any period of employment of an employee, means one twenty-sixth of the employee's total wage for that period of employment;

"Deputy Minister."

(b) "Deputy Minister" means the Deputy Minister of Labour;

"Employee."

(c) "employee" means a person of any age of either sex who is in receipt of or entitled to any remuneration for labour or services performed for an employer;

"Employer."

(d) "employer" means any person, firm or corporation employing one or more employees and includes every agent, manager, representative, contractor, sub-contractor or principal and every other person who either:

(i) has control or direction of one or more employees; or

(ii) is responsible, directly or indirectly, in whole or in part, for the payment of wages to, or the receipt of wages by, one or more employees;

"Minister."

(e) "Minister" means the Minister of Labour;

"Prescribed."

(f) "prescribed" means prescribed by this Act or the regulations;

"Special holiday."

(g) "special holiday" means any day for which an employee is entitled under any Act, custom or agreement or under his contract of service to be paid wages without being present at work;

Explanatory Note.

The purpose of this bill is to provide that all employees in Canada who come under federal labour jurisdiction be granted at least two weeks holidays with pay after one year of employment. It also provides, in the case of employment for less than a year, for holidays with pay proportionate to the time worked. Nothing in this bill affects any provision for holidays with pay presently enjoyed by any employees where such provisions are more favourable than those provided herein, but this bill does supersede any provisions which are less favourable to employees than those set out in this bill.

"Total wage."

(h) "total wage" in respect of any period of employment of an employee, means all remuneration which the employee is paid or is entitled to be paid by his employer, whether or not payment is actually made during that period of employment, in respect of the labour or services which he performs for his employer during that period of employment, and includes:

(i) sums deducted from the said remuneration for any purpose whatever;

(ii) remuneration which the employee is paid or is entitled to be paid by his employer, whether or not payment is actually made during that period of employment, in respect of overtime work which he performs for his employer during that period of employment;

(iii) remuneration which the employee is paid or is entitled to be paid by his employer, whether or not payment is actually made during that period of employment, in respect of any annual or special holiday which his employer permits him to take during that period of employment;

(iv) the cash value of any board or lodging provided by his employer during that period of employment being the amount established under any Act, custom or agreement or under the employee's contract of service, provided that whether or not any amount has been established under any Act, custom or agreement or under the employee's contract of service, the amount shall not be less than one dollar and fifty cents per day for board and one dollar per day for lodging.

Application of Act.

3. This Act applies to and in respect of employment upon or in connection with any work, undertaking or business that is within the legislative authority of the Parliament of Canada, including, but not so as to restrict the generality of the foregoing,

(a) works, undertakings or businesses operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;

(b) railways, canals, telegraphs and other works and undertakings connecting a province with any other or others of the provinces, or extending beyond the limits of a province;

(c) lines of steam and other ships connecting a province with any other or others of the provinces or extending beyond the limits of a province;

(d) ferries between any province and any other province or between any province and any country other than Canada;

(e) aerodromes, aircraft and lines of air transportation;

(f) radio broadcasting stations;

(g) banks and banking;

(h) such works or undertakings as, although wholly situate within a province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces; and

(i) any work, undertaking or business outside the exclusive legislative authority of the legislature of any province;

and to and in respect of,

(j) all employees employed by any employer engaged in any such work, undertaking or business.

Annual holiday to which employee is entitled.

4. Every employee to whom this Act applies shall be entitled after each year of his employment with any employer to an annual holiday of two weeks.

Manner in which employee must be permitted to take annual holiday.

5. (1) Subject to subsection (2) where an employee is entitled to an annual holiday under section 4 the employer shall permit the employee:

(a) to take the annual holiday to which he is entitled either in one period of two weeks or in two periods of one week each;

(b) to take the entire annual holiday to which he is entitled within 10 months after the date on which he becomes entitled to it;

(2) Where an employer or employee gives notice of termination of the employment of the employee:

(a) the employer shall not permit the employee to take all or any part of an annual holiday during the period for which the employee is, under any Act, custom or agreement or under his contract of service, entitled to continue in the employment after the giving of the notice;

(b) payment to the employee of all or any part of the average wage on account of an annual holiday to which he is entitled shall be deemed not to be payment of all or any part of his wages in respect of the period for which he is, under any Act, custom or agreement or under his contract of service, entitled to continue in the employment after the giving of the notice.

Notice of holiday period.

6. Every employer shall give to each employee who is entitled to an annual holiday under section 4, not less than two weeks' written notice of the commencement of

his holiday period or each of his holiday periods, as the case may be, unless otherwise agreed in writing between the employer and the trade union representing the employee or, where there is no such trade union, between the employer and the employee.

Remuneration payable to employee in respect of annual holiday

7. (1) Every employee who is entitled to an annual holiday under section 4 but who is not permitted by his employer to take the annual holiday shall, not later than 10 months less 14 days from the date on which he became entitled to the annual holiday, be paid by his employer in respect of the annual holiday his average wage for the year immediately preceding the date on which he became entitled to the annual holiday.

(2) Where the employee is permitted by his employer to take his annual holiday in one period of two weeks, the average wage mentioned in subsection (1) shall be paid to him in full by his employer during the period of 14 days immediately preceding the commencement of his annual holiday.

(3) Where the employee is permitted by his employer to take his annual holiday in two periods of one week each, one-half of the average wage mentioned in subsection (1) shall be paid to him by his employer during the period of 14 days immediately preceding the commencement of each of the two periods.

Employee engaging in paid employment to return holiday pay.

8. If it is established to the satisfaction of any court of competent jurisdiction, upon complaint of an employer, that an employee in the employment of that employer is engaging or has engaged in paid employment during the course of any annual holiday which that employer has permitted him to take under section 5, the court shall:

(a) order the employee to return forthwith to his employer any average wage which his employer paid to him in respect of the said annual holiday; or

(b) authorize the employer to deduct the said average wage from the wages of the employee under such conditions as the justice may prescribe.

Procedure when special holiday occurs during annual holiday.

9. If any special holiday occurs during the period of any annual holiday which an employee has been permitted by his employer to take under the provisions of this Act, the period of the said annual holiday shall be increased by one working day and the employee shall be paid by his employer, in addition to the average wage which he is entitled to be paid on account of that annual holiday, the wages which he is entitled to be paid for the special holiday.

Termination of employment.

10. If the employment of an employee with an employer is terminated at any time after the expiration of 30 days from the date of the commencement of the employment, the employer shall forthwith pay to him, in addition to all other amounts due to him, his average wage for his period of employment with that employer, but, if the employee has at any time been permitted by that employer to take an annual holiday under any Act, custom or agreement or under his contract of service, the employer shall be deemed to have complied with the provisions of this section if he forthwith pays to the employee, in addition to all other amounts due to him, his average wage for his period of employment between the date on which he became entitled to the last annual holiday which he was permitted to take and the date of the termination of his employment.

Effect of Act on alternative holiday arrangement.

11. (1) Nothing in this Act affects any provision in any Act, agreement or contract of service or any custom which ensures to employees more favourable conditions than those provided by this Act.

(2) Any provision in any Act, agreement or contract of service or any custom which is less favourable to employees than the provisions of this Act is superseded by this Act.

Agreements not to deprive employees of benefits of Act.

12. (1) No agreement, whether heretofore or hereafter entered into, shall have any force or effect in so far as it deprives any employee of any right, power, privilege or other benefit provided by this Act.

(2) No employer shall require an employee to return to him, nor shall he accept from an employee, either the whole or any part of any average wage which he paid to that employee under the provisions of this Act.

Discrimination by employer prohibited.

13. No employer shall discharge or threaten to discharge or in any way discriminate against any employee for:

(a) testifying or consenting to testify in any investigation or proceeding relative to the enforcement of this Act, or

(b) giving any information to the Minister or his duly authorized representative regarding the annual holiday which an employee is entitled to or has been permitted to take under the provisions of this Act or the average wage which any employee has been paid or is entitled to be paid under the provisions of this Act.

Posting of abstracts.

14. Every employer shall post and keep posted in a conspicuous place where his employees are engaged in their duties any prescribed abstract or abstracts of the provisions of this Act or the regulations.

Holiday books.

15. (1) Every employer employing any employee to whom this Act applies shall at all times keep a record, to be called a holiday book, showing in the case of each of his employees:

(a) the name of the employee;

(b) the dates of the commencement and termination of his employment;

(c) the date on which he becomes entitled to each annual holiday;

(d) the dates on which each such holiday is taken;

(e) the employee's total wage and average wage for any period of employment;

(f) all deductions made from the employee's average wage for any purpose whatever, and the purpose for which each such deduction is made;

(g) the amount paid to the employee in respect of each annual holiday to which he is entitled and the amount paid to the employee upon the termination of his employment, and the dates of payment;

(h) such other particulars as are prescribed.

(2) The holiday book may be incorporated in any holiday book or wages book which the employer is required to keep under any other Act of Parliament.

Power to inspect holiday book and obtain information.

16. The Minister or his duly authorized representative may at any reasonable time:

(a) inspect the holiday book in use by any employer for the time being or any such book used by that employer during the preceding three years;

(b) require any employer to verify the entries in his holiday book by statutory declaration or in such manner as the Minister or his duly authorized representative may require;

(c) require any person to furnish, in a form acceptable to the Minister or his duly authorized representative, such information as the Minister or his duly authorized representative deems necessary to ascertain whether the provisions of this Act and the regulations are being or have been complied with.

Sale or transfer of business.

17. For the purposes of this Act where a business or part thereof is sold, leased, transferred or otherwise disposed of, the service of the employees affected shall be deemed to be continuous and uninterrupted by such sale, lease, transfer or other disposition of the business or part thereof.

Money paid under Act deemed to be salary or wages.

18. All money payable by an employer to any employee under this Act and any money ordered to be paid by an employer under subsection (2) of section 21 shall be deemed to be salary or wages earned by the employee, and shall be subject accordingly to all deductions which the employer is required to make from salary or wages under any Act of Parliament.

Date on which employment is deemed to have commenced.

19. For the purposes of this Act, the employment of any employee with the employer by whom he was employed on the first day of July, 1957, shall be deemed to have commenced on the latest of the following dates:

(a) one year immediately preceding the first day of July, 1957;

(b) the date on which the employee's employment with that employer actually commenced;

(c) the date on which the employee became entitled to any annual holiday under any Act, custom or agreement or under his contract of service.

Agreement to forego annual holiday.

20. Notwithstanding any other provision of this Act, an employer and a trade union representing an employee of the employer or where there is no such trade union then an employer and his employee may enter into a written agreement to the effect that, because of shortage of labour, the employee will not take an annual holiday to which he is entitled under section 4, and if any such written agreement is filed with the Deputy Minister and approved by him, the employer shall not be subject to the provisions of section 5 with respect to that employee, but the employer shall nevertheless, within 10 months after the date on which the employee became entitled to an annual holiday, pay to him, in addition to all other amounts due to him, his average wage for the year immediately preceding the date on which he became entitled to the said annual holiday.

Time limit for prosecutions.

21. Prosecutions for offences created by this Act shall be instituted within one year after the commission of the alleged offence.

Penalties.

22. (1) Every person who:

(a) fails to comply with or violates any provision of this Act or the regulations; or

(b) with intent to deceive, makes any false or misleading statement in any communication, whether in writing or otherwise, to the Minister or his duly authorized representative; or

(c) interferes with or obstructs the Minister or his duly authorized representative in the exercise of any power conferred upon him by this Act or any regulation made thereunder;

is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars for the first offence and in default of payment to imprisonment for not more than thirty days, and for each subsequent offence, to a fine not exceeding four hundred dollars and in default of payment to imprisonment for not more than ninety days.

(2) If an employer is convicted of failure to pay to any employee any average wage, or part thereof, which he is required to pay under the provisions of this Act or the regulations, the court shall, in addition to the fine imposed, order the employer to pay to him forthwith an amount equal to the average wage or part thereof which the employer failed to pay to the employee, and the court shall pay the said amount to the employee forthwith upon receipt of it.

(3) If the employer fails to pay any money ordered to be paid under subsection (2), the court may order that the employer be imprisoned for a further term of not less than thirty days nor more than ninety days.

Power of representative of Minister to determine amount of average wage not paid.

23. (1) If a duly authorized representative of the Minister finds that an employer has failed to pay to any employee any average wage, or part thereof, which he is required to pay under the provisions of this Act, the representative may determine the amount of the average wage or part thereof which the employer failed to pay to the employee, and if the amount is agreed to in writing by the employer and the employee, the employer shall within two days pay it to the Deputy Minister, who shall pay it to the employee forthwith upon receipt of it.

(2) An employer who pays such amount to the Deputy Minister as required by subsection (1) shall not be liable to prosecution for failure to pay to the employee concerned any average wage or part thereof which he is required to pay under the provisions of this Act.

Records of Deputy Minister.

24. (1) The Deputy Minister shall keep a record of all money paid to him by employers and paid by him to employees under section 22.

(2) Where money received by the Deputy Minister on behalf of an employee has not been paid to the employee concerned by reason of the fact that the Deputy Minister has been unable to ascertain the whereabouts of the employee, and the employee does not claim it within a period of two years from the date of receipt thereof by the Deputy Minister, such money shall, upon the order of the Deputy Minister, become the property of the Crown in right of Canada.

Regulations.

25. (1) The Governor in Council may make such regulations, not inconsistent with this Act, as are necessary to carry out the provisions of this Act according to their true intent.

(2) All regulations shall take effect upon such date as may be designated in the regulations, and shall have the same force and effect as if herein enacted.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 212.

An Act to amend the Telegraphs Act.

First reading, April 12, 1956.

The MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
71847 OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 212.

An Act to amend the Telegraphs Act.

R.S. c. 262; 1953-54, c. 22.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The *Telegraphs Act* is amended by adding thereto the following Part:

"PART IV.

EXTERNAL SUBMARINE CABLES.

Interpretation.

"External submarine cable" and "telecommunication" defined.

40. In this Part, the expression "external submarine cable" means a telecommunication service by submarine cable between any place in Canada and any place outside Canada or between places outside Canada through Canada, but does not include any service by a submarine cable wholly under fresh water; and the expression "telecommunication" has the same meaning as it has in the *Radio Act*.

Licences.

Licences required.

41. No person shall in Canada

(a) operate an external submarine cable; or

(b) construct, alter, maintain or operate any works or facilities for the purpose of operating an external submarine cable

except under and in accordance with a licence issued under this Part.

Explanatory Note.

The purpose of the proposed new Part is to provide for the control of submarine cables terminating in or passing through Canadian territory.

Regulations.

Regulations.

42. The Governor in Council may make regulations

(a) providing for the issue of licences for the purposes of this Part;

(b) respecting applications for licences and prescribing the information to be furnished by the applicants;

(c) prescribing the duration, terms and conditions of licences and the fees for the issue thereof;

(d) providing for the cancellation or suspension of licences for failure to comply with the terms and conditions thereof; and

(e) generally, for carrying the purposes and provisions of this Part into effect.

Penalties.

Offences.

43. Every person who violates any provision of this Part or the regulations is guilty of an offence and is liable

(a) on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment; or

(b) on conviction on indictment, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both fine and imprisonment.

Crown bound.

44. Her Majesty is bound by this Act.

Existing services.

45. For a period of four months after the day on which this Part comes into force this Part does not apply to any external submarine cable existing on that day."

Coming into force.

2. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 213.

An Act to amend the Small Loans Act. (Advertising.)

First reading, April 16, 1956

MR. KNIGHT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72330

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 213.

An Act to amend the Small Loans Act. (Advertising.)

R.S., c. 251.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section three of the *Small Loans Act* is amended by adding thereto the following subsection:

Advertising to indicate percentum per annum.

"(3) Whenever a money-lender advertises himself as carrying on the business of money-lending and in such advertising indicates the monthly or other periodic payments required for the repayment of any loan, he shall also indicate in such advertising what the total cost of any such loan amounts to in terms of percentum per annum."

2. Paragraph *(b)* of section fourteen of the said Act is amended by adding at the end thereof the following proviso:

Proviso.

"and provided further that whenever any small loans company advertises itself as carrying on the business of money-lending and in such advertising indicates the monthly or other periodic payments required for the repayment of any loan, it shall also indicate in such advertising what the total cost of any such loan amounts to in terms of percentum per annum."

Explanatory Note.

The purpose of this Act is to amend the *Small Loans Act*, so as to require any money-lender or small loans company, in any advertising in which the amount required by way of monthly or periodic payments in order to repay a loan is indicated, to state what the cost of such loan amounts to in terms of percentum per annum.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 214.

An Act to amend the Trans-Canada Highway Act.

First reading, April 16, 1956.

THE MINISTER OF PUBLIC WORKS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

70325

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 214.

An Act to amend the Trans-Canada Highway Act.

R.S., c. 269.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Paragraph *(b)* of section 2 of the *Trans-Canada Highway Act* is repealed and the following substituted therefor:

"Minister."

"*(b)* "Minister" means the Minister of Public Works; and"

2. Subsections (2) and (3) of section 4 of the said Act are repealed and the following substituted therefor:

Limitations.

"(2) The contributions paid to a province under this section shall not exceed the aggregate of

(a) fifty per cent of the cost to the province of the construction of the highway, and

(b) an additional forty per cent of the cost to the province of the construction of one-tenth of the highway, but any portion of the highway taken into account for the purposes of this paragraph shall be at least five miles in length.

Determination of costs and length of highway.

(3) For the purposes of subsection (2)

(a) the cost to the province of the construction of the highway or any portion thereof shall be such amount as is approved by the Governor in Council, and

(b) the length of the highway in the province and the particular portions thereof to be taken into account for the purposes of paragraph *(b)* of subsection (2) shall be such as are approved by the Minister.

Termination of contributions.

(4) No contributions or payments shall be made under this Act

(a) after the 31st day of May, 1961, or

(b) in respect of any construction costs that were incurred after the 31st day of December, 1960."

EXPLANATORY NOTES.

1. The present paragraph *(b)* reads as follows:

"*(b)* "Minister" means the Minister of Resources and Development; and"

The powers, duties and functions vested in the Minister of Resources and Development under this Act were transferred to the Minister of Public Works under the provisions of the *Public Service Rearrangement and Transfer of Duties Act.*

2. The present subsections (2) and (3) of section 4 read as follows:

"(2) The contributions paid to a province under this section shall not exceed fifty per cent of the cost to the province of the construction of the highway as determined by the Governor in Council.

(3) No contributions or payments shall be made under this Act in respect of construction costs incurred after the expiration of the period of seven years next following the 10th day of December, 1949."

The purpose of the proposed subsections (2) and (3) is to provide a higher contribution for a portion of the highway in a province not exceeding ten per cent thereof.

The proposed subsection (4) would extend contributions to costs incurred up to December 31st, 1960, and would terminate all contributions on May 31, 1961.

3. Section 5 of the said Act is amended by adding thereto the following subsection:

Limitations.

"(2) No contribution or payment shall be made under this section in respect of any highway unless, prior to the 9th day of December, 1956, in the opinion of the Minister, it meets the standards and specifications prescribed by an agreement made with the province under section 3."

4. Sections 7 and 8 of the said Act are repealed and the following substituted therefor:

Aggregate limited to $250,000,000.

"**7.** The aggregate of all expenditures under sections 4, 5 and 6 shall not exceed two hundred and fifty million dollars.

National Parks.

"**8.** The Minister may, out of moneys appropriated by Parliament, provide for the construction of such highways within the National Parks as form part of a trans-Canada highway."

3. Section 5 of the Act provides for contributions in respect of highways constructed prior to the enactment of *The Trans-Canada Highway Act* in 1949. The purpose of the proposed amendment is to include highways previously constructed and incorporated in the Trans-Canada Highway prior to the 9th of December, 1956.

4. The present sections 7 and 8 read as follows:

"**7.** The aggregate of all expenditures under sections 4, 5 and 6 shall not exceed one hundred and fifty million dollars.

"**8.** The Minister of Resources and Development may out of moneys appropriated by Parliament provide for the construction of such highways within the National Parks as form part of a trans-Canada highway."

The proposed amendment to section 7 would increase the maximum limit to two hundred and fifty million dollars.

The proposed amendment to section 8 substitutes the Minister of Public Works for the Minister of Resources and Development.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 215.

An Act to amend the National Housing Act, 1954.

First reading, April 23, 1956.

THE MINISTER OF PUBLIC WORKS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
68219 OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 215.

An Act to amend the National Housing Act, 1954.

1953-54, c. 23.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Paragraph (16) of section 2 of the *National Housing Act, 1954*, is repealed and the following substituted therefor:

"Home extension loan."

"(16) "home extension loan" means a loan or a purchase of obligations representing loans or advances of money made before the 1st day of July, 1956, by a bank or approved instalment credit agency for the purpose of financing the alteration of, or the making of additions to, an existing home to add one or more family housing units thereto, but does not include a farm improvement loan as defined in the *Farm Improvement Loans Act*;"

(2) Paragraph (27) of section 2 of the said Act is repealed and the following substituted therefor:

"Mortgage."

"(27) "mortgage" includes hypothec and an assignment of or a mortgage on the leasehold interest of a lessee;"

2. (1) Paragraph (*n*) of subsection (1) of section 7 of the said Act is repealed and the following substituted therefor:

"*(n)* it is secured by a first mortgage in a form prescribed by regulation on the house or housing project in favour of the approved lender, and such further security, assignments, assurances and agreements as have been required by the Corporation;"

(2) Subsection (3) of section 7 of the said Act is repealed and the following substituted therefor:

Lesser loans.

"(3) Notwithstanding anything in this section, a loan mentioned in paragraph *(c)*, *(d)*, *(e)*, *(f)*, *(g)*, *(h)*, or *(i)* of subsection (1) may be for an amount less than the amount specified therein, if a loan for such lesser amount is requested in writing by the borrower or is made in such other circumstances as may be prescribed by regulation."

Explanatory Notes.

This Bill when enacted will make an important change in Part III dealing with the redevelopment of blighted areas in cities. Under the existing legislation an area acquired and cleared may be used only for low or moderate rental housing or for a municipal, provincial or federal public use. The new Bill will remove this limitation and will allow Part III to apply in respect of a blighted or substandard area that may be put to its best use.

Under the existing legislation the Minister's participation is restricted to a grant of not more than one-half the difference between the cost of acquisition and clearance and the sale price or value of the land after clearance. By the new legislation the Minister of Public Works will be authorized to contribute to a municipality one-half of the municipality's costs of acquisition and clearance as such costs are incurred and paid during the process of acquisition and clearance, and the municipality and the Minister will share in all moneys recovered from the cleared area.

Clause 1, subclause (1). Paragraph (16) of section 2 of the Act presently reads:—

"(16) 'home extension loan' means a loan or a purchase of obligations representing loans or advances of money made by a bank or approved instalment credit agency for the purpose of financing the alteration of, or the making of additions to, an existing home to add one or more family housing units thereto, but does not include a farm improvement loan as defined in the *Farm Improvement Loans Act;*"

This change in definition is required to comply with amendments to Part IV contained in this Bill, pursuant to which home extension loans under Part IV will cease as of the first of July, 1956.

Subclause (2). Paragraph (27) of section 2 of the Act presently reads:—

"(27) 'mortgage' includes hypothec;"

This change is made for technical reasons and is associated with the amendments made by subclause (1) of clause 2 of this Bill.

Clause 2, subclause (1). Paragraph *(n)* of subsection (1) of section 7 of the Act presently reads:—

"*(n)* it is secured by a first mortgage in a form prescribed by the regulation on the house or housing project in favour of the approved lender, *except where the loan is made to a lessee of land, in which case the loan is secured by a first mortgage or an assignment of the leasehold interest of the lessee,* and such further security, assignments, assurances and agreements as have been required by the Corporation;"

3. The portion of subsection (1) of section 9 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Payment by Corporation upon conveyance of property.

"**9.** (1) Where an approved lender holding or administering an insured loan secured by mortgage acquires title to the mortgaged property, either in its own name or in the name of the holder, by foreclosure or otherwise, after default has occurred under the mortgage, and the title is conveyed to the Corporation, clear of all encumbrances except as provided for by regulation and within the time prescribed by regulation, the Corporation shall pay to the approved lender the aggregate of the following:"

4. Subsection (1) of section 10 of the said Act, and the heading immediately preceding section 10, are repealed and the following substituted therefor:

"Mortgage Insurance Fund.

Mortgage Insurance Fund

10. (1) The Corporation shall establish a fund to be known as the "Mortgage Insurance Fund", in this Part and in section 40 called the "Fund", into which shall be paid all insurance fees received by the Corporation under this Part or section 40."

5. Section 13 of the said Act is repealed and the following substituted therefor:

Aggregate maximum of four billion dollars.

"**13.** Notwithstanding anything in this Act, the aggregate amount of all loans in respect of which insurance policies have been issued under this Act shall not exceed four billion dollars."

6. (1) Paragraph *(a)* of subsection (1) of section 22 of the said Act is repealed and the following substituted therefor:

"*(a)* advance moneys to the Corporation for the purpose of making loans under this Part and under sections 40 and 40A,"

(2) Subsection (2) of section 22 of the said Act is repealed and the following substituted therefor:

Rental Guarantee Fund.

"(2) The Corporation shall establish a fund to be known as the "Rental Guarantee Fund", in this section called the "Fund", into which shall be paid all amounts received under subsection (4) of section 14 of this Act and the amount held by the Corporation in reserve for payments of guarantees under this section and section 14 of the *National Housing Act*, chapter 188 of the Revised Statutes of Canada, 1952, in this section called the "former Act".

Assets of Fund.

(3) Property acquired by the Corporation under paragraph *(d)* of subsection (4) of section 14 of this Act and under section 14 of the former Act, and investments made

The italicized words have been omitted so that paragraph *(n)* now corresponds with paragraph *(a)* of section 3 of the Act. The mortgage of a leasehold interest is provided for by its inclusion in the definition of "mortgage", as set forth above.

Subclause (2). Subsection (3) of section 7 of the Act presently reads:—

"(3) Notwithstanding anything in this section, a loan mentioned in paragraph *(c)*, *(d)*, *(e)*, *(f)*, *(g)*, *(h)*, or *(i)* of subsection (1) may be for an amount less than the amount specified therein *but not less than the lesser of*

(a) 70% of the lending value of the house or housing project, or

(b) the maximum loan permitted by regulation,

if a loan for such lesser amount is requested in writing by the borrower or is made in such other circumstances as may be prescribed by regulation."

The effect of this amendment is to remove the bottom limit of a home ownership loan.

Clause 3. The corresponding portion of subsection (1) of section 9 of the Act presently reads as follows:—

"**9.** (1) Where an approved lender holding or administering an insured loan secured by mortgage acquires title to the mortgaged property by foreclosure or otherwise, after default has occurred under the mortgage, and the title is conveyed to the Corporation, clear of all encumbrances except as provided for by regulation and within the time prescribed by regulation, the Corporation shall pay to the approved lender the aggregate of the following:"

This is a technical amendment to make it clear that if a loan at the time of foreclosure is held by a person other than an approved lender, the conveyance to the Corporation after foreclosure may be made directly from the name of the holder to the Corporation.

Clause 4. Subsection (1) of section 10 of the Act presently reads as follows:—

"Mortage Insurance *Reserve* Fund.

10. (1) The Corporation shall establish a fund to be known as the 'Mortgage Insurance *Reserve* Fund', in this Act called the 'Fund', to which shall be credited all insurance fees received by the Corporation under this Act."

The change in name of the Fund is for technical accounting purposes and the change from "Act" to "Part" or "section 40" is to make it clear that the insurance fee collected under Part IV was not to form part of this Fund, which is in respect of insured mortgages under Part I.

Clause 5. Section 13 of the Act presently reads as follows:—

"**13.** Notwithstanding anything in this Act, the aggregate amount of all loans in respect of which insurance policies have been issued under this Act shall not exceed *two* billion dollars."

out of the Fund under subsection (4) of this section shall be assets of the Fund.

Investments out of Fund.

(4) The Corporation may invest any part of the Fund in obligations of or guaranteed by Canada.

Not income.

(5) Moneys paid into the Fund, property acquired as assets of the Fund and the return on investments and assets of the Fund shall not be taxable income of the Corporation.

Payments out of Fund.

(6) All payments required to be made by the Corporation to carry out its rights or obligations under section 14 of this Act or section 14 of the former Act shall be made out of the Fund.

Advances out of C.R.F.

(7) At the request of the Corporation, the Minister may, out of the Consolidated Revenue Fund, advance to the Corporation on terms and conditions approved by the Governor in Council, such amounts as the Minister considers necessary to enable the Corporation to carry out its rights and obligations under this Part or under section 14 of the former Act."

7. Part III of the said Act is repealed and the following substituted therefor:

"PART III

URBAN REDEVELOPMENT.

Contributions to municipalities for clearance of substandard areas.

23. (1) In order to assist in the clearance, replanning, rehabilitation and modernization of blighted or substandard areas in any municipality, the Minister, with the approval of the Governor in Council, may enter into an agreement with the municipality providing for the payment to the municipality of contributions in respect of the cost to the municipality of acquiring and clearing, whether by condemnation proceedings or otherwise, an area of land in the municipality.

Maximum amount of contribution.

(2) The contributions paid to a municipality under this section shall not exceed one-half of the cost to the municipality or the municipality and the province jointly, of acquisition and clearance, including costs of condemnation proceedings, as agreed between the Minister and the municipality.

Conditions of contributions.

(3) No contributions shall be paid to a municipality under this section unless

(a) the government of the province in which the area is situated has approved the acquisition and clearance thereof by the municipality;

(b) the costs of acquisition and clearance, including the cost of condemnation proceedings, less the amount of the contributions made under this section in respect thereof, are borne by the municipality or jointly by the municipality and the province;

Clause 6, subclause (1). Paragraph *(a)* of subsection (1) of section 22 of the Act presently reads as follows:—

"*(a)* advance moneys to the Corporation for the purpose of making loans under this Part and under section 40, and"

This amendment is made necessary by the addition of new section 40A, set forth in this Bill.

Subclause (2). Subsection (2) of section 22 of the Act presently reads as follows:—

"(2) The Minister may, out of the Consolidated Revenue Fund, reimburse the Corporation for payments made by it under any guarantee given under this Part".

The purpose of this amendment is to establish a Fund in respect of the payments received under section 14 for the Corporation's guarantee of rentals similar to the Fund established in respect of insured mortgage loans.

Clause 7. Part III of the Act presently reads as follows:—

"PART III.

HOUSING REDEVELOPMENT.

23. (1) In order to assist in the clearance, replanning, rehabilitation and modernization of blighted or substandard areas in any municipality, the Minister with the approval of the Governor in Council, may enter into an agreement with the municipality providing for the payment *of a grant* to the municipality in order to assist in defraying the cost to the municipality of acquiring and clearing, whether by condemnation proceedings or otherwise, an area of land *suitable either as a location for a low cost or moderate cost rental housing project or for any federal, provincial or municipal public purpose.*

(2) An agreement entered into under subsection (1) shall provide

(a) that the municipality will acquire and clear the area at an estimated cost to be fixed by the agreement and that the area will be developed in accordance or in harmony with an official community plan satisfactory to the Minister;

(b) that the municipality will sell the area, or some other area of a size sufficient to house at least the same number of persons as are living in the area to be cleared,

(i) to a limited-dividend housing company or a life insurance company for the construction thereon of a rental housing project under section 16 or 19, or

(ii) to the government of the province in which the area is situated and the Corporation jointly for the construction thereon of a rental housing project under section 36;

(c) for the payment by the Minister of a grant to the municipality in accordance with this section; and

(d) such other provisions as the Minister deems necessary or advisable for the proper carrying out of the purposes and provisions of this section.

(3) No grant shall be paid to a municipality under this section unless

(a) the government of the province in which the area is situated has approved the acquisition and clearance thereof by the municipality;

(b) the cost of acquisition and clearance, including cost of condemnation proceedings, less the amount of the grant under this section in respect thereof, is borne by the municipality or jointly by the municipality and the government of the province; and

(c) the families to be dispossessed by the acquisition and clearance of the area are offered at the time of their dispossession housing accommodation in a housing project constructed under section 16, 19 or 36, at rentals that, in the opinion of the municipality and the Minister, are fair and reasonable, having regard to the family incomes of the families to be dispossessed, except where the municipality can establish to the satisfaction of the Minister that decent, safe and sanitary housing accommodation is available to the families to be dispossessed at rentals that, in the opinion of the Minister and the municipality, are fair and reasonable, having regard to the family incomes of the families to be dispossessed; and

(d) a substantial part of the area at the time of acquisition was, or after redevelopment will be, used for residential purposes.

Agreement with municipality.

(4) An agreement entered into under subsection (1) shall provide

(a) an estimate of the costs of the acquisition and clearance of the area;

(b) that the municipality will acquire and clear the area;

(c) that the area will be developed in accordance or in harmony with an official community plan satisfactory to the Minister;

(d) for the manner, terms and conditions of sale, lease, retention, exchange or other disposition of the area or any part thereof;

(e) for the times at which the Minister's contributions will be paid to the municipality;

(f) for payment to the Corporation of a share of the revenue from the project or the proceeds of sale or other disposition thereof proportionate to the contributions made under subsection (2);

(g) for the examination, inspection and audit of the accounts of the municipality maintained in respect of the project; and

(h) for such other things as may be deemed necessary, including the security that may be taken by the Minister by way of joint title or otherwise to safeguard the Minister's rights of recovery out of the project.

Corporation to carry out agreement.

(5) The Corporation shall on behalf of the Minister carry out any agreement entered into by the Minister under subsection (1).

Calculation of capital cost.

(6) Where a project is undertaken under section 36 in a blighted or substandard area, for the purpose of calculating the Corporation's share of the capital cost of the project, the cost of acquisition of the land for the project shall be an amount that, in the opinion of the Minister, represents a fair and reasonable price for the land, not including any amount in respect of the cost of clearing the land.

(c) the cleared area, or some other area of a size sufficient to house at least the same number of persons as were living in the cleared area,

(i) has been sold or agreed to be sold to a limited-dividend housing company or a life insurance company that has agreed to construct thereon a rental housing project under section 16 or 19 at a price that in the opinion of the Minister will enable the housing units of the project to be leased to tenants on a fair and reasonable basis, or

(ii) has been sold or agreed to be sold jointly to the Corporation and the province, the government of which has entered into an agreement with the Government of Canada under section 36 for the construction of houses thereon for sale or for rent.

(4) A grant under this section shall not exceed one-half of the amount by which the lesser of

(a) the cost of acquisition and clearance, including cost of condemnation proceedings, as estimated in the agreement between the Minister and the municipality, or

(b) the actual cost of acquisition and clearance, including cost of condemnation proceedings,

exceeds

(c) the price at which the area was sold, where it was sold for the construction thereon of a housing project under section 16, 19 or 36, or

(d) the value of the area after clearance, where some other area was sold for the construction thereon of a housing project under section 16, 19 or 36.

(5) Where a project is undertaken under section 36 in a blighted or substandard area, for the purpose of calculating the Corporation's share of the capital cost of the project, the cost of acquisition of the land for the project shall be an amount that in the opinion of the Minister represents a fair and reasonable price for the land, not including any amount in respect of the cost of clearing the land.

(6) Grants under this section shall be paid out of the Consolidated Revenue Fund but the aggregate amount thereof shall not exceed twenty million dollars.

Payments out of C.R.F.

(7) Subject to subsection (8), the Minister may, out of the Consolidated Revenue Fund

(a) pay to the Corporation the money required by the Corporation to meet the Minister's obligations under any agreement entered into under subsection (1), and

(b) pay to the Corporation, pursuant to an agreement between the Corporation and the Minister, the costs and expenses of the Corporation incurred in carrying out the Minister's responsibilities under agreements entered into under subsection (1).

Maximum amount of payment.

(8) A payment made under subsection (7) shall not be greater than the amount by which the aggregate of

(a) twenty-five million dollars, and

(b) any additional amounts authorized by Parliament for the purposes of this subsection

exceeds the total amount of payments made under subsection (7).

Moneys received by Corporation.

(9) Money received by the Corporation pursuant to paragraph *(f)* of subsection (4) shall be paid by the Corporation to the Receiver General and shall form part of the Consolidated Revenue Fund.

References to agreement.

(10) A reference in subsection (7) to an agreement entered into under subsection (1) shall be construed to include a reference to an agreement made under subsection (1) of section 23 as in force before the coming into force of this section.

Regulations.

(11) The Governor in Council may make regulations respecting the manner in which costs are to be determined for the purposes of this section and providing for such other matters as may be deemed necessary and desirable for the carrying out of the purposes or provisions of this section."

8. (1) Paragraph *(d)* of subsection (1) of section 24 of the said Act is repealed and the following substituted therefor:

"*(d)* the principal amount of the loan did not at the time of the making of the loan, together with the amount owing in respect of other guaranteed home improvement loans previously made to the borrower and disclosed in his application or of which the bank or approved instalment credit agency had knowledge, exceed the sum of four thousand dollars in the case of a one-family dwelling or the sum of four thousand dollars for the first family housing unit and an additional fifteen hundred dollars for every other family housing unit in the case of a home consisting of more than one family housing unit;"

(7) The Governor in Council may make regulations respecting the manner in which costs are to be determined for the purposes of this section and providing for such other matters as may be deemed necessary and desirable for the carrying out of the purposes or provisions of this section."

Clause 8, subclause (1). Paragraph *(d)* of subsection (1) of section 24 of the Act presently reads as follows:—

"*(d) in the case of a home improvement loan,* the principal amount of the loan did not exceed *two thousand five hundred dollars* in the case of a one-family dwelling, or *two thousand five hundred dollars* for the first family housing unit and an additional *twelve hundred and fifty dollars* for every other family housing unit in the case of a multiple-family dwelling;"

(2) Paragraphs *(f)* and *(g)* of subsection (1) of section 24 of the said Act are repealed and the following substituted therefor:

"*(f)* the loan was repayable by the terms thereof in monthly instalments and in full in not more than ten years;"

(3) Paragraph *(l)* of subsection (1) of section 24 of the said Act is repealed.

(4) Subsections (2) and (3) of section 24 of the said Act are repealed and the following substituted therefor:

Bank security.

"(2) Notwithstanding anything in the *Bank Act* or any other statute, if a bank makes a guaranteed home improvement loan, the bank may at the time of making the loan take as security for the repayment thereof and the payment of interest thereon

(a) a mortgage upon the home in respect of which the proceeds of the loan are to be expended, or

(b) an assignment of the rights and interest of a purchaser of the home under an agreement of sale.

Rights in respect of security.

(3) A bank has and may exercise, in respect of any mortgage or assignment made under this section and the real or immovable property affected thereby, all rights and powers that it would have or might exercise if the mortgage or assignment had been taken by the bank by way of subsequent security under the *Bank Act*.

Termination of operation of section.

(4) The Corporation may, with the approval of the Governor in Council, by notice to a bank or an approved instalment credit agency, terminate the operation of this section, such termination to be effective after a time set out in the notice but not earlier than at least twenty-four hours after receipt of the notice at the head office of the bank or agency, and the Corporation is not liable under this Part to make any payment to the bank or agency in respect of any of such loans made after that time; but termination under this section does not relieve the Corporation of any liability imposed on it under this Part, in respect of a home improvement loan made by the bank or agency before the time of termination.

Termination in specified locality.

(5) The Governor in Council may by proclamation terminate the liability of the Corporation in respect of guaranteed home improvement loans made in any locality for any of the purposes specified by or under this Part after a day fixed by the proclamation, being a day not less than fourteen days after the publication of the proclamation in the *Canada Gazette*, but the termination of liability does not relieve the Corporation of any liability imposed on it under this Part in respect of guaranteed home improvement loans mentioned in that proclamation that are made before the termination of liability.

Subclause (2). Paragraphs *(f)* and *(g)* of subsection (1) of section 24 of the Act presently read as follows:—

"*(f)* the loan was repayable in full by the terms thereof in not more than three years if the principal amount of the loan did not exceed, in the case of a home improvement loan, twelve hundred and fifty dollars dor a one-family dwelling or for each family housing unit in a multiple-family dwelling or, in the case of a home extension loan, twelve hundred and fifty dollars for each family housing unit to be comprised within the multiple-family dwelling, and in not more than five years in the case of any other loan;

(g) the loan was repayable by the terms thereof in monthly instalments;"

Subclause (3). Paragraph *(l)* of subsection (1) of section 24 of the Act presently reads as follows:—

"*(l)* no security by way of endorsement (other than that of the husband or wife of the owner) or otherwise was taken if the loan was made to an owner who occupied a one-family dwelling in respect of which the loan was to be expended so long as the borrower was not in default or except as provided by regulation in any other case; and"

Subclause (4). Subsections (2) and (3) of section 24 of the Act presently read as follows:—

"(2) The Corporation may, with the approval of the Governor in Council, by notice to a bank or an approved instalment credit agency, terminate the operation of this section in respect of home improvement loans or home extension loans, such termination to be effective after a time set out in the notice but not earlier than at least twenty-four hours after receipt of the notice at the head office of the bank or agency, and the Corporation is not liable under this Part to make any payment to the bank or agency in respect of any of such loans made after that time; but termination under this section does not relieve the Corporation of any liability imposed on it under this Part, in respect of a home improvement loan or home extension loan made by the bank or agency before the time of termination.

(3) A notice given by the Corporation under subsection (2) may terminate the operation of this section in respect only of home improvement loans or in respect only of home extension loans or in respect of any class thereof, as may be specified in the notice."

Revocation of termination.

(6) Where a proclamation has been issued under subsection (5) terminating the liability of the Corporation in respect of any guaranteed home improvement loans, the Governor in Council may by further proclamation revoke the termination in respect of any such loans."

9. Section 26 of the said Act is repealed and the following substituted therefor:

No liability after loans aggregate $200,000,000.

"**26.** The Corporation is not liable under this Part to make any payment to a bank or approved instalment credit agency in respect of loss sustained by it as a result of a home improvement loan or a home extension loan made after the aggregate principal amount of guaranteed home improvement loans and guaranteed home extension loans equals two hundred million dollars."

10. Paragraphs *(b)*, *(c)* and *(d)* of section 27 of the said Act are repealed and the following substituted therefor:

"*(b)* to prescribe a form of application for guaranteed home improvement loans and forms of notes, agreements, certificates and other documents to be used in connection with guaranteed home improvement loans or as are considered necessary or advisable for the effective operation of this Part;

(c) to prescribe the security, if any, that shall or may be taken by a bank or an approved instalment credit agency for the repayment of a guaranteed home improvement loan and terms of repayment and other terms not inconsistent with this Part on which the said loans are to be made;

(d) to prescribe the conditions to the liability of the Corporation in respect of guaranteed home improvement loans in addition to but not inconsistent with the conditions set out in paragraphs *(a)* to *(j)* of subsection (1) of section 24;"

11. Section 28 of the said Act is amended by adding thereto the following subsection:

Limitation.

"(3) Proceedings in respect of an offence under subsection (1) may be instituted at any time within three years from the time when the subject-matter of the proceedings arose."

12. Section 30 of the said Act is repealed and the following substituted therefor:

Home Improvement Loan Insurance Fund.

"**30.** (1) The Corporation shall establish a fund to be known as the "Home Improvement Loan Insurance Fund", in this section called the "Fund", into which shall be paid all fees received by the Corporation under paragraph *(i)* of subsection (1) of section 24.

Clause 9. Section 26 of the Act presently reads as follows:—

"**26.** The Corporation is not liable under this Part to make any payment to a bank or approved instalment credit agency in respect of loss sustained by it as a result of a home improvement loan or a home extension loan made after the aggregate principal amount of guaranteed home improvement loans and guaranteed home extension loans equals *one hundred and twenty-five million* dollars."

Clause 10. Paragraphs *(b)*, *(c)* and *(d)* of section 27 of the Act presently read as follows:—

"*(b)* to prescribe a form of application for guaranteed home improvement loans or guaranteed home extension loans;

(c) to prescribe in respect of guaranteed home improvement loans or guaranteed home extension loans

(i) the security if any, to be taken by the bank or the approved instalment credit agency making the loan, for the repayment thereof,

(ii) the terms of repayment and other terms not inconsistent with this Part upon which the said loans are to be made, and

(iii) conditions to the liability of the Corporation under this Part in respect of home improvement loans or home extension loans in addition to but not inconsistent with the conditions set out in paragraphs *(a)* to *(k)* of subsection (1) of section 24;

(d) to prescribe forms of notes, agreements, certificates and other documents to be used in connection with guaranteed home improvement loans or guaranteed home extension loans, or as are considered necessary or advisable for the effective operation of this Part;"

Clause 11. This new subsection (3) will allow a prosecution to be commenced three years after the offence arose. At the present time the limitation is six months.

Clause 12. Section 30 of the Act presently reads as follows:—

"**30.** At the request of the Corporation the Minister may, out of the Consolidated Revenue Fund, advance to the Corporation, upon terms and conditions approved by the Governor in Council, such amounts as the Minister considers necessary to enable the Corporation to discharge its obligations under this Part."

The purpose of this section is to establish a Fund in respect of the insurance fees collected under this Part, and to deal with such fees in a manner similar to that in which insurance fees under Part I are dealt with.

Assets of Fund.

(2) Property acquired by the Corporation in respect of a loan guaranteed under this Part and investments made out of the Fund under subsection (3) shall be assets of the Fund.

Investments out of Fund.

(3) The Corporation may invest any part of the Fund in obligations of or guaranteed by Canada.

Not income.

(4) Moneys paid into the Fund, property acquired as assets of the Fund and the return on investments and assets of the Fund shall not be taxable income of the Corporation.

Payments out of Fund.

(5) All payments required to be made by the Corporation in respect of loans guaranteed under this Part shall be made out of the Fund.

Advances out of C.R.F.

(6) At the request of the Corporation, the Minister may, out of the Consolidated Revenue Fund, advance to the Corporation upon terms and conditions approved by the Governor in Council, such amounts as the Minister considers necessary to enable the Corporation to discharge its obligations under this Part."

13. Subsection (1) of section 33 of the said Act is amended by striking out the word "and" at the end of paragraph *(f)* thereof, by inserting the word "and" at the end of paragraph *(g)* thereof and by adding thereto the following paragraph:

"*(h)* make arrangements with a province or a municipality, with the approval of the government of the province, to conduct special studies relating to the condition of urban areas, to means of improving housing, to the need for additional housing or for urban redevelopment."

14. Section 35 of the said Act is repealed and the following substituted therefor:

Payments out of C.R.F.

"**35.** (1) Subject to subsection (2), the Minister may, out of the Consolidated Revenue Fund, pay to the Corporation an amount equal to any expenditure incurred under or in carrying out the provisions of this Part.

Maximum amount of payment.

(2) A payment made under subsection (1) shall not be greater than the amount by which the aggregate of

(a) five million dollars, and

(b) any additional amounts authorized by Parliament for the purposes of this subsection

exceeds the total amount of payments made under subsection (1)."

15. (1) Subsection (1) of section 36 of the said Act is repealed and the following substituted therefor:

Clause 13. New.

Clause 14. Section 35 of the Act presently reads as follows:—

"**35.** The Minister may pay any expenditure incurred under or in carrying out the provisions of this Part, out of the Consolidated Revenue Fund to an aggregate amount not exceeding five million dollars."

Clause 15, subclause (1). Subsection (1) of section 36 of the Act presently reads as follows:—

Corporation may undertake projects jointly with provinces.

"**36.** (1) The Corporation may, pursuant to agreements made between the Government of Canada and the government of any province, undertake jointly with the government of the province or any agency thereof projects for the acquisition and development of land for housing purposes and for the construction of housing projects for sale or for rent."

(2) The portion of subsection (3) of section 36 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Expenditures paid out of C. R. F.

"(3) Subject to subsection (5), out of the Consolidated Revenue Fund, the Minister"

(3) Subsections (4) and (5) of section 36 of the said Act are repealed and the following substituted therefor:

Special Account established.

"(4) A special account shall be established in the Consolidated Revenue Fund for the purposes of this section to which advances made under subsection (3) shall be charged.

Limit on payments out of C.R.F.

(5) A payment of an advance or reimbursement under subsection (3) shall not be greater than the amount by which the aggregate of

(a) fifty million dollars, and

(b) any additional amounts authorized by Parliament for the purposes of this subsection

exceeds the aggregate of

(c) the total amount of advances charged to the special account, and

(d) the total amount of reimbursements made under subsection (3)."

16. Subsection (3) of section 40 of the said Act is repealed and the following substituted therefor:

Insurance fees credited to Fund.

"(3) The Corporation shall pay the amount of any insurance fee collected pursuant to subsection (2) into the Mortgage Insurance Fund, and any loss incurred by the Corporation in respect of such loan when held by the Corporation shall be charged to the Fund to the extent of the amount that would have been payable to an approved lender pursuant to section 9 if the loan had been held by the approved lender, and the mortgaged property acquired by the Corporation shall be an asset of the Fund."

17. The said Act is further amended by adding thereto, immediately after section 40 thereof, the following section:

Loans to Indians.

"**40A.** The Corporation may, subject to and in accordance with regulations of the Governor in Council, make loans to an Indian, as defined in the *Indian Act*, for the purpose of assisting in the construction of housing projects on Indian reserves."

"**36.** (1) The Corporation may pursuant to agreements made between the Government of Canada and the government of any province undertake jointly with the government of the province or any agency thereof projects for the acquisition and development of land for housing purposes and for the construction of *houses* for sale or for rent."

The words "housing projects" are substituted for the word "houses". A housing project includes, by definition, a single house, as well as apartment buildings and so forth.

Subclause (2). The portion of subsection (3) of section 36 of the Act that precedes paragraph *(a)* presently reads as follows:—

"(3) Out of moneys appropriated by Parliament for the purposes of this section or out of the special account established by subsection (4) the Minister"

Subclause (3). Subsections (4) and (5) of section 36 of the Act presently read as follows:—

"(4) There shall be established a special account in the Consolidated Revenue Fund to which shall be credited out of the Consolidated Revenue Fund the sum of fifty million dollars.

(5) Out of moneys appropriated by Parliament for the purposes of this section there shall be credited to the special account established by subsection (4) an amount equal to the amounts paid out of the special account in the fiscal year immediately preceding the fiscal year during which the appropriation was made."

Subclause (2) and subclause (3) are designed to make technical accounting changes. The special account is established for advances only because these are represented by debentures which are repayable by the Corporation. The reimbursements for losses are not recoverable from the Corporation and are therefore regarded as governmental expenditures.

Clause 16. Subsection (3) of section 40 of the Act presently reads as follows:—

"(3) The Corporation shall *credit* the amount of any insurance fee collected pursuant to subsection (2) to the Mortgage Insurance *Reserve* Fund, and any loss incurred by the Corporation in respect of such loan when held by the Corporation shall be charged to the Fund to the extent of the amount that would have been payable to an approved lender pursuant to section 9 if the loan had been held by the approved lender, and the mortgaged property acquired by the Corporation shall be an asset of the Fund."

This amendment is made necessary because of the change in name of the Fund under Part I by deleting the word "Reserve". (See clause 4 of this Bill).

Clause 17. New.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 216.

An Act to amend the St. Lawrence Seaway Authority Act.

First reading, April 24, 1956.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69469

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 216.

An Act to amend the St. Lawrence Seaway Authority Act.

R.S., c. 242; 1953-54, c. 44; 1955, c. 58.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 10 of the *St. Lawrence Seaway Authority Act* is amended by deleting the word "and" at the end of paragraph *(a)* thereof and by adding thereto the following paragraphs:

"*(c)* acquiring lands for, and constructing, maintaining and operating, alone or jointly or in conjunction with an appropriate authority in the United States, bridges connecting Canada with the United States as authorized by this Act, and in connection therewith, or as incidental thereto, acquiring with the approval of the Governor in Council shares or property of any bridge company and operating and managing bridges; and

(d) acquiring lands for, and constructing or otherwise acquiring, maintaining and operating such works or other property as the Governor in Council may deem to be necessarily incidental to works undertaken pursuant to this Act."

2. Section 12 of the said Act is amended by adding thereto the following subsection:

Proceeds of disposition.

"(2) The Minister of Finance shall out of the Consolidated Revenue Fund pay to the Authority an amount equal to the net proceeds realized from the disposition of any property held in the name of the Authority or held in the name of Her Majesty under the control of the Authority."

Explanatory Notes.

Clause 1.

The purpose of this clause is to empower the St. Lawrence Seaway Authority to construct, maintain and operate international bridges as specifically authorized by the *St. Lawrence Seaway Authority Act*, and to construct, maintain and operate incidental works.

Clause 2.

The money spent by the Authority is provided by loans that must be recovered by tolls; it is therefore advisable that the proceeds of the disposition of property be credited against expenditures.

3. The said Act is further amended by adding thereto, immediately after section 14 thereof, the following section:

Authority may construct bridge over Pollys Gut.

"**14A.** (1) The Authority may, alone or jointly or in conjunction with the Saint Lawrence Seaway Development Corporation of the United States, construct, maintain and operate a bridge over Pollys Gut in the St. Lawrence River for the passage of pedestrians, vehicles, railway trains and for other like purposes, with all necessary approaches and facilities, from Cornwall Island in the County of Stormont in the Province of Ontario to Massena Point in the State of New York.

Approval of plans and site by Governor in Council.

(2) Construction of the bridge mentioned in this section shall not be commenced until the Governor in Council has approved the plans and site thereof and the plans and site so approved shall not be altered except with the consent of the Governor in Council."

4. Subsection (1) of section 15 of the said Act is amended by deleting the word "and" at the end of paragraph *(d)* thereof, by inserting the word "and" at the end of paragraph *(e)* thereof, and by adding thereto the following paragraph:

"*(f)* pedestrians or vehicles entering, passing over or leaving a bridge or highway under its administration and passengers or goods carried in such a vehicle."

5. The said Act is further amended by adding thereto, immediately after section 20 thereof, the following section:

Powers of co-operating United States authorities.

"**20A.** Where, by this Act, the Authority or a corporation incorporated pursuant to section 24A is empowered to do any act or thing jointly or in conjunction with the Saint Lawrence Seaway Development Corporation or other authority in the United States, the Saint Lawrence Seaway Development Corporation or other authority may do, in Canada, all such acts and things as may be necessary to enable it to act jointly or in conjunction with the Authority or corporation for the purposes of this Act."

6. Section 22 of the said Act is repealed and the following substituted therefor:

Navigable Waters Protection Act not applicable.

"**22.** (1) The *Navigable Waters Protection Act* does not apply to works undertaken pursuant to this Act.

Works constructed under this Act lawful works.

(2) Any work constructed in accordance with this Act is a lawful work notwithstanding that it interferes with navigation."

Clause 3.

This clause would provide the specific authority for the construction of an international bridge.

Clause 4.

This amendment would enable the Authority to establish tariffs of tolls with respect to pedestrians or vehicles using highways or bridges under the administration of the Authority.

Clause 5.

The purpose of this clause is to confer the necessary corporate authority upon co-operating agencies of the United States.

Clause 6.

The present section 22 reads as follows:

"**22.** The *Navigable Waters Protection Act* does not apply to works undertaken by the Authority pursuant to this Act."

The proposed amendment would exempt from the *Navigable Waters Protection Act* not only works undertaken by the Authority, but also works undertaken by subsidiaries. The proposed amendment would also make it clear that works constructed pursuant to the Act are lawful works for the purposes of the *Navigable Waters Protection Act.*

7. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Incorporation of subsidiaries.

"**24A.** (1) The Authority may, with the approval of the Governor in Council, procure the incorporation of any one or more corporations for the purpose of undertaking or carrying out any acts or things that the Authority is authorized to undertake or carry out under this Act.

Issue of charter.

(2) For the purposes of this section, upon the request of the Authority, the Secretary of State of Canada may, by letters patent under his seal of office, grant a charter under Part I of the *Companies Act* constituting such persons as are named by the Authority and any others who may thereafter be appointed by the Authority in their stead or in addition thereto a corporation for any purpose mentioned in subsection (1).

Appointment of members, directors, officers.

(3) The Authority may remove any members, directors or officers of a corporation incorporated under this section at any time and may appoint others in their stead, or may appoint additional persons as members.

Application of this Act to subsidiaries.

(4) Subsection (2) of section 3, and sections 4, 9, 15, 16, 21, 23 and 24, apply *mutatis mutandis* in respect of a corporation incorporated pursuant to this section as though the corporation were the Authority."

Clause 7.

The purpose of this clause is to authorize the Authority to procure the incorporation of subsidiaries.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 248.

An Act respecting the Construction of a line of railway in the Province of New Brunswick by Canadian National Railway Company from a point at or near Bartibog in a westerly direction to the Tomogonops River in the vicinity of Little River Lakes.

First reading, April 24, 1956.

MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
72579 OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 248.

An Act respecting the Construction of a line of railway in the Province of New Brunswick by Canadian National Railway Company from a point at or near Bartibog in a westerly direction to the Tomogonops River in the vicinity of Little River Lakes.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Construction and completion.

1. The Governor in Council may provide for the construction and completion by Canadian National Railway Company (in this Act called "the Company") prior to the 1st day of November, 1958, or such later date as the Governor in Council may fix, of the line of railway (in this Act called the "railway line") described in the Schedule.

Competitive bids or tenders.

2. The Company shall adopt the principle of competitive bids or tenders in respect of the construction of the railway line in so far as the Company decides not to perform such work or any part thereof with its own forces, but the Company is not bound to accept the lowest or any bid or tender made or obtained nor precluded from negotiating for better prices or terms.

Maximum expenditure.

3. Estimates of the mileage of the railway line, the amount to be expended on the construction thereof and the average expenditure per mile are set out in the Schedule, and, except with the approval of the Governor in Council, the Company shall not in performing the work of construction and completion exceed such estimates by more than fifteen per cent.

Explanatory Note.

The purpose of this Bill is to authorize the construction by Canadian National Railway Company of a railway line from Bartibog to Tomogonops River in New Brunswick. The Bill is in the standard form.

Issue of securities.

4. Subject to the provisions of this Act and the approval of the Governor in Council, the Company may, in respect of the cost of the construction and completion of the railway line, or to provide amounts required for the repayment of loans made under section 5, issue notes, obligations, bonds, debentures or other securities (in this Act called "securities"), not exceeding in the aggregate, exclusive of any securities issued to secure loans made under section 5, the sum of three million two hundred and twenty thousand dollars, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve.

Temporary loans.

5. To enable the work of construction and completion of the railway line to proceed forthwith, the Minister of Finance, upon application made to him by the Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the Company out of the Consolidated Revenue Fund, not exceeding three million two hundred and twenty thousand dollars, repayable on such terms and at such rates of interest as the Governor in Council may determine and secured by securities that the Company is authorized to issue under section 4.

Guarantees.

6. (1) The Governor in Council may authorize the guarantee by Her Majesty in right of Canada of the principal and interest of the securities that the Company may issue under the provisions of this Act.

Form and terms.

(2) The guarantee may be in such form and subject to such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto and may be signed on behalf of Her Majesty by the Minister of Finance or such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the provisions of this Act have been complied with.

Guarantee may be general or separate.

(3) Any guarantee under this Act may be either a general guarantee covering the total amount of the issue or a separate guarantee endorsed on each obligation.

Temporary guarantees.

(4) With the approval of the Governor in Council, temporary guarantees may be made to be subsequently replaced by permanent guarantees.

Deposit of proceeds of sale, etc., of securities.

7. (1) The proceeds of any sale, pledge, or other disposition of any guaranteed securities shall in the first instance be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance in trust for the Company, in one or more banks designated by him.

Release of deposits.

(2) The Board of Directors of the Company may authorize application to be made to the Minister of Transport for the release of any part of the proceeds deposited pursuant to subsection (1) to the Company for the purpose of meeting expenditures in respect of the construction of the railway line, and the Minister of Transport may approve the applications, and upon the request of the Minister of Transport the Minister of Finance may pay the amount or amounts of such applications or part thereof accordingly.

Report to Parliament.

8. The Minister of Transport shall present to Parliament during the first ten days of each session held prior to the date of completion fixed by or under section 1, a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under section 5 and the amount of such advances reimbursed, and such further information as the Minister of Transport may direct.

SCHEDULE.

Location	Estimates		
	Mileage	Cost of Construction	Average cost per mile
From a point at or near Bartibog in the Province of New Brunswick in a westerly direction to the Tomogonops River in the vicinity of Little River Lakes	22	$2,800,000.	$127,270.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 249.

An Act to amend the Department of Transport Act.

First reading, April 25th, 1956.

THE MINISTER OF TRANSPORT.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69473

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 249.

An Act to amend the Department of Transport Act.

R.S., c. 79, 1953-54, c. 30.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1953-54, c. 30.

1. Subsection (3) of section 6A of the *Department of Transport Act* is repealed and the following substituted therefor:

Duration.

"(3) This section shall expire on the 31st day of May, 1958."

Explanatory Note.

Section 6A of the *Department of Transport Act*, enacted by chapter 30 of the statutes of 1953-54, authorizes the control of transport of goods in bulk by means of ships or by a company to which the *Railway Act* applies. Subsection (3) of that section now provides that it shall expire on the 31st day of May, 1956.

The purpose of the proposed amendment is to extend the section for two more years.

250.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 250.

An Act to amend the Northwest Territories Power Commission Act.

First reading, April 25, 1956.

MINISTER OF NORTHERN AFFAIRS AND NATIONAL RESOURCES.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA. 1956

69393

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 250.

An Act to amend the Northwest Territories Power Commission Act.

R.S., c. 196.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The long title of chapter 196 of the Revised Statutes of Canada, 1952, "An Act respecting the supplying of Electrical Power in the Northwest Territories" is repealed and the following substituted therefor:

"An Act respecting the supplying of Electrical Power and other Public Utilities in Northern Canada."

2. Sections 1 and 2 of the said Act are repealed and the following substituted therefor:

"SHORT TITLE.

Short title.

1. This Act may be cited as the *Northern Canada Power Commission Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"Commission."

(*a*) "Commission" means the Northern Canada Power Commission;

"Member."

(*b*) "member" means a member of the Commission;

"Minister."

(*c*) "Minister" means the Minister of Northern Affairs and National Resources;

"Municipality."

(*d*) "municipality" includes a municipal district and a local improvement district established under an Ordinance of the Northwest Territories or the Yukon Territory;

EXPLANATORY NOTES.

The principal purposes of this Bill are to authorize the Commission to supply public utilities other than electrical power, and to establish a fund to finance investigations of possible power developments in the north.

It is not contemplated that the Commission will normally supply any public utility other than power. However, at the new Aklavik it is intended to have central heating for the major buildings and part of the town. It can most economically be provided by the Power Commission in combination with the production of power. Sewer and water lines will have to be heated and their operation will be joined to that of power and heat. Northern conditions and permafrost may impose similar arrangements in a few other Arctic towns in future.

Clause 1.

The purpose of this clause is to change the name of the Act so as to correspond with the proposed new name of the Commission.

The Commission now operates a plant in the Yukon Territory and may have others there in future. The name "Northwest Territories Power Commission" is, therefore, no longer appropriate.

Clause 2.

The present sections 1 and 2 read as follows:

"**1.** This Act may be cited as the *Northwest Territories Power Commission Act*.

"**2.** In this Act,

(a) "Commission" means the *Northwest Territories* Power Commission;

(b) "local administrative district" means a local administrative district established pursuant to the Local Administrative Districts Ordinance of the Northwest Territories;

(c) "member" means a member of the Commission;

(d) "Minister" means the Minister of *Resources and Development;*

"Plant." (*e*) "plant" means facilities for the generation, supply, control, transmission or distribution of a public utility and includes the site thereof, and all land, water, rights to use water, buildings, works, machinery, installations, materials, transmission lines, distribution lines, pipe lines, furnishings and equipment, construction plant, stores and supplies acquired, constructed or used or adapted for or in connection therewith;

"Project." (*f*) "project" means any scheme for the development of or addition to or the construction, purchase or rental of a plant and includes the investigation of any such scheme;

"Public utility." (*g*) "public utility" means

(i) electric energy produced by hydraulic, electrical, steam or internal combustion engine or by gas, oil or any other process,

(ii) thermal energy in the form of steam, hot water or hot air produced by any process for heating buildings or for domestic use or for use in any commercial or manufacturing enterprise or industrial process,

(iii) water supplied for domestic use or for use in any commercial or manufacturing enterprise or industrial process,

(iv) sewerage services, and

(v) telephone systems; and

"Rates." (*h*) "rates" means the charges set or made for the supply of a public utility and includes all conditions of supply pertaining thereto."

Change of name. **3.** The name of the Northwest Territories Power Commission established by the said Act is changed to Northern Canada Power Commission.

4. Subsections (2), (3) and (4) of section 5 of the said Act are repealed and the following substituted therefor:

Temporary employees. "(2) Where it is necessary for any project or for the proper operation and maintenance of any plant, the Commission may employ a person for a period not exceeding three months at such rates of remuneration and on such terms and conditions of employment as are fixed by the Commission."

(e) "power" means electric energy produced by hydraulic, electrical, steam, or internal-combustion engine, or by gas, oil, or any other process;

(f) "power plant" includes all land, water, rights to use water, buildings, works, machinery, installations, materials, transmission lines, furnishings and equipment, construction plant, stores and supplies, acquired, constructed or used, or adapted for, or in connection with the generation, supply and transmission of power;

(g) "power-site" includes any land, stream, watercourse, lake or body of water or reservoir, dam, canal, tunnel or aqueduct that is used, or that in the opinion of the Commission might be used for the generation or supply of power; and

(h) "*power* rates" includes charges set or made for the supply of *power*, including all conditions of supply pertaining thereto."

The proposed amendments would alter the definitions so as to include additional public utilities.

Clause 3.

This clause would change the name of the Commission.

Clause 4.

The present subsections (2), (3) and (4) of section 5 read as follows:

"(2) Where it is necessary for the proper operation and maintenance of any *power plant or power line* the Commission may employ a person for a period not exceeding three months at such rates of remuneration and on such terms or conditions of employment as may be fixed by the Commission.

(3) *For the purposes of Part I of the Civil Service Superannuation Act the members of the Commission and every person employed under subsection (1) are deemed to be employed in the Civil Service within the meaning of that Act.*

(4) *Where an employee of the Commission is a contributor under Part I of the Civil Service Superannuation Act the Commission is liable to pay into the Consolidated Revenue Fund on the 31st day of March in each year an amount equal to the contributions made by the contributor during that fiscal year and each amount, so paid, shall be credited to the Superannuation Account in the Consolidated Revenue Fund.*"

The amendments to subsection (2) are consequential.

Subsections (3) and (4) are not now necessary. The *Public Service Superannuation Act*, enacted after the *Northwest Territories Power Commission Act* was first enacted, provides for the application of the *Public Service Superannuation Act* to the members and employees of the Commission.

5. Subsection (1) of section 6 of the said Act is repealed and the following substituted therefor:

Powers.

"**6.** (1) The Commission may construct, purchase, rent or otherwise acquire, operate and maintain plants within the Northwest Territories or the Yukon Territory and, with the approval of the Governor in Council but subject to the laws of the province in which the powers under this section are exercised, elsewhere in Canada, and for those purposes may

(*a*) undertake surveys and engineering investigations for the development of projects;

(*b*) construct, make, purchase, rent or establish every kind of structure, excavation, or installation suitable for or necessary to the development, operation or maintenance of plants or projects;

(*c*) purchase or rent equipment and facilities for the development, operation or maintenance of plants or projects;

(*d*) construct and maintain dams for storage and power purposes, and flood and overflow land for the storage of water;

(*e*) raise or lower the levels of rivers, lakes, streams and other bodies of water, and make stream or river diversions;

(*f*) enter upon and erect plants on, under or over any roads, railways, rivers, streams, waterways or lands;

(*g*) develop, improve and operate any property of the Commission;

(*h*) purchase public utilities from any person;

(*i*) sell, exchange or otherwise dispose of any personal property of the Commission and, with the approval of the Governor in Council, any real property of the Commission; and

(*j*) do such other things as it deems expedient for or conducive to the attainment of the purposes set forth in this section."

6. Sections 8 to 14 of the said Act are repealed and the following substituted therefor:

Release of former owner.

"**8.** Where any plant is acquired by the Commission with or without the consent of the owner, the Commission may by order release the owner from all his obligations relating to the generation, purchase or supply of public utilities from the plant so acquired and the order is binding on all persons.

Clause 5.

The present subsection (1) of section 6 reads as follows:

"**6.** (1) The Commission may construct and operate *power* plants within the Northwest Territories or the Yukon Territory and for those purposes may

(a) undertake surveys and engineering investigations for the development of *power sites*;

(b) generate and supply *power*;

(c) construct, make, or establish every kind of structure, excavation, or installation suitable for or necessary to the development or operation of *power-sites, power projects, or power plants*, and the control and transmission of power;

(d) purchase and install equipment and facilities for the development or operation of *power-sites, power projects, or power plants*;

(e) construct and maintain dams for storage and power purposes, and flood and overflow land for the storage of water;

(f) raise or lower the levels of rivers, lakes, streams and other bodies of water, and make stream or river diversions;

(g) *subject to the approval of the Governor in Council* enter upon and erect on, under, or over, any roads, railways, rivers, streams, waterways, or lands, *any structure or facility related to the generation and supply of power*;

(h) develop, improve, and operate any property of the Commission;

(i) *purchase or lease power from, or sell power to, any person who operates a power plant within or outside the Northwest Territories or the Yukon Territory;*

(j) sell, exchange, or otherwise dispose of any personal property of the Commission and, with the approval of the Governor in Council, any real property of the Commission; and

(k) do such other things as it deems expedient for or conducive to the attainment of the purposes set forth in this section."

The purposes of the proposed amendment are to make it clear that the Commission may acquire plants, as well as construct and operate, and to empower the Commission to carry on business in a province, subject to the approval of the Governor in Council and in compliance with the laws of the province. The proposed changes in the enumerated powers are consequential.

Clause 6.

The present sections read as follows:

"**8.** Where any *power* plant is acquired by the Commission with or without the consent of the owner, the Commission may by order release the owner from all his obligations relating to the generation, purchase or supply of *power* from the plant so acquired and the order is binding on all persons.

SUPPLY OF PUBLIC UTILITIES.

Supply of utilities.

"**9.** The Commission may supply public utilities to municipalities, organizations, corporations or individuals, or to such districts or areas as may be established by the Commission for convenience of administration and supply of public utilities.

Rates.

"**10.** The Commission shall, with the approval of the Governor in Council, establish schedules or ranges of rates for public utilities supplied by it under this Act, but the rates to be charged within those schedules or ranges shall not be less than the estimated cost to the Commission, as determined by it, of supplying the public utility, which cost shall include:

(*a*) payments in respect of the interest on, and in respect of the principal amount of advances made or deemed to have been made to the Commission under this Act in respect of the plant from which the public utility was supplied;

(*b*) the cost of operating, maintaining and repairing that plant, and the payment of charges or rentals in connection therewith;

(*c*) the cost of administration by the Commission and the salaries, travelling expenses and other expenses of the members of the Commission and its staff, including payments required for superannuation purposes and for workmen's compensation as provided by the *Government Employees Compensation Act*, and all other expenditures of the Commission, as attributed by the Commission to that plant; and

(*d*) the establishment and maintenance of a contingency reserve fund in the amount considered necessary by the Commission to meet unforeseen or emergency expenditures.

Agreements.

"**11.** The Commission may enter into agreements with any person for,

(*a*) the supply of public utilities at rates authorized under section 10;

(*b*) the use of the Commission's facilities and equipment; and

(*c*) the attainment of the intent and purposes of this Act.

"**9.** *Power* purchased or generated by the Commission may be supplied under agreement to mines, local administrative districts or to such *power* districts or *power* areas as may be established by the Commission for convenience of administration and supply of power.

10. *Power purchased or generated by the Commission may be distributed by the Commission over its distributing lines to consumers in any district or area.*

11. The Commission shall, with the approval of the Governor in Council, establish schedules or ranges of rates for *power* supplied by it under this Act, but the rates to be charged for power within the said schedules or ranges shall not be less than the estimated cost to the Commission, as determined by it, of supplying the *power* and which cost shall include:

(a) payments in respect of the interest on, and in respect of the principal amount of advances made or deemed to have been made to the Commission under this Act in respect of the *power* plant from which the *power* was supplied;

(b) the cost of operating, maintaining and repairing that *power* plant *and its transmission lines, and other structures required or constructed for the purpose of supplying the power therefrom*, the payment of rentals *for power and power facilities*, the cost of administration by the Commission, and the salaries, travelling expenses and other expenses of the members of the Commission and its staff, including payments required for superannuation purposes and for workmen's compensation as provided by the *Government Employees Compensation Act*, and all other expenditures of the Commission *properly attributable to the supply of the power*;

(c) the establishment and maintenance of a contingency reserve fund in the amount considered necessary by the Commission to meet unforeseen or emergency expenditures.

12. The Commission may enter into agreements with any person for the supply of *power* at the rates authorized under section 11.

Review of rates.

"**12.** The Commission shall annually review and in accordance with section 10, but subject to any contract entered into under section 11, shall adjust, if necessary, the rates for public utilities supplied.

Investigations.

"**13.** The Commission may investigate a project and advise the Minister or the Commissioner of the Northwest Territories or the Commissioner of the Yukon Territory, as the case may be, of the areas that might be served, the estimated amount of capital required, and the proposed rates that in the opinion of the Commission would produce revenue equal to the costs specified in section 10.

Advances for investigations.

"**14.** (1) The Minister of Finance shall out of the Consolidated Revenue Fund pay to the Commission the sum of fifty thousand dollars as a fund for the purpose of meeting expenditures incurred by the Commission in carrying out investigations in accordance with section 13.

Charged to capital cost if project developed.

(2) If a project investigated pursuant to section 13 is developed by the Commission, the cost of the investigation shall be included in the cost of the development, and the expenditures that were made from the fund established under this section shall be restored to the fund by the Commission and shall constitute a direct charge against the capital cost of the development.

Included in Estimates if project not developed.

(3) If a project investigated pursuant to section 13 is not undertaken or proceeded with, an amount equal to the expenditures made for such investigation work out of the fund established under this section shall be included from time to time in the Estimates submitted by the Minister to the Governor in Council."

7. Subsection (1) of section 16 of the said Act is repealed and the following substituted therefor:

Capital account.

"**16.** (1) Moneys advanced to the Commission under this Act shall be deposited in such bank as the Minister of Finance, from time to time, directs and be credited to an account designated the "Northern Canada Power Commission Capital Account" in this Act called the "Capital Account"."

8. Subsection (1) of section 20 of the said Act is repealed and the following substituted therefor:

Collection of revenue.

"**20.** (1) The Commission shall collect and receive all revenue derived from the operation of any of its plants or from the rental of its equipment, land or structures, the sale of supplies, equipment and assets (other than capital supplies, equipment and assets) and the use of water under

13. The Commission shall annually review and in accordance with section 11 shall adjust, if necessary, the rates charged for *power* supplied.

14. *At the request of the Commissioner of the Northwest Territories or the Commissioner of the Yukon Territory*, the Commission may investigate *the supplying of power to any local administrative district, company or other person in the Northwest Territories or to any municipality, company or other person in the Yukon Territory, respectively*, and advise the Commissioner of the Northwest Territories or the Commissioner of the Yukon Territory, as the case may be, of the areas that might be served, the estimated amount of capital required, and the proposed rates *to the consumers* that in the opinion of the Commission would produce revenue equal to the *cost of supplying power under the provisions of section 11.*"

The proposed changes in sections 8 to 13 are consequential.

The proposed section 14 is new. It is intended to provide a fund to enable the Commission to carry on investigations. If a project is developed, the cost of the investigation is restored to the fund and charged against the capital cost of the development; if a project is not developed it is intended that the fund will be restored by Parliamentary appropriations.

Clause 7.

The present provision reads:

"**16.** (1) Moneys advanced to the Commission under this Act shall be deposited in such bank as the Minister of Finance, from time to time, directs and be credited to an account designated the "*Northwest Territories* Power Commission Capital Account" in this Act called the "Capital Account"."

Clause 8.

The present provision reads:

"**20.** (1) The Commission shall collect and receive all revenue derived from the *sale or transmission of power sold or transmitted by it* or from the rental of its equipment, land or structures, the sale of supplies, equipment and assets (other than capital supplies, equipment and assets) and the use of water under its control for *power* purposes or otherwise arising out of its operations under this Act and all moneys so received shall be deposited in such bank as the Minister of Finance, from time to time, directs and be credited to a Special Account designated the "*Northwest Territories* Power Commission Special Account", in this Act called the "Special Account"."

its control for its purposes or otherwise arising out of its operations under this Act, and all moneys so received shall be deposited in such bank as the Minister of Finance, from time to time, directs and be credited to a Special Account designated the "Northern Canada Power Commission Special Account", and in this Act called the "Special Account"."

9. Sections 21 and 22 of the said Act are repealed and the following substituted therefor:

Investments.

"**21.** (1) The Commission may from time to time invest any funds held by it that are not immediately required for its purposes in bonds or securities of, or guaranteed by, the Government of Canada and may sell such bonds or securities as and when it deems it expedient to do so.

Revenue from investments.

(2) Revenue earned from the investment of such funds shall be credited to the appropriate account of the plant or project in respect of which such moneys were acquired or accumulated by the Commission.

Surplus funds.

"**22.** Any surplus amount in the Special Account at the end of a fiscal year after providing for the payments and commitments authorized under this Act for that fiscal year shall be held in the Special Account for not less than six months after the close of that fiscal year and after that time may, if recommended by the Commission and approved by the Governor in Council, be applied by the Commission in reduction of rates in such manner as may be so recommended and approved, or may be used for the extension, expansion or improvement of the plant in respect of which such surplus funds accrued."

10. Sections 25 and 26 of the said Act are repealed and the following substituted therefor:

Permits.

"**25.** The Commission may prescribe and collect fees for permits for electrical installations using electrical energy supplied by the Commission, and for the inspection, testing and approval of all such works.

Damage to plants.

"**26.** In case any plant of the Commission, or any part thereof, becomes damaged so that the Commission is unable to supply any public utility, the Commission shall make repairs as promptly as possible, and, pending repairs, shall take all reasonable steps to supply the public utility from other sources, if such is available; but in no case shall the Commission be held responsible for any claims for financial losses or inconvenience caused to any person by reason of its failure to supply any public utility."

Clause 9.

The present sections 21 and 22 are as follows:

"**21.** *The Commission may invest any amount held by it as a contingency reserve fund in bonds of, or guaranteed by, the Government of Canada.*

22. Any surplus amount in the Special Account at the end of a fiscal year after providing for the payments and commitments authorized under this Act for that fiscal year shall be held in the Special Account for not less than six months after the close of that fiscal year and after that time may, if recommended by the Commission and approved by the Governor in Council, be applied by the Commission in reduction of the rates to consumers in such manner as may be so recommended and approved."

The proposed amendments to section 21 would authorize the Commission to invest any surplus funds, and to credit the revenue to the particular project in respect of which the funds were acquired.

The proposed amendment to section 22 would authorize use of surplus funds for extension, expansion or improvement of the plant in respect of which they accrued.

Clause 10.

The present sections 25 and 26 are as follows:

"**25.** The Commission *shall* prescribe and collect fees for permits for electrical installations using *power* supplied by the Commission, and for the inspection, testing and approval of all such works.

"**26.** In case any *power* plant of the Commission, or any part thereof, becomes damaged so that the Commission is unable to supply *power to any consumer*, the Commission shall make repairs as promptly as possible, and pending repairs shall take all reasonable steps to supply *power* from other sources, if such is available; but in no case shall the Commission be held responsible for any claims for financial losses, or inconvenience caused to any *consumer* by reason of its failure to supply *power*."

11. Section 28 of the said Act is repealed and the following substituted therefor:

Supply of surplus utilities.

"**28.** (1) Where the Commission has surplus electrical or thermal energy not under contract or otherwise required by the Commission, it may, at its discretion, supply such energy if, as and when available, at such rates as the Commission may determine from time to time, and the provisions of section 10 of this Act do not apply in such rate determination.

Not obligatory.

(2) The supply of surplus energy under subsection (1) is in no way obligatory on the part of the Commission, and the Commission is not responsible for any damages or claims arising from the discontinuing of any such energy that may have been supplied."

Clause 11.

The present section 28 is as follows:

"**28.** (1) Where the Commission has surplus *power* not under contract or otherwise required by the Commission, it may, at its discretion, supply such *power* if, as and when available, at such rates as the Commission may determine from time to time.

(2) The supply of surplus *power* under subsection (1) is in no way obligatory on the part of the Commission, and the Commission is not responsible for any damages or claims arising from the discontinuing of any such *power* that may have been supplied."

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 252.

An Act to amend the Judges Act.

First reading, April 26, 1956.

THE MINISTER OF JUSTICE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72890

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 252.

An Act to amend the Judges Act.

R.S. c. 159; 1952-53, c. 4; 1953-54, c. 58; 1955, c. 48.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1955, c. 48, s. 3.

1. Paragraph *(e)* of section 9 of the *Judges Act* is repealed and the following substituted therefor:

"*(e)* Forty-eight puisne judges of the Superior Court, each..... $16,900.00".

1955, c. 48, s. 3.

2. Paragraph *(d)* of section 13 of the said Act is repealed and the following substituted therefor:

"*(d)* Eleven Judges of the Supreme Court, each..... $16,900.00".

Explanatory Note.

The purposes of this Bill are:

(a) to provide salaries for four additional judges of the Superior Court of Quebec, and

(b) to provide salaries for two additional judges of the Supreme Court of British Columbia.

253.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 253.

An Act to amend the Veterans' Business and Professional Loans Act.

First reading, April 26, 1956.

MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72021

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 253.

An Act to amend the Veterans' Business and Professional Loans Act.

R.S. c. 278; 1953-54, c. 65, s. 9.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Paragraph *(l)* of subsection (1) of section 4 of the *Veterans' Business and Professional Loans Act* is repealed and the following substituted therefor:

"*(l)* the application was made within a period of ten years from the 1st day of January, 1945, or the date that is the date of his discharge within the meaning of subsection (1) of section 12 of the *War Service Grants Act*, whichever date is the later; and"

Explanatory Notes.

The present provision reads as follows:

"(*l*) the *loan* was made within a period of ten years from the 1st day of January, 1945, or the date that is the date of his discharge within the meaning of subsection (1) of section 12 of the *War Service Grants Act*, whichever date is the later; and"

The purpose of the amendment is to provide that a loan is a guaranteed loan if the application is made within the periods specified even though the loan itself was made at a later date.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 254.

An Act to amend the Canada Lands Surveys Act.

First reading, April 26, 1956

MINISTER OF MINES AND
TECHNICAL SURVEYS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72648

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 254.

An Act to amend the Canada Lands Surveys Act.

R.S. c. 26.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 7 of the *Canada Lands Surveys Act* is repealed and the following substituted therefor:

Remuneration of members and Secretary.

"**7.** Every member or temporary member of the Board and the Secretary of the Board, whether or not he is employed or paid in any other capacity in the public service of Canada, may, in respect of the performance of his duties and functions under this Act, be paid

(a) remuneration at an annual rate to be fixed by the Treasury Board on the recommendation of the Civil Service Commission; and

(b) his actual living and travelling expenses incurred while away from his normal place of residence."

2. Section 9 of the said Act is repealed and the following substituted therefor:

Fees to special examiners.

"**9.** Every special examiner, other than a member of the Board, may be paid for each day on which he presides at an examination such fee as may be fixed by the Treasury Board and his actual living and travelling expenses incurred while away from his normal place of residence."

Explanatory Notes.

1. Section 7 of the Act now reads as follows:

"7. (1) Every member or temporary member of the Board who attends a meeting thereof called for the purpose of examining candidates or for any other purpose or who attends as a special examiner at an examination shall receive the sum of fifteen dollars for each day's sitting together with his actual living and travelling expenses incurred through his attendance at such meeting or examination.

(2) The Secretary shall receive the sum of ten dollars for each day's sitting of meetings of the Board at which he attends together with his actual living and travelling expenses incurred through such attendance and shall, in addition, be paid an annual remuneration of two hundred and fifty dollars."

The purpose of the proposed amendment is to provide for remuneration on an annual basis.

2. Section 9 of the Act now reads as follows:

"9. Every special examiner, other than a member of the Board, shall receive the sum of twenty-five dollars for each day's sitting of examinations at which he presides together with his actual living and travelling expenses incurred through his attendance at such examinations."

The purpose of the proposed amendment is to authorize the Treasury Board to fix the fees to be paid to special examiners.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 290.

An Act to amend the Tariff Board Act.

First reading, May 8, 1956.

MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

72575

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 290.

An Act to amend the Tariff Board Act.

R.S. cc. 261, 336; 1955, c. 55, s. 3.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Subsections (1) and (2) of section 3 of the *Tariff Board Act* are repealed and the following substituted therefor:

Constitution of Board.

"**3.** (1) There shall be a Board, to be called the Tariff Board, consisting of five members appointed by the Governor in Council.

Chairman and Vice-Chairmen.

(2) The Governor in Council shall appoint one of the members to be Chairman and two members to be Vice-Chairmen; and at sessions of the Board the Chairman shall preside and in his absence one of the Vice-Chairmen."

(2) Subsection (8) of section 3 of the said Act is repealed and the following substituted therefor:

Three members of Board may hear appeals under *Customs Act* or *Excise Tax Act*.

"(8) With respect to an appeal to the Board under the provisions of the *Customs Act* or the *Excise Tax Act* three members, including the Chairman or in his absence one of the Vice-Chairmen, may exercise the powers of the Board.

Vacancy.

(9) A vacancy on the Board does not impair the right of the remaining members to act."

2. Subsection (2) of section 7 of the said Act is repealed and the following substituted therefor:

Appointment of technical personnel.

"(2) The Board, with the approval of the Treasury Board, may

(a) appoint one or more persons, having technical or special knowledge of any of the matters into which inquiry under this Act may be made, to assist the Board in making such inquiry,

(b) employ shorthand reporters, and

(c) determine the remuneration and period of service of persons appointed or employed under this section."

Explanatory Notes.

1. (1) Subsections (1) and (2) of section 3 presently read as follows:

"**3.** (1) There shall be a Board to be called the Tariff Board, consisting of *three* members appointed by the Governor in Council.

(2) One of the members shall be appointed chairman and *another vice-chairman* by the Governor in Council, and at sessions of the Board the chairman shall preside, and in his absence *the vice-chairman*."

The purpose of the proposed amendment is to increase the membership of the Tariff Board from three to five and the number of Vice-Chairmen from one to two.

(2) The present subsection (8) of section 3 reads as follows:

"(8) With respect to an appeal to the Board under the provisions of the *Customs Act* or the *Excise Tax Act*, two members, including the Chairman, or in his absence *the Vice-Chairman*, may exercise the powers of the Board."

The proposed amendments to subsection (8) are consequential.

The proposed subsection (9) is new.

2. The present subsection (2) reads as follows:

"(2) The Governor in Council may, on the recommendation of the Board, appoint one or more persons having technical or special knowledge of any of the matters into which inquiry under this Act may be made, to assist the Board in making such inquiries and may employ shorthand reporters, and the remuneration and period of service of all such persons, shall on like recommendation be as the Governor in Council determines."

The purpose of the proposed amendment is to substitute "The Board, with the approval of the Treasury Board," for "The Governor in Council".

1955, c. 55, s. 3.

3. Paragraphs *(b)* and *(c)* of section 8 of the said Act are repealed and the following substituted therefor:

"*(b)* to each of the Vice-Chairmen of the Board, fourteen thousand five hundred dollars, and

(c) to each of the other members of the Board, thirteen thousand five hundred dollars."

3. Paragraphs *(b)* and *(c)* of section 8, which provides the salaries for the members of the Board, presently read as follows:

> "*(b)* to the *Vice-Chairman* of the Board, fourteen thousand five hundred dollars, and
> *(c)* to the other *member* of the Board, thirteen thousand five hundred dollars."

The proposed amendments are consequential.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 292.

An Act to amend the Patent Act.

First reading, May 9, 1956.

MR. ARGUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 292.

An Act to amend the Patent Act.

R.S., c. 203; 1953-54, cc. 19, 40, s. 15.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (3) of section 41 of the *Patent Act* is repealed and the following substituted therefor:

No patent to preclude free manufacture or free sale or use of article for human food or medical purpose.

"(3) In the case of any patent for an invention intended for or capable of being used for the preparation or production of food or medicine, or any products which are themselves used as food or medicine, or any articles vital to health, such as optical goods, dental goods, dental and surgical instruments and equipment, and devices such as wheelchairs and artificial limbs, the Commissioner shall, unless he sees good reason to the contrary, grant to any person applying for the same, a licence limited to the use of the invention for purposes vital to health; and, in settling the terms of such licence and fixing the amount of royalty or other consideration payable the Commissioner shall have regard to the desirability of making the food or medicine and any of the other aforesaid products and articles available to the public at the lowest possible price consistent with giving to the inventor due reward for the research leading to the invention."

2. Subsection (1) of section 62 of the said Act is repealed and the following substituted therefor:

Impeachment of patents or patent claims.

"**62.** (1) A patent or any claim in a patent may be declared invalid or void by the Exchequer Court at the instance of the Attorney General of Canada or at the instance of any person."

Explanatory Notes.

Subsection (3) of section 41 of the *Patent Act* at present reads as follows:

> "(3) In the case of any patent for an invention intended for or capable of being used for the preparation or production of food or medicine, the Commissioner shall, unless he sees good reason to the contrary, grant to any person applying for the same, a licence limited to the use of the invention for *the* purposes *of the preparation or production of food or medicine but not otherwise;* and, in settling the terms of such licence and fixing the amount of royalty or other consideration payable the Commissioner shall have regard to the desirability of making the food or medicine available to the public at the lowest possible price consistent with giving to the inventor due reward for the research leading to the invention."

Subsection (3) of section 41 of the *Patent Act* expresses an extremely important principle which should be clarified and extended in the public interest. By it the Commissioner is empowered to grant for the asking, quite apart from any question of abuse, a licence to any applicant in respect of a "patent for an invention. . .for preparation or production of food or medicine", with the objective of making the food or medicine available to the public at the lowest possible price consistent with giving to the inventor due reward. This section has been used on even fewer occasions than the abuse section. It seems probable, however, that its mere existence, to a much greater degree than in the case of the abuse section, deters many patentees from refusing licences.

The section at present is limited, however, to inventions used in the preparation or production of food or medicine. Other inventions equally essential for human sustenance and health should be included. The section should cover any patents on any products which are themselves used as food or medicine. It should also cover, and this is especially important in view of evidence of restrictive practices in some of these fields, products vital to health such as optical goods, dental goods, dental and surgical instruments and equipment, and devices such as wheelchairs and artificial limbs.

2. Subsection (1) of section 62 is amended by deleting the word "interested" immediately before the last word "person".

Persons "interested" who can apply must be persons already in active competition with the patentee, a condition that often cannot be fulfilled in the case of a new product.

3. (1) Subsection (1) of section 67 of the said Act is repealed and the following substituted therefor:

Abuse of rights under patents.

"**67.** (1) The Attorney General of Canada or any person may at any time after the expiration of three years from the date of the grant of a patent apply to the Commissioner alleging in the case of that patent that there has been an abuse of the exclusive rights thereunder and asking for relief under this Act."

(2) Paragraphs *(c)*, *(d)* and *(e)* of subsection (2) of section 67 are repealed and the following substituted therefor:

Not meeting demand.

"*(c)* if the demand or potential demand for the patented article in Canada is not being met to an adequate extent and on reasonable terms;

Prejudice to trade by refusal to licence.

"*(d)* if, by reason of the refusal of the patentee to grant a licence or licences upon reasonable terms, the trade or industry of Canada or the trade of any person or class of persons trading in Canada, or the establishment of any new trade or industry in Canada, is prejudiced;

Prejudice by reason of conditions attached.

"*(e)* if any trade or industry in Canada, or any person or class of persons engaged therein, or the establishment of any new trade or industry is unfairly prejudiced by the conditions attached by the patentee, whether before or after the passing of this Act, to the purchase, hire, licence, or use of the patented article, or to the using or working of the patented process;"

(3) Subsection (2) of section 67 is further amended by adding thereto the following paragraphs:

Lessening competition.

"*(g)* if an applicant for a licence to a patent can show that the said patent is part of a portfolio which is being used to lessen competition in the field they control, the Commissioner is directed to grant a licence to the said applicant;

If control of industry.

"*(h)* if an applicant for a licence can show that the said patent is part of a portfolio substantially controlling an industry in Canada, the Commissioner is directed to grant a licence permitting the applicant to import the patented article;

Registration.

"*(i)* the owners of any substantial accumulation of patents, in either a portfolio or a pool, must register with the Restrictive Trade Practices Commission a list of their patents, a statement of their patents, a statement of their patent policy in enforcing them, a justification for the royalties which they charge, if any, and a general description of the field which they cover. Failure to comply with these provisions will deprive the owners of the right to enforce their patents."

3. Subsection (1) of section 67 is amended by deleting at the beginning of the second line the word "interested" immediately after the word "person" at the end of the first line for the reason given above.

(2) Paragraph *(c)* of subsection (2) of section 67 is amended by adding after the word "demand" in the first line thereof the underlined words "or potential demand".

The word "demand" has been interpreted as not including potential demand for a cheaper model of the article being sold, so that the section cannot be invoked if only a very expensive model incorporating the invention is available for those who want it.

Paragraph *(d)* of subsection (2) is amended by deleting the words "and it is in the public interest that a licence or licences should be granted" at the end thereof. The Commissioner is directed to consider "the public interest" but this has been interpreted as including the interest of the patentee and as providing that where there is a conflict between the purchasing public and the patentee the Commissioner is not directed to prefer the wider interests of the public.

Paragraph *(e)* of subsection (2) is amended by adding after the words, "if any trade or industry in Canada, or any person or class of persons engaged therein" in the two first lines the underlined words, "or the establishment of any new trade or industry." Prejudice to the trade of any person is interpreted as applying only to an existing trade and is of no benefit to a person who wishes to found a new business or extend an old one.

(3) New paragraphs *(g)*, *(h)* and *(i)* are added to subsection (2) of section 67.

New paragraph (g). The trouble with our present patent system is that the courts examine only single patents. They do not consider the effect of an accumulation of patents in giving perpetual control of the art, and conferring the power on a private group to eliminate competition. If that power is used aggressively, the court which sits on an infringement suit, should take this fact into account. Otherwise the operation of the patent law will be to impede competitive industrial development instead of promoting it.

Wherever a particular patent is before a court, the following questions should be determined:

1. Is the patent a part of an accumulation of patents controlled by the same owner?
2. Does that accumulation of patents effectively control a substantial sector of industrial art? If the two questions are answered in the affirmative, a third question must be decided.
3. Have the owners of the patent portfolio used their power in a way the effect of which is substantially to lessen competition in the field they control. If so, no injunction should be issued restraining the infringement of any patent in the portfolio.

New paragraph (h). The patentee can effectively bar importation of articles covered by his patent. Many cases must arise where the patent is abused by non-manufacture or restrictive conditions or unduly high prices and yet where, because of the relatively small size of the Canadian market and the relatively small number of persons willing and able to manufacture the article in Canada, the grant as at present possible of a licence to manufacture cannot effectively remedy the abuse. In such circumstances the public interest would be served if an applicant were permitted to import the article, ordinarily on payment of royalty to the Canadian patentee.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 298.

An Act to establish the Northern Ontario Pipe Line Crown Corporation.

First reading, May 15, 1956.

THE MINISTER OF TRADE AND COMMERCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 298.

An Act to establish the Northern Ontario Pipe Line Crown Corporation.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title.

1. This Act may be cited as the *Northern Ontario Pipe Line Crown Corporation Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"Board."

(a) "Board" means the board of directors of the Corporation;

"Corporation."

(b) "Corporation" means the Northern Ontario Pipe Line Crown Corporation established by this Act;

"Director."

(c) "director" means a director of the Corporation;

"Minister."

(d) "Minister" means the Minister of Trade and Commerce;

"Northern Ontario section."

(e) "Northern Ontario section" means a natural gas pipe line commencing at the Ontario-Manitoba border west of Kenora, Ontario, thence to or in the vicinity of Port Arthur and Fort William, Ontario, thence to or in the vicinity of Nipigon, Ontario, thence to or in the vicinity of Geraldton, Hearst and Kapuskasing in the Province of Ontario and all integral parts, works and facilities of and all property real and personal connected with the said natural gas pipe line, and, in addition, such other property as the Governor in Council may deem to be necessarily incidental to its construction, maintenance or operation;

"Trans-Canada."

(f) "Trans-Canada" means Trans-Canada Pipe Lines Limited, a body corporate, duly incorporated by chapter 92 of the statutes of Canada for 1951, or its successors or assigns; and

"Western section."

(g) "Western section" means a natural gas pipe line commencing at or near the Alberta-Saskatchewan border at a point easterly from Princess, Alberta, thence to or in the vicinity of Regina, Saskatchewan, and thence to or in the vicinity of Winnipeg, Manitoba, and all integral parts, works and facilities of and all property real and personal connected with the said natural gas pipe line, but not including any natural gas pipe line extending from the said pipe line to the United States border or to any other pipe line which extends to that border.

PART I.

Corporation Established.

Establishment and constitution.

3. (1) For the purposes set forth in this Act, there is hereby established a corporation, called the "Northern Ontario Pipe Line Crown Corporation", consisting of a President and four other directors.

Appointment of Directors.

(2) The Governor in Council shall appoint the President and four other directors.

Tenure of office and removal.

(3) Each director holds office during pleasure and the Governor in Council may remove or suspend, re-appoint or reinstate, or replace any director.

Delegation.

(4) The Board may delegate to the President or General Manager or any director, officer, employee or agent of the Corporation authority to act in the conduct of the business of the Corporation in all matters that are not by this Act or by the by-laws of the Corporation specifically reserved to be done by the Board.

By-laws

(5) Subject to the approval of the Governor in Council, the Board may make by-laws respecting the calling of meetings of the Board and the quorum and the conduct of business thereat, the duties and conduct of directors, officers, employees and agents of the Corporation and generally as to the conduct of the affairs of the Corporation.

Head office and directors' meetings.

(6) The head office of the Corporation shall be in the City of Ottawa in the Province of Ontario or in such other place as the Governor in Council may designate but meetings of the directors may be held at such other places as the directors may decide.

Expenses

(7) The directors are entitled to receive, for attendance at directors' meetings, the actual travelling and living expenses incurred by them.

General Manager.

(8) There shall be an officer of the Corporation to be known as the General Manager who shall be appointed by the Governor in Council upon such terms as the Governor in Council may fix.

Employment of officers and servants.

(9) The Corporation may, notwithstanding the *Civil Service Act* or any other statute or law, employ such officers and employees for such purposes and on such terms and conditions as may be determined by it.

Retirement from employment by Corporation.

(10) Every person employed by the Corporation who

(a) was a contributor under the *Public Service Superannuation Act* immediately prior to his employment by the Corporation; and

(b) was, before his employment by the Corporation, employed in a position to which the *Civil Service Act* applied and whose employment by the Corporation was entered into with the consent of the Minister of the Department or branch of the Public Service in which he was employed,

may, if he is retired from employment by the Corporation for a reason other than misconduct, be appointed to a position to which the *Civil Service Act* applies of a class not lower than the position in which he was employed before his employment by the Corporation.

Body corporate.

4. (1) The Corporation is a body corporate having capacity to contract and to sue and be sued in the name of the Corporation.

Agent of Her Majesty.

(2) The Corporation is for all purposes an agent of Her Majesty in right of Canada and its powers under this Act may be exercised by it only as such agent.

Property of Her Majesty.

(3) Property acquired by the Corporation is the property of Her Majesty and title thereto may be vested in the name of Her Majesty or in the name of the Corporation.

Proceedings by and against the Corporation.

(4) Actions, suits or other legal proceedings in respect of any right or obligation acquired or incurred by the Corporation, whether in its name or in the name of Her Majesty, may be brought or taken by or against the Corporation, in the name of the Corporation, in any court that would have jurisdiction if the Corporation were not an agent of Her Majesty.

Purposes and Powers.

Purposes of the Corporation.

5. (1) The Corporation is established for the purpose of

(a) acquiring real and personal property for the construction, maintenance and operation of and constructing, maintaining and operating the Northern Ontario section;

(b) leasing, with an option to purchase, the Northern Ontario section to Trans-Canada and carrying out such lease, including disposal by the Corporation of the Northern Ontario section in accordance with such purchase option; and

(c) doing such other matters or things as the Governor in Council may deem necessary to fulfil any agreement or arrangement, made before or after the coming into force of this Act, between the Government of Canada and the Government of Ontario or the Government of Canada and Trans-Canada with respect to the financing, construction, leasing, operation, maintenance, improvement and disposal of the Northern Ontario section.

Lease to be approved by Governor in Council.

(2) The Corporation shall not enter into a lease of the Northern Ontario section with Trans-Canada unless it is approved by the Governor in Council and unless it provides for rentals during the period of the lease and for a purchase price that, in his opinion, are designed to recover not less than the cost of the Northern Ontario section and interest thereon at a reasonable rate.

General powers of the Corporation.

(3) Subject to this Act, the Corporation may do such things as are expedient for or conducive or incidental to the attainment of the purposes set forth in subsection (1) and, without limiting the generality of the foregoing, the Corporation may, for the purposes of this Act, buy, sell, lease, contract, acquire, hold and dispose of real and personal property of every description and expend or administer all moneys received by it from loans to it, rentals, disposition of its property or otherwise.

Power to invest.

(4) The Corporation may invest moneys of the Corporation in securities of or guaranteed by the Government of Canada or of or guaranteed by the Government of a province of Canada.

Corporation may pay certain taxes.

(5) Where title to real or immovable property or any interest therein becomes vested in the name of the Corporation or Her Majesty, the Corporation may pay to a municipal or other taxing authority an amount equivalent to the taxes that might be levied with respect to such property or interest therein of the Corporation or Her Majesty by the taxing authority if the property or interest were not so vested, and the Corporation may enter into such agreements as may be necessary to give effect to the provisions of this subsection.

Application of the *Pipe Line Act*.

(6) The Corporation is a "company" within the meaning of and for the purposes of the *Pipe Lines Act* and, subject to subsections (7) and (8), has all the powers, privileges and immunities conferred upon a "company" by the *Pipe Lines Act* and is subject to all the limitations, liabilities and provisions of that Act.

Exception.

(7) Section 10 of the *Pipe Lines Act* does not apply to the Corporation.

Deemed to have received leave to construct.

(8) The revised map showing the general location of the Northern Ontario section that was, before the coming into force of this Act, filed with the Board of Transport Commissioners for Canada by Trans-Canada under section 12 of the *Pipe Lines Act* shall be deemed to be the map required to be filed by the Corporation in compliance with the said section 12; and the Corporation shall be deemed to have complied with all requirements of the said section 12 and the said Board shall be deemed to have made an order granting the Corporation leave to construct the Northern Ontario section.

FINANCING.

Power to borrow money.

6. (1) The Corporation may, from time to time, borrow money from Her Majesty or otherwise for the purposes for which it is incorporated.

Loans by Minister of Finance.

(2) The Minister of Finance, at the request of the Corporation and with the approval of the Governor in Council, may from time to time out of the Consolidated Revenue Fund lend money to the Corporation on such terms and conditions as the Governor in Council approves, but such loans to the Corporation shall bear interest at a rate that is not less than three and one-quarter per cent per annum.

Aggregate amounts.

(3) The aggregate of the amounts borrowed by the Corporation under subsection (1) and outstanding at any time shall not exceed one hundred and thirty million dollars and the aggregate of the amounts loaned by the Minister of Finance under subsection (2) and outstanding at any time shall not be in excess of that amount.

Application of the *Financial Administration Act*.

(4) Section 79, subsections (2) and (3) of section 80, subsection (1) of section 81, section 82 and sections 84 to 88 of the *Financial Administration Act* apply to the Corporation.

Operating budget.

(5) The Corporation shall annually submit to the Minister an operating budget for the next following financial year of the Corporation for the approval of the Minister and the Minister of Finance.

Audit.

(6) The accounts and financial transactions of the Corporation shall be audited by the Auditor General.

PART II.

Western Section.

Loans by Corporation to Trans-Canada for construction of Western section.

7. (1) Pursuant to an agreement in that behalf made, with the approval of the Governor in Council, before or after the coming into force of this Act, between Her Majesty and Trans-Canada, (hereinafter called the "loan agreement"), the Corporation may, on behalf of Her Majesty, make short term loans to Trans-Canada for the construction of the Western section upon such terms, conditions and security as the Governor in Council approves, but such loans shall not exceed, in the aggregate, ninety per cent of the cost of construction of the Western section or eighty million dollars, whichever is the lesser, and shall bear interest at a rate that is not less than five per cent per annum.

Authority of Corporation in the event of default.

(2) If, with respect to the construction of the Western section, the repayment of the loans or otherwise, Trans-Canada is in default under the loan agreement or any security given pursuant thereto, the Corporation may, upon giving notice to Trans-Canada of such default,

(a) take immediate possession and control of any or all assets, rights and undertakings of Trans-Canada and conduct the business and operations of Trans-Canada with respect to such assets, rights and undertakings;

(b) declare that any or all of the assets, rights and undertakings of Trans-Canada be vested in Her Majesty, and thereupon all right, title and interest of Trans-Canada to or in respect of such assets, rights and undertakings shall be vested in Her Majesty and Trans-Canada shall cease to have any right, title or interest to or in respect of any such assets, rights or undertakings;

(c) exercise any power contained in the loan agreement or security given pursuant thereto with respect to the assets, rights and undertakings of Trans-Canada;

(d) if default should occur before the completion of the Western section, complete its construction and manage and operate it;

(e) pursuant to any agreement in that behalf made, with the approval of the Governor in Council, before or after the coming into force of this Act, between Her Majesty and Trans-Canada and any shareholder of Trans-Canada and any holder of an option to purchase shares of Trans-Canada, acquire shares of the capital stock of Trans-Canada; and

(f) exercise any powers that may be necessary or incidental for carrying out the purposes of this section.

Corporate power of Trans-Canada.

(3) Trans-Canada has the corporate power and shall be deemed to have had the corporate power to enter into any agreements referred to in this section or any security given pursuant to any such agreement.

Advances out of C.R.F.

(4) The Minister of Finance may, out of the Consolidated Revenue Fund, advance to the Corporation any moneys required by it for the purposes of this section.

Limits of loans and advances.

(5) The aggregate, outstanding at any time, of the amounts advanced by the Minister of Finance to the Corporation under this section together with the loans made by the Minister of Finance to the Corporation under section 6 shall not exceed one hundred and thirty million dollars.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 350.

An Act to amend the Farmers' Creditors Arrangement Act.

First reading, May 25, 1956.

Mr. CASTLEDEN.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

71663

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 350.

An Act to amend the Farmers' Creditors Arrangement Act.

R.S., c. 111.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.

1. The Preamble of the *Farmers' Creditors Arrangement Act* is repealed and the following substituted therefor:

"Whereas the present indebtedness of certain farmers in the Provinces of Manitoba, Saskatchewan and Alberta is beyond their capacity to pay; and it is in the national interest to retain such farmers on the land as efficient producers and for such purpose it is necessary to provide means whereby compromises or rearrangements may be effected of debts of such farmers, and also to simplify the operation of the *Bankruptcy Act* with respect to farmers generally:"

Paragraph repealed.

2. Paragraph (*i*) of subsection (1) of section 2 of the said Act is repealed.

Proposals by farmers where no previous proposal or previous proposal and composition, etc., approved or confirmed prior to 31st Dec., 1938.

3. Subsection (1) of section 7 of the said Act is repealed and the following substituted therefor:

"**7.** (1) Where a farmer residing in the Province of Alberta, Manitoba or Saskatchewan

(a) who did not make a proposal under the *Farmers' Creditors Arrangement Act, 1934*, or

(b) who made a proposal under the *Farmers' Creditors Arrangement Act, 1934*, pursuant to which a composition, extension of time or scheme of arrangement was approved by the court or confirmed by the Board of Review on or before December 31, 1938,

is unable to meet his debts as they become due, he may make a proposal under this Act for a composition, extension of time or scheme of arrangement either before or after an assignment under the *Bankrutpcy Act.*"

Explanatory Notes.

1. The Preamble at present reads as follows:

"WHEREAS *in view of the depressed state of agriculture* in the Provinces of Manitoba, Saskatchewan and Alberta *during the period immediately following 1929* the present indebtedness of certain farmers *in that area* is beyond their capacity to pay; and it is in the national interest to retain such farmers on the land as efficient producers and for such purpose it is necessary to provide means whereby compromises or rearrangements may be effected of debts of such farmers, and also to simplify the operation of the *Bankruptcy Act* with respect to farmers generally:"

The words in italics above are deleted.

2. The amendment to section 2 repeals the following definition "Incurred before the 1st day of May, 1935".

3. Subsection (1) of section 7 at present reads as follows:

"7. (1) Where a farmer residing in the Province of Alberta, Manitoba or Saskatchewan

(a) who did not make a proposal under the *Farmers' Creditors Arrangement Act, 1934*, or

(b) who made a proposal under the *Farmers' Creditors Arrangement Act, 1934*, pursuant to which a composition, extension of time or scheme of arrangement was approved by the court or confirmed by the Board of Review on or before December 31, 1938,

is unable to meet his debts as they become due, *if two-thirds of the total amount thereof are owing by him in respect of debts incurred before the 1st day of May, 1935*, he may make a proposal under this Act for a composition, extension of time or scheme of arrangement either before or after an assignment under the *Bankruptcy Act*.

The only change consists in deleting the words in italics above.

4. Subsection (2) of section 8 is repealed and the following substituted therefor:

Death or mental incompetence.

"(2) Where such farmer has died, if he would have been entitled on the date of his death to make a proposal under section 7 if this Act had then been in operation, the personal representative may apply to the court for leave to make and file a proposal as the personal representative of the decedent or of such farmer."

4. Subsection (2) of section 8 at present reads as follows:

"(2) Where such farmer has died *or such appointment was made before the 15th day of December, 1943, and after the 3rd day of July, 1934,* if *such farmer* would have been entitled at the date of his death *or of such appointment* to make a proposal under section 7 if this Act had then been in operation, the personal representative may apply to the court for leave to make and file a proposal as the personal representative of the decedent or of such farmer."

The only change consists in deleting the words in italics above.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 414.

appropriation Bill
No 1st Reading

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

AS PASSED BY THE HOUSE OF COMMONS
11th JUNE, 1956.

75396 EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 414.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1957, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 3, 1956.*

$264,409,639.92 granted for 1956-57.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two hundred and sixty-four million, four hundred and nine thousand, six hundred and thirty-nine dollars and ninety-two cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-twelfth of the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

$652,148.34 granted for 1956-57.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, in addition to the amount granted therefor by section 2, a sum not exceeding in the whole six hundred and fifty-two thousand, one hundred and forty-eight dollars and thirty-four cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one twelfth of the total of the amounts of the several items set forth in the Schedule to this Act.

$36,506,378.25 granted for 1956-57.

4. From and out of the Consolidated Revenue Fund, there may be paid and applied, a sum not exceeding in the whole thirty-six million, five hundred and six thousand, three hundred and seventy-eight dollars and twenty-five cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-fourth of the total of the amounts of the items set forth in the Supplementary Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

Account to be rendered. R.S., c. 116.

5. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act.*

SCHEDULE.

Based on the Main Estimates, 1956-57. The amount hereby granted is $652,148.34, being one-twelfth of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1957, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	SURVEYS AND MAPPING BRANCH		
212	Geodetic Survey of Canada—Administration, Operation and Maintenance	567,786	
213	International Boundary Commission	58,060	
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
214	Administration, Operation and Maintenance	1,584,232	
	Canadian Hydrographic Service—		
216	Administration, Operation and Maintenance, including Canada's Annual Contribution of $4,200 to the International Hydrographic Bureau	3,017,362	
	GEOLOGICAL SURVEY OF CANADA		
	Geological Surveys—		
222	Administration, Operation and Maintenance, including the expenses of the National Advisory Committee on Research in the Geological Sciences, an amount of $1,875 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England, and an amount of $40,000 for Grants in aid of Geological Research in Canadian Universities	2,314,954	
	GEOGRAPHICAL BRANCH		
228	Geographical Branch—Administration, Operation and Maintenance, including a Grant of $250 to the Canadian Association of Geographers	283,386	
			*7,825,780

* Net Total—$652,148.34.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 415.

An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System during the calendar year 1956, and to authorize the guarantee by Her Majesty of certain securities to be issued by the Canadian National Railway Company.

First reading, June 11, 1956

MINISTER OF FINANCE.

72709

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 415.

An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System during the calendar year 1956, and to authorize the guarantee by Her Majesty of certain securities to be issued by the Canadian National Railway Company.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title

1. This Act may be cited as *Canadian National Railways Financing and Guarantee Act, 1956.*

INTERPRETATION.

Definitions.

2. In this Act

"National Company."

(a) "National Company" means the Canadian National Railway Company;

"National System."

(b) "National System" means the National Railways as defined in the *Canadian National Railways Act* and any companies controlled by the National Company through stock ownership; and

"Securities."

(c) "securities" means the notes, equipment trust certificates, bonds, debentures and other securities described in subsection (1) of section 4.

Capital expenditures authorized.

3. (1) The National System is authorized,

(a) to make capital expenditures in the calendar year 1956 in the following amounts and for the following purposes:

Explanatory Note.

The amount of $203,994,000 appearing in Clauses 4 (3) and 6 (2) is computed as follows:

Road property	$ 84,077,000	
Branch line construction	9,875,000	
Equipment	116,147,000	
Hotels	9,035,000	
Investments in affiliated Companies	14,430,000	
Interim financing authority January 1, to June 30, 1957 on obligations incurred prior to January 1, 1957	80,000,000	$ 313,564,000
Less:		
Depreciation accruals, etc. available in relation to calendar year 1956 and	74,570,000	
Depreciation accruals available in relation to period January 1 to June 30, 1957	35,000,000	109,570,000
		$203,994,000

Gross Capital Expenditures:

Road Property	$ 84,077,000	
Branch Line Construction	9,875,000	
Equipment	116,147,000	
Hotels	9,035,000	
Investments in Affiliated Companies	14,430,000	
		$233,564,000;

Capital expenditures in 1957.

(b) to make capital expenditures not exceeding in the aggregate $80,000,000 in the calendar year 1957 prior to the 1st day of July of that year, by investing in securities of Trans-Canada Air Lines to enable Trans-Canada Air Lines to discharge obligations that were incurred prior to that year and have become due and payable before that day and to discharge obligations that were incurred by the National Company for new equipment, for hotels and branch lines and for general additions and betterments to road property prior to that year and have become due and payable before that day; and

Contracts for new equipment, additions and betterments prior to July 1, 1957.

(c) to enter into contracts prior to the 1st day of July, 1957, for the acquisition of new equipment and for general additions and betterments that will come in course of payment after the calendar year 1956, in amounts not exceeding in the aggregate $90,000,000.

Power to borrow money.

(2) The National Company, with the approval of the Governor in Council, is authorized

(a) at any time prior to the 1st day of July, 1957, to borrow money by the issue and sale of securities or by way of loan from the Minister of Finance to provide the amounts required for the purposes of paragraphs *(a)* and *(b)* of subsection (1); and

(b) by the issue and sale of securities, to borrow money to repay loans made under section 6.

Statement of amounts borrowed.

(3) A statement of the amounts borrowed by the National Company pursuant to this section shall be included in the annual report of the Company.

Estimate of amounts required.

(4) An estimate of the amounts required for the purposes of paragraph *(b)* of subsection (1) shall be included in the annual budget of the National System for the calendar year 1957.

Amount payable included in budget.

(5) Any amount payable under a contract entered into pursuant to paragraph *(c)* of subsection (1) shall be included in the annual budget of the National System for the year in which it will become due and payable.

Limitation.

(6) No amount shall be spent for a purpose mentioned in this section in excess of the amount authorized by this section in respect of that purpose, and for the purposes of this subsection any expenditure made under paragraph *(c)* of subsection (1) of section 3 of the *Canadian National Railways Financing and Guarantee Act, 1955*, shall be deemed to be an expenditure under paragraph *(a)* of subsection (1) of this section.

Issue of securities.

4. (1) Subject to the provisions of this Act and with the approval of the Governor in Council, the National Company may issue notes, equipment trust certificates, bonds, debentures or other securities, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve, to provide amounts required for the purposes of section 3.

Application of amounts available.

(2) Amounts available from reserves for depreciation and debt discount amortization shall be applied towards meeting the expenditures authorized by section 3.

Maximum amount of securities.

(3) The aggregate principal amount of securities issued under this section outstanding at any one time shall not exceed the amount necessary to provide the National Company with the net amount of $203,994,000 less the amount that the National Company receives in respect of the whole calendar year 1956 from the sale to the Minister of Finance of preferred stock of the National Company, and for the purposes of this subsection any securities issued under paragraph *(b)* of subsection (2) of section 3 of the *Canadian National Railways Financing and Guarantee Act, 1955*, shall be deemed to have been issued under this section.

Guarantee.

5. (1) The Governor in Council may authorize the guarantee by Her Majesty in right of Canada of the principal and interest of the securities and may approve or decide the form, manner and conditions of such guarantees.

Signature of guarantee.

(2) A guarantee under this Act may be signed on behalf of Her Majesty by the Minister of Finance or by such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes that the guarantee is valid and that the relative provisions of the Act have been complied with.

Minister may make loans to National Company.

6. (1) The Minister of Finance, upon application by the National Company approved by the Minister of Transport, may, with the approval of the Governor in Council, make loans to the National Company out of the Consolidated Revenue Fund of amounts required for the purposes of section 3 at such rates of interest and subject to such other terms and conditions as the Minister of Finance, with the approval of the Governor in Council, may determine, and secured by securities that the National Company is authorized to issue pursuant to this Act.

Maximum aggregate principal amount of loans.

(2) The aggregate principal amount of loans made pursuant to subsection (1) shall not exceed $203,994,000 less the amount that the National Company receives in respect of the whole calendar year 1956 from the sale to the Minister of Finance of preferred stock of the National Company.

Securities for repayment.

(3) Securities issued to secure a loan made by the Minister of Finance under this section are deemed not to be included in the amount specified in subsection (3) of section 4 if securities have been issued and sold to repay that loan.

Power to aid other companies.

7. The National Company may aid and assist, in any manner not inconsistent with section 3, any others of the companies and railways comprised in the National System and, without limiting the generality of the foregoing, may for its own requirements and also for the requirements of any others of the said companies and railways

(a) apply the proceeds of any issue of securities towards meeting expenditures authorized by section 3 on its own account or on account of any others of the said companies and railways, and

(b) make advances of amounts required for meeting expenditures authorized by section 3 to any others of the said companies and railways upon or without any security, at discretion.

Proceeds paid to credit of Minister of Finance in trust.

8. The proceeds of any sale, pledge or other disposition of any guaranteed securities shall, in the first instance, be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance, in trust for the National Company, in one or more banks designated by him, and upon application to the Minister of Finance by the National Company approved by the Minister of Transport, shall be paid to the National Company by the Minister of Finance out of the Consolidated Revenue Fund, or on instructions from the Minister of Finance by the banks in which they are deposited, as the case may be, for the purposes stated in such application.

Minister may place amounts at disposal of Company.

9. (1) Where, at any time before the 1st day of July, 1957, the available revenues of the National System are not sufficient to pay all the operating and income charges of the National System as and when due, the Minister of Finance, upon application by the National Company approved by the Minister of Transport, may, with the approval of the Governor in Council, place at the disposal of the National Company such amounts as may be required to enable the National Company to meet all such charges.

Amounts reimbursed to Minister from annual revenues.

(2) All amounts placed at the disposal of the National Company pursuant to subsection (1) shall be reimbursed to the Minister of Finance from the annual revenues of the National System in so far as such revenues are sufficient, and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

Trans-Canada Air Lines.

10. (1) Where, at any time before the 1st day of July, 1957, the available revenues of Trans-Canada Air Lines are not sufficient to pay all the operating and income charges thereof as and when due, the Minister of Finance, upon application by Trans-Canada Air Lines approved by the Minister of Trade and Commerce, may, with the approval of the Governor in Council, place at the disposal of Trans-Canada Air Lines such amounts as may be required to enable Trans-Canada Air Lines to meet all such charges.

Amounts reimbursed from annual revenues.

(2) All amounts placed at the disposal of Trans-Canada Air Lines pursuant to subsection (1) shall be reimbursed to the Minister of Finance from the annual revenues of Trans-Canada Air Lines in so far as such revenues are sufficient, and any insufficiency shall be provided for by subsequent deficit appropriation by Parliament.

Auditors.

11. George A. Touche and Company, of the cities of Toronto and Montreal, chartered accountants, are appointed as independent auditors for the year 1956, to make a continuous audit of the accounts of National Railways as defined in the *Canadian National Railways Act.*

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 416.

An Act respecting the Canadian Forces.

First reading, June 11, 1956.

THE MINISTER OF NATIONAL DEFENCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

65997

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 416.

An Act respecting the Canadian Forces.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short Title.

1. This Act may be cited as the *Canadian Forces Act, 1956.*

PART I.

Defence Services Pension Act.

R.S., cc. 63, 310; 1952-53, c. 24; 1953-54, c. 13; 1955, c. 28.

2. Subsection (2) of section 45 of the *Defence Services Pension Act* is repealed and the following substituted therefor:

Expiration of fixed term.

"(2) A contributor, being an officer, who is retired by reason of the expiration or anticipated expiration of a fixed term of service shall, for the purposes of this Part, be deemed to have been

(a) compulsorily retired from the forces if,

(i) he did not accept an offer for a further fixed term of service, or

(ii) he offered to accept a commission for an indefinite term of service in the forces but his offer was not accepted; and

(b) retired at his own request from the forces if he was offered and did not accept a commission for an indefinite term of service in the forces;

and such retirement of an officer mentioned in subparagraph (i) of paragraph *(a)* shall be deemed to promote economy or efficiency in the forces.

Expiration of engagement.

(2*a*) A contributor, being a man, who is retired upon the expiration of a period of engagement shall, for the purposes of this Part, be deemed to have been retired from the forces

Explanatory Notes.

1. In title and form, this Bill is similar to Canadian Forces Acts passed each year from 1950 to 1955.

2. Subsection (2) of section 45 of the Act now reads:

"(2) When a member of the forces does not offer to re-engage in the forces upon the expiration of his period of engagement he shall, for the purposes of this Part, be deemed to have retired from the forces at his own request and when he offers to re-engage and his offer is not accepted his retirement shall be deemed to be a compulsory retirement from the forces."

This clause would clarify the subsection in its application to officers.

(*a*) compulsorily if he offered to re-engage but his offer was not accepted, and

(*b*) at his own request if he was offered and did not accept an offer to re-engage in the forces."

R.S., c. 310 s. 4.

3. (1) Subsection (1) of the said Act is repealed and the following substituted therefor:

Employment of officer pensioner in the public service of Canada or the Forces.

"**60.** (1) A contributor who has been retired as an officer, warrant officer or chief petty officer 1st class or 2nd class and has been granted a pension under this Part and is employed in the public service of Canada or appointed to, enlisted in or transferred to the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or pay and allowances, as the case may be, will not at any time exceed the greater of

(*a*) the pay and allowances of which he was in receipt at the date of his retirement from the force, or

(*b*) the current pay and allowances in effect for an officer, warrant officer or chief petty officer 1st class or 2nd class holding the same rank and under the same circumstances as the pensioner at the date of his retirement."

References to warrant officer deemed to include chief petty officer.

(2) Subsection (2) of section 60 of the *Defence Services Pension Act*, as in force immediately prior to the coming into force of this Act, and section 52 of *The Defence Services Pension Act*, as enacted by section 12 of chapter 32 of the statutes of 1950, shall be construed as though the reference therein to "warrant officer" always included a reference to "chief petty officer 1st class or 2nd class", except that in their application to such chief petty officers those provisions shall be construed to apply only to payments of pension, salary or pay and allowances that accrued after the coming into force of this Act.

1953-54, c. 13, s. 7.

4. Subsection (2) of section 68 of the said Act is repealed and the following substituted therefor:

Idem.

"(2) Recovery of a debit balance pursuant to this section shall be effected in such manner and to such extent as the Governor in Council by regulation prescribes, but, in the case of a former member of the forces who is entitled to a pension or gratuity under this Part, recovery shall not be effected unless notice of the existence of the debit balance and the amount thereof is given to him, or is forwarded by registered mail addressed to him at his last known address."

3. Section 60 of the Act now reads:

"**60.** (1) A contributor who has been retired as an officer or warrant officer and has been granted a pension under this Part and is employed in the public service of Canada or appointed to, enlisted in or transferred to the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or pay and allowances, as the case may be, will not at any time exceed the greater of

(a) the pay and allowances of which he was in receipt at the date of his retirement from the force, or

(b) the current pay and allowances in effect for an officer or warrant officer holding the same rank and under the same circumstances as the pensioner at the date of his retirement.

(2) Subsection (1) does not apply in respect of service in the reserve forces unless the service is for a full-time continuous period in excess of six months during which period the pensioner received the pay of his rank as though he were in the forces."

Subclause (1) would make present section 60 of the Act applicable to a person granted a pension under Part V of the Act as a chief petty officer 1st class or 2nd class of the Royal Canadian Navy. Such chief petty officers have the same rank, status and pay as warrant officers of the Canadian Army and the Royal Canadian Air Force.

Subclause (2) would make the amendment proposed in subclause (1) applicable to a person granted a pension under Part V of the Act as a chief petty officer 1st class or 2nd class whose pension was granted prior to the coming into force of the Bill, but would limit the application of the proposed amendment to payments of pension, salary or pay and allowances that accrue after the coming into force of the Bill.

4. Section 68 of the Act now reads:

"**68.** (1) Any debit balance in the pay account of a former member of the forces may be recovered from any pension or gratuity to which he is entitled under this Part or from any amount that becomes payable under this Part to his service estate, whether such debit balance existed in his pay account on the date of his retirement or is ascertained subsequently thereto.

(2) Recovery of a debit balance pursuant to this section shall be effected in such manner and to such extent as the Governor in Council by regulation prescribes, but, in the case of a former member of the forces who is entitled to a pension or gratuity under this Part, recovery shall not be effected unless such former member is given notice of the existence of the debit balance and the amount thereof."

Under section 68 of the Act, a debit balance in the pay account of a former member of the forces may be recovered from any benefit payable to him under Part V of the Act provided notice of the existence of the debit balance and the amount thereof is given to him. This clause would permit such notice to be given to him by registered mail addressed to him at his last known address.

R.S., cc. 184, 310; 1952-53, cc. 6, 24; 1953-54, cc. 13, 21, 40; 1955, c. 28.

PART II.

National Defence Act.

5. Subsection (2) of section 21 of the *National Defence Act* is repealed and the following substituted therefor:

Subordinate officers and men.

"(2) Persons shall be enrolled

(a) as subordinate officers for indefinite or fixed terms of service, and

(b) as men for fixed terms of service,

as may be prescribed in regulations made by the Governor in Council."

6. Section 56 of the said Act is amended by adding thereto the following subsection:

Persons deemed to be under command of superior officer.

"(15) Every person subject to the Code of Service Discipline by virtue of paragraph *(f)*, *(g)*, *(i)* or *(j)* of subsection (1), shall, for the purposes of preparation, practise or execution of any plan, arrangement or manoeuvre for the defence or evacuation of any area in the event of attack, be under the command of the commanding officer of the unit or other element of the service of the Canadian Forces that he is accompanying or with which he is serving or is in attendance and such commanding officer shall for such purposes be deemed to be a superior officer of such person, but nothing in this subsection shall be construed as requiring any such person to bear arms or to participate in any active operations against the enemy."

7. Section 63 of the said Act is amended by adding thereto the following subsection:

Parties to an offence.

"(3) Where two or more persons form an intention in common to carry out an unlawful purpose and to assist each other therein and any one of them, in carrying out the common purpose, commits an offence, each of them who knew or ought to have known that the commission of the offence would be a probable consequence of carrying out the common purpose is a party to and guilty of that offence."

8. Section 68 of the said Act is amended by deleting the word "or" at the end of paragraph *(e)* thereof and by adding thereto, immediately after paragraph *(f)* thereof, the following paragraphs:

"*(g)* steals from, or with intent to steal searches, the person of any person killed or wounded, in the course of warlike operations;

(h) steals any money or property that has been left exposed or unprotected in consequence of warlike operations; or

(i) takes otherwise than for the public service any money or property abandoned by the enemy;"

5. Section 21 of the Act now reads:

"21. (1) Commissions of officers in the Royal Canadian Navy, the Canadian Army and the Royal Canadian Air Force shall be granted by Her Majesty during pleasure.

(2) Persons shall be enrolled as subordinate officers and men for such term of service as may be prescribed in regulations made by the Governor in Council.

(3) A person under the age of eighteen years shall not be enrolled without the consent of one of his parents or of his guardian."

This clause would permit the enrolment of a subordinate officer in the Canadian Forces for either an indefinite or a fixed term of service, rather than limiting such enrolment to a fixed term of service as is now required. A subordinate officer is an acting sub-lieutenant, midshipman or naval cadet in the navy, an officer cadet in the army, and a flight cadet in the air force.

6. Subsection (15) of section 56 of the Act as proposed in this clause would be new. This clause would enable the commander of a unit or other element of the Canadian Forces to issue to persons accompanying such unit or other element, orders relating to the defence or evacuation of the unit area in the event of attack. The commander would not be authorized to issue orders to a person not an officer or man to bear arms or engage in active operations against the enemy.

7. This provision, which is self-explanatory, would be new. It is the same as subsection (2) of section 21 of the *Criminal Code*.

8. This provision, which is self-explanatory, would be new. It is similar to section 30 of the *Army Act, 1955* of the United Kingdom.

9. Section 101 of the said Act is repealed and the following substituted therefor:

Improper driving of vehicles.

"**101.** (1) Every person who

(a) drives a vehicle of the Canadian Forces recklessly or in a manner that is dangerous to any person or property having regard to all the circumstances of the case, or, having charge of and being in or on such a vehicle, causes or by wilful neglect permits it to be so driven;

(b) while his ability to drive a vehicle of the Canadian Forces is impaired by alcohol or a drug, drives or attempts to drive such a vehicle, whether it is in motion or not; or

(c) having charge of a vehicle of the Canadian Forces knowingly permits it to be driven by a person whose ability to drive such a vehicle is impaired by alcohol or a drug;

is guilty of an offence and on conviction is liable to imprisonment for a term not exceeding five years or to less punishment.

Attempt to drive.

(2) For the purposes of paragraph *(b)* of subsection (1), where a person occupies the seat ordinarily occupied by a driver of a vehicle, he shall be deemed to have attempted to drive such vehicle, unless he establishes that he did not enter or mount the vehicle for the purpose of setting it in motion."

10. Subsection (1) of section 155 of the said Act is repealed and the following substituted therefor:

Appointment of Commissioner.

"**155.** (1) Where it appears to the Judge Advocate General, or to such person as he may appoint for that purpose,

(a) that the attendance at a trial by court martial of a witness for the prosecution is not readily obtainable because the witness is ill or is absent from the country in which the trial is held, or that the attendance of a witness for the accused person is not readily obtainable for any reason, or

(b) that the attendance of a witness for the prosecution at a trial by court martial in any place out of Canada is not readily obtainable and under the law of that place there is no provision for compulsory attendance of that witness at such court martial,

the Judge Advocate General, or such person as he may appoint for that purpose, may appoint any officer or other qualified person, in this section referred to as a "commissioner", to take the evidence of the witness under oath."

9. Section 101 of the Act now reads:

101. Every person who

(a) having the charge of a vehicle of the Canadian Forces, by wanton or furious driving or racing or other wilful misconduct or by wilful neglect, does or causes to be done any bodily injury to any person or damage to any property;

(b) drives a vehicle of the Canadian Forces on a street, road, highway or any other place, whether public or private, recklessly or in a manner that is dangerous to any person or property having regard to all the circumstances of the case; or

(c) drives a vehicle of the Canadian Forces while intoxicated or under the influence of a narcotic,

is guilty of an offence and on conviction is liable to imprisonment for a term not exceeding five years or to less punishment."

This clause would, in respect of the driving or having charge of a Canadian Forces vehicle,

(a) incorporate the provisions of section 223 of the *Criminal Code* relating to driving while ability to drive is impaired, and

(b) remove the distinction between the offences of driving while intoxicated or under the influence of a narcotic, and driving while ability to drive is impaired by alcohol or a drug.

10. Subsection (1) of section 155 of the Act now reads:

"**155.** (1) Where it appears to the Judge Advocate General or to such person as he may appoint for that purpose, that the attendance at a trial by court martial of a witness for the prosecution is not readily obtainable because the witness is ill or is absent from the country in which the trial is held, or that the attendance of a witness for the accused person is not readily obtainable for any reason, the Judge Advocate General, or such person as he may appoint for that purpose, may appoint any officer or other qualified person, in this section referred to as a "commissioner", to take the evidence of the witness under oath."

This clause would make it possible to take evidence on commission for use at a court martial where the local law of the country where the trial takes place makes no provision for compulsory attendance of witnesses at Canadian courts martial.

11. The said Act is further amended by adding thereto, immediately after section 169 thereof, the following section:

Service prisons and detention barracks.

"**169A.** (1) Such places as are designated by the Minister for the purpose shall be service prisons and detention barracks and any hospital or other place for the reception of sick persons to which a person who is a service convict, service prisoner or service detainee has been admitted shall, as respects that person, be deemed to be part of the place to which he has been committed.

Corrective disciplinary measures for service prisons and detention barracks.

(2) The nature of and the manner of imposing corrective measures for breach of the regulations, orders and rules applicable in respect of service prisons and detention barracks by a person committed thereto as the result of a sentence passed upon him, and the terms and conditions of remission for good conduct of any part of a punishment involving incarceration, shall be as prescribed in regulations made by the Governor in Council.

Limitations.

(3) Corrective measures referred to in subsection (2) shall not include whipping or paddling or any of the punishments referred to in paragraphs *(a)* to *(l)* of subsection (1) of section 121, and such corrective measures shall not be imposed so as to increase the duration of any punishment involving a term of incarceration."

12. Subsection (2) of section 178 is repealed.

13. Subsection (1) of section 209 is repealed and the following subsection is substituted therefor:

Duties or tolls on roads, bridges, etc.

"**209.** (1) No duties or tolls, otherwise payable by law in respect of the use of any pier, wharf, quay, landing-place, highway, road, right of way, bridge or canal, shall be paid by or demanded from any unit or other element of the Canadian Forces or an officer or man when on duty or any person under escort or in respect of the movement of any materiel, except that the Treasury Board may authorize payment of duties and tolls in respect of such use."

11. Subsection (1) of new section 169A proposed in this clause would reenact the present provisions of subsection (2) of section 178 of the Act which would be repealed by clause 12.

Subsection (2) of the proposed new section would incorporate a provision similar in effect to that contained in paragraph *(d)* of subsection (1) of section 122 of the *Army Act, 1955* of the United Kingdom, and paragraph *(a)* of subsection (1) of section 7 of the *Penitentiaries Act.*

Subsection (3) of the proposed new section would limit the nature of the corrective measures which may be imposed under the proposed new section.

12. Subsection (2) of section 178 now reads:

"**178.** (2) Such places as are designated by the Minister for the purpose shall be service prisons and detention barracks and any hospital or other place for the reception of sick persons to which a person who is a service convict, service prisoner or service detainee has been admitted shall, as respects that person, be deemed to be part of the place to which he has been committed."

This clause would repeal subsection (2) of section 178 of the Act and would be consequential upon that subsection being re-enacted as subsection (1) of section 169A as proposed in clause 11.

13. Subsection (1) of section 209 of the Act now reads:

"**209.** (1) No duties or tolls, otherwise payable by law in respect of the use of any pier, wharf, quay, landing-place, highway, road, right of way, bridge or canal, shall be paid by or demanded from any unit or other element of the Canadian Forces or an officer or man when on duty or any person under escort or in respect of the movement of any materiel."

Section 209 of the Act is a statutory bar to the payment or demanding of duties or tolls for the use by any unit or other element of the Canadian Forces of the facilities referred to in that section. This clause would enable the Treasury Board to authorize the payment of duties or tolls.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 417.

An Act to amend the Emergency Gold Mining Assistance Act.

First reading, June 11, 1956.

THE MINISTER OF MINES AND TECHNICAL SURVEYS.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

74049

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 417.

An Act to amend the Emergency Gold Mining Assistance Act.

R.S., cc. 95, 318; 1952-53, c. 32; 1953-54, c. 26; 1955, c. 19.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1955, c. 19.

1. The portion of section 4A of the *Emergency Gold Mining Assistance Act* that precedes paragraph *(b)* thereof is repealed and the following substituted therefor:

Application of Act to 1955, 1956, 1957 and 1958.

"**4A.** This Act applies in respect of gold produced from a mine and sold in any of the calendar years 1955, 1956, 1957 and 1958, subject to the following modifications

(a) the expression "designated year" includes the calendar years 1955, 1956, 1957 and 1958;"

Explanatory Note.

Section 4A, which was enacted by 1955, c. 19, extended the Act to the years 1955 and 1956. The purpose of this Bill is to extend the Act to the years 1957 and 1958, and the only change in this section is to substitute "1955, 1956, 1957 and 1958" for "1955 and 1956".

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 418.

An Act to amend the Income Tax Act.

First reading, June 12, 1956.

THE MINISTER OF FINANCE.

74676

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 418.

An Act to amend the Income Tax Act.

R.S., c. 148; 1952-53, c. 40; 1953-54, c. 57; 1955, cc. 54, 55.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Paragraph *(a)* of section 5 of the *Income Tax Act* is repealed and the following substituted therefor:

"*(a)* the value of board, lodging and other benefits of any kind whatsoever (except the benefit he derives from his employer's contributions to or under a registered pension fund or plan, group insurance plan, medical services plan or supplementary unemployment benefit plan) received or enjoyed by him in the year in respect of, in the course of or by virtue of the office or the employment; and"

(2) This section is applicable to the 1956 and subsequent taxation years.

2. (1) Section 6 of the said Act is amended by striking out the word "and" at the end of paragraph *(j)* thereof and by adding thereto, immediately after paragraph *(k)* thereof, the following paragraphs:

Idem.

"*(l)* amounts received by the taxpayer in the year under an employees profit sharing plan established for the benefit of employees of the taxpayer or of a corporation with whom the taxpayer does not deal at arm's length; and

Supplementary unemployment benefit plan.

(m) amounts received by the taxpayer in the year from a trustee under a supplementary unemployment benefit plan as provided by section 79A."

(2) This section is applicable to the 1956 and subsequent taxation years.

EXPLANATORY NOTES.

Clause 1: This amendment adds the underlined words and substitutes the words "registered pension" for the words "approved superannuation". For a definition of a supplementary unemployment benefit plan, sometimes referred to as a guaranteed annual wage plan, see clause 19.

Clause 2: The new paragraph *(l)* provides that an employer must include in income any amount he receives back from an employees' profit sharing plan.

The new paragraph *(m)* provides that supplementary unemployment benefit payments must be included in income. The new section 79A is found in clause 19.

3. (1) Paragraph *(g)* of subsection (1) of section 11 of the said Act is repealed and the following substituted therefor:

Employer's contribution to pension fund.

"*(g)* an amount paid by the taxpayer in the year or within 60 days from the end of the year to or under a registered pension fund or plan in respect of services rendered by employees of the taxpayer in the year, subject, however, as follows:

(i) in any case where the amount so paid is the aggregate of amounts each of which is identifiable as a specified amount in respect of an individual employee of the taxpayer, the amount deductible under this paragraph in respect of any one such individual employee is the lesser of the amount so specified in respect of that employee or $1,500, and

(ii) in any other case, the amount deductible under this paragraph is the lesser of the amount so paid or an amount determined in prescribed manner, not exceeding, however, $1,500 multiplied by the number of employees of the taxpayer in respect of whom the amount so paid by the taxpayer was paid by him,

plus such amount as may be deducted as a special contribution under section 76;"

(2) All that portion of paragraph *(h)* of subsection (1) of section 11 of the said Act preceding subparagraph (i) thereof is repealed and the following substituted therefor:

Idem.

"*(h)* where a registered pension fund or plan contains a provision under which the taxpayer may provide superannuation or pension benefits for an employee or former employee of the taxpayer by making a lump sum payment to or under the fund or plan in the year in which the employee or former employee"

(3) All that portion of paragraph *(i)* of subsection (1) of section 11 of the said Act preceding subparagraph (i) thereof is repealed and the following substituted therefor:

Employer's contribution to pension fund.

"*(i)* amounts contributed by the taxpayer to or under a registered pension fund or plan,"

(4) Subsection (1) of section 11 of the said Act is further amended by adding thereto, immediately after paragraph *(i)* thereof, the following paragraph:

Convention expenses.

"*(ia)* an amount paid by the taxpayer in the year as or on account of expenses incurred by him in attending, in connection with a business or profession carried on by him, not more than two conventions in Canada held during the year by a business or professional organization;"

Clause 3 (1) This amendment deals with the maximum amount that an employer may deduct as a contribution to or under a registered pension fund or plan in respect of services rendered by his employees. Where the amount paid by the employer is a specified amount in respect of each employee the maximum deductible continues to be $1,500 in respect of each individual employee. In any other case the maximum deductible shall be determined in a manner prescribed by regulation but the maximum that may be permitted by regulation is $1,500 multiplied by the number of employees under the plan. The paragraph being repealed reads as follows:

"*(g)* an amount not exceeding $1500 paid by the taxpayer in the year or within 60 days from the end of the year to or under an approved superannuation fund or plan in respect of services rendered by each employee, officer or director of the taxpayer in the year plus such amount as may be deducted as a special contribution under section 76;"

(2) and (3) These amendments substitute the words "registered pension" for the words "approved superannuation"

(4) This new paragraph provides a deduction for expenses incurred in attending certain conventions. This implements paragraph 2 of the Income Tax Resolution which reads as follows:

"2. That for the 1955 and subsequent taxation years a deduction shall be allowed for expenses of attending in Canada not more than two conventions annually relating to the business of the taxpayer."

(5) Paragraphs *(q)* and *(r)* of subsection (1) of section 11 of the said Act are repealed and the following substituted therefor:

Clergymen's residences.

"*(q)* where a taxpayer is a member of the clergy or of a religious order or a regular minister of a religious denomination and is in charge of or ministering to a diocese, parish or congregation, an amount equal to

(i) the value of the residence or other living accommodation occupied by him in the course of or by virtue of his office or employment as such member or minister in charge of or ministering to a diocese, parish or congregation, to the extent that such value is included in computing his income by virtue of section 5, or

(ii) rent paid by him for a residence or other living accommodation rented and occupied by him, or the fair rental value of a residence or other living accommodation owned and occupied by him, during the year but not, in either case, exceeding his remuneration from his office or employment as such member or minister in charge of or ministering to a diocese, parish or congregation;

Employer's contribution under profit sharing plan.

(r) an amount paid by the taxpayer to a trustee in trust for employees of the taxpayer or of a corporation with whom the taxpayer does not deal at arm's length, under an employees profit sharing plan as permitted by section 79; and

Employer's contribution under supplementary unemployment benefit plan.

(s) an amount paid by the taxpayer to a trustee under a supplementary unemployment benefit plan as permitted by section 79A."

(6) Subsection (3) of section 11 of the said Act is repealed and the following substituted therefor:

Allowance in respect of oil or gas wells, etc.

"(2a) For greater certainty it is hereby declared that, in the case of a regulation made under paragraph *(b)* of subsection (1) allowing to a taxpayer an amount in respect of an oil or gas well or a mine,

(a) there may be allowed to the taxpayer by such regulation an amount in respect of any or all oil or gas wells or mines in which the taxpayer has any interest, and

(b) notwithstanding any other provision contained in this Act, the Governor in Council may prescribe the formula by which the amount that may be allowed to the taxpayer by such regulation shall be determined.

Lessee's share of allowance.

(3) Where a deduction is allowed under paragraph *(b)* of subsection (1) in respect of a coal mine operated by a lessee, the lessor and lessee may agree as to what portion of the allowance each may deduct and, in the event that they cannot agree, the Minister may fix the portions."

(5) The amendment to paragraph *(q)* makes it clear that the deduction may be claimed only by a member of the clergy or of a religious order who is in charge of or ministering to a diocese, parish or congregation. The paragraph being repealed reads as follows:

"*(q)* where a taxpayer is a member of the clergy or a religious order or is a regular minister of a religious denomination, an amount equal to

(i) the value of the residence or other living accommodation occupied by him in the course of or by virtue of his office or employment as a member of the clergy or a religious order or as a regular minister of a religious denomination, to the extent that such value is included in computing his income by virtue of section 5, or

(ii) rent paid by him for a residence or other living accommodation rented and occupied by him, or the fair rental value of a residence or other living accommodation owned and occupied by him, during the year but not, in either case, exceeding his remuneration from his office or employment as a member of the clergy or a religious order or as a regular minister of a religious denomination; and"

The amendment to paragraph *(r)* extends the reference to an employees profit sharing plan to include plans established by other corporations with whom the taxpayer does not deal at arm's length. This is in accordance with the change in the definition of a profit sharing plan found in clause 18. The paragraph being repealed reads as follows:

"*(r)* an amount paid by the taxpayer in trust for his employees under an employees profit sharing plan as permitted by section 79."

The new paragraph *(s)* allows an employer to deduct amounts paid to a trustee under a supplementary unemployment benefit plan. The new section 79A is found in clause 19.

(6) This amendment adds the new subsection (2a) and amends the original subsection (3) by substituting the words "coal mine" for the words "oil or gas well, mine or timber limit". This implements paragraph 3 of the Income Tax Resolution which reads as follows:

"3. That for the 1956 and subsequent taxation years uncertainty regarding the applicability of outstanding regulations respecting depletion allowances be removed."

The subsection being repealed reads as follows:

"(3) Where a deduction is allowed under paragraph *(b)* of subsection (1) in respect of an oil or gas well, mine or timber limit operated by a lessee, the lessor and lessee may agree as to what portion of the allowance each may deduct and, in the event that they cannot agree, the Minister may fix the portions."

(7) Subsection (3c) of section 11 of the said Act is repealed and the following substituted therefor:

Teachers.

"(3c) For the purpose of determining whether a teacher may deduct amounts contributed by him to or under a registered pension fund or plan in computing his income for a taxation year during which he was employed by Her Majesty or a person whose taxable income for the year is exempt by virtue of section 62, subparagraph (ii) of paragraph *(i)* of subsection (1) shall be read as though the words "while he was not a contributor" at the end thereof were deleted."

(8) Subsection (8) of section 11 of the said Act is repealed and the following substituted therefor:

Employee's contribution to pension fund for arrears.

"(8) Where an amount has been contributed by a taxpayer to or under a registered pension fund or plan during the 1946 or a subsequent taxation year in respect of services rendered by him before he became a contributor, it may be included in computing a deduction under subparagraph (ii) of paragraph *(i)* of subsection (1) for a taxation year subsequent to the year during which it was contributed to the extent that it exceeds the aggregate of amounts deductible in respect thereof under this subsection or the said subparagraph (ii) in computing incomes for years preceding the taxation year."

(9) Subsection (1) of this section, paragraphs *(q)* and *(r)* of subsection (1) of section 11 of the said Act as enacted by subsection (5) of this section, and subsection (3) of section 11 of the said Act as enacted by subsection (6) of this section are applicable to the 1956 and subsequent taxation years, and subsection (4) of this section and paragraph *(s)* of subsection (1) of section 11 of the said Act as enacted by subsection (5) of this section are applicable to the 1955 and subsequent taxation years.

(10) For greater certainty it is hereby declared that a regulation heretofore made under paragraph *(b)* of subsection (1) of section 11 of the said Act may, insofar as such regulation has application to the 1956 or any subsequent taxation year, be revoked by the Governor in Council, and the Governor in Council may, having regard to subsection (2a) of section 11 of the said Act as enacted by subsection (6) of this section, make or substitute therefor a new regulation with application to any or all of those taxation years.

4. (1) Section 12 of the said Act is amended by adding thereto the following subsections:

Special corporation taxes.

"(4) In computing a taxpayer's income for a taxation year, no deduction shall be made in respect of corporation taxes paid or payable to the government of a province or to a municipality in the province, except to the extent that

(7) and (8) These amendments substitute the words "registered pension" for the words "approved superannuation".

(9) Application provision.

(10) Application provision. See also paragraph 3 of the Income Tax Resolution referred to above.

Clause 4: These amendments contemplate the deduction from income of certain corporation taxes. This is in accordance with proposed Federal-Provincial fiscal arrangements to commence Jan. 1, 1957.

(a) the aggregate of all corporation taxes payable by the taxpayer in the year and all corporation income taxes payable by him in respect of the year to the government of the province or to a municipality in the province,

exceeds the greater of

(b) 9% of the taxable income of the taxpayer earned in the year in the province, or

(c) the amount that any tax payable on the taxable income of the taxpayer earned in the year in the province would be if that tax were payable at such rate as is determined in accordance with the regulations to be the standard rate of tax applied for the purpose of any corporation income tax imposed by the legislature of the province in respect of the year.

Definitions

"Corporation tax."

(5) In subsection (4) and this subsection,

(a) "corporation tax" means a tax imposed by the legislature of a province or by a municipality in the province, that is declared by the regulations to be a tax on corporations, but does not include

(i) a corporation income tax, or

(ii) any other tax declared by the regulations not to be a corporation tax;

"Corporation income tax."

(b) "corporation income tax" means a tax imposed by the legislature of a province or by a municipality in that province, that is declared by the regulations to be a tax of general application on the profits of corporations;

"Regulations."

(c) "regulations" means regulations made by the Governor in Council on the recommendation of the Minister of Finance for the purposes of this section; and

"Taxable income, etc."

(d) "taxable income of the taxpayer earned in the year in the province" means an amount determined under rules prescribed by the regulations."

(2) This section is applicable to the 1957 to 1961 taxation years each inclusive, but where a taxpayer has a taxation year part of which is before and part of which is after the commencement of 1957, there may be deducted by the taxpayer in computing his income under Part I of the said Act for that taxation year, in addition to any other deduction for that taxation year allowed to the taxpayer under Part I of the said Act as amended by this section, that proportion of any amount that, but for this section, would have been deductible in computing his income for that taxation year, that the number of days in that portion of the taxation year that is in 1956 is of the number of days in the whole taxation year.

5. (1) Where, under any enactment of the Parliament of Canada for the provision of transportation and other assistance to immigrants and settlers, any amount is paid in a taxation year as family assistance in respect of a child

Clause 5: This clause provides that any children in respect of whom amounts are paid as family assistance to immigrants and settlers shall be classed as children qualified for family allowance for income tax purposes.

for whom, in computing the taxable income of a taxpayer for that taxation year under Part I of the *Income Tax Act*, the taxpayer is entitled to a deduction under section 26 of the said Act, the following rules apply:

(a) for the purposes of section 26 of the said Act, the child shall be deemed to have been, during that taxation year, a child qualified for family allowance; and

(b) for the purposes of section 85c of the said Act, the child shall be deemed to have become, during the first taxation year in which any amount as family assistance in respect of the child was so paid, a child qualified for family allowance by reason of having become, during that taxation year, a child as described in subparagraph (ii) or (iii) of paragraph *(b)* of section 2 of the *Family Allowances Act*, and any amount so paid in that taxation year as family assistance in respect of the child shall be deemed to have been payable during that taxation year as family allowance in respect of such child.

(2) This section is applicable in respect of amounts paid under any enactment of the Parliament of Canada passed at the 3rd Session of the 22nd Parliament in the year 1956.

6. (1) Subparagraph (vii) of paragraph *(c)* of subsection (1) of section 27 of the said Act is repealed and the following substituted therefor:

"(vii) for insulin, cortisone, adrenocorticotrophin (ACTH), oxygen, liver extract injectible for pernicious anaemia or vitamin B12 for pernicious anaemia, purchased for use by the taxpayer, his spouse or any such dependant as prescribed by such a medical practitioner,"

(2) This section is applicable to the 1956 and subsequent taxation years.

7. Paragraph *(b)* of subsection (1) of section 28 of the said Act is repealed.

8. Section 33 of the said Act as enacted by subsection (2) of section 7 of chapter 54 of the Statutes of 1955 is applicable to the 1957 to 1961 taxation years, each inclusive, but in its application to those years there shall be substituted for paragraph *(a)* of subsection (2) of section 33 of the said Act the following paragraph:

"Tax otherwise payable under this Part."

"*(a)* "tax otherwise payable under this Part" means the tax otherwise payable after making any deduction under section 38 and after deducting the Old Age Security tax imposed by subsection (3) of section 10 of

Clause 6: This amendment adds the underlined word.

Clause 7: The paragraph being repealed reads as follows:

> "*(b)* was exempt from tax under this Part for the year by virtue of the provision exempting investment companies,"

This paragraph is no longer applicable because of the special tax imposed on investment companies in the 1955 legislation.

Clause 8: This clause extends the application of section 33 of the *Income Tax Act* to the taxation years 1957 to 1961 inclusive. Section 33 provides a 10% abatement of personal income tax for individuals who reside in or earn income in a province that imposes a personal income tax. As enacted in 1955 the section was applicable only to the 1955 and 1956 taxation years.

This clause also amends paragraph *(a)* of subsection (2) of section 33 by adding the underlined words.

The provisions of this clause follow from the proposed Federal-Provincial fiscal arrangements to commence Jan. 1, 1957.

the *Old Age Security Act* but before making any deduction in respect of taxes payable to the government of a country other than Canada; and"

9. (1) Subsection (1) of section 40 of the said Act is repealed and the following substituted therefor:

Deduction from corporation tax.

"**40.** (1) There may be deducted from the tax otherwise payable by a corporation under this Part for a taxation year an amount equal to 9% of the corporation's taxable income earned in the year in a province prescribed by a regulation made on the recommendation of the Minister of Finance."

(2) Subsection (1) of section 40 of the said Act as enacted by this section is applicable to the 1957 to 1961 taxation years each inclusive, but where a corporation has a taxation year part of which is before and part of which is after the commencement of 1957, the tax payable by the corporation under Part I of the said Act for that taxation year is the aggregate of

(a) that proportion of the tax computed under Part I of the said Act as it was before being amended by this section that the number of days in that portion of the taxation year that is in 1956 is of the number of days in the whole taxation year, and

(b) that proportion of the tax computed under Part I of the said Act as amended by this section that the number of days in that portion of the taxation year that is in 1957 is of the number of days in the whole taxation year.

10. (1) All that portion of subsection (1) of section 42 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

Averaging for farmers and fishermen.

"**42.** (1) Where a taxpayer's chief source of income has been farming or fishing during a taxation year (in this section referred to as the "year of averaging") and the four immediately preceding years for which he has filed returns of income as required by this Part (in this section referred to as the "preceding years"), if the taxpayer, on or before the day on or before which he was required to file a return of his income for the year of averaging, or on or before the day on or before which he would have been required to file such a return if any tax had been payable by him for the year of averaging, files with the Minister an election in prescribed form, the tax payable under this Part for the year of averaging is an amount determined by the following rules:"

(2) This section is applicable to the 1956 and subsequent taxation years.

Clause 9: This amendment will allow corporations to deduct 9% of their taxable income earned in a province that imposes a corporation income tax, instead of the present 7% or 5%. This amendment follows from the proposed Federal-Provincial fiscal arrangements to commence Jan. 1, 1957. The subsection being repealed reads as follows:

"**40.** (1) There may be deducted from the tax otherwise payable by a corporation under this Part for a taxation year an amount equal to

(a) in the case of a corporation of a class prescribed by a regulation made on the recommendation of the Minister of Finance for the purposes of this paragraph, 5%, and

(b) in the case of any other corporation, 7%,

of the corporation's taxable income earned in the year in a province prescribed by a regulation made on the recommendation of the Minister of Finance."

Clause 10: This amendment requires a taxpayer who has a loss in the "year of averaging" to file an election for that year at the proper time. The words being repealed read as follows:

"**42.** (1) Where a taxpayer's chief source of income has been farming or fishing during a taxation year (in this section referred to as the "year of averaging") and the four immediately preceding years for which he has filed returns of income as required by this Part (in this section referred to as the "preceding years"), if the taxpayer, on or before the day on or before which he was required to file his return of income for the year of averaging, files with the Minister an election in prescribed form, the tax payable under this Part for the year of averaging is an amount determined by the following rules:"

11. Subsection (1) of section 47 of the said Act is amended by adding thereto, immediately after paragraph *(d)* thereof, the following paragraph:

"*(da)* an amount as a benefit under a supplementary unemployment benefit plan,"

12. (1) Paragraph *(q)* of subsection (1) of section 62 of the said Act is repealed and the following substituted therefor:

Pension trust or corporation.

"*(q)* a trust or corporation established or incorporated solely in connection with, or for the administration of, a registered pension fund or plan;"

(2) Subsection (1) of section 62 of the said Act is further amended by striking out the word "or" at the end of paragraph *(r)* thereof and by adding thereto, immediately after paragraph *(r)* thereof, the following paragraph:

Trust under supplementary unemployment benefit plan.

"*(ra)* a trust under a supplementary unemployment benefit plan to the extent provided by section 79A; or"

13. (1) Subsection (7) of section 67 of the said Act is amended by adding the word "and" at the end of paragraph *(c)* thereof and by adding thereto, immediately after paragraph *(c)* thereof, the following paragraph:

"*(d)* any amount included in computing a particular shareholder's income for the taxation year by virtue of this subsection shall be deemed, for the purposes of section 38, to have been received by the shareholder in the year as a dividend from a taxable corporation."

(2) This section is applicable to the 1956 and subsequent taxation years.

14. (1) All that portion of subsection (2) of section 69 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

"Investment company" defined.

"(2) In this Act, "investment company" means a corporation that, in respect of the taxation year in respect of which the expression is being applied, complied with the following conditions:"

(2) Paragraphs *(ba)*, *(c)* and *(d)* of subsection (2) of section 69 of the said Act are repealed and the following substituted therefor:

"*(ba)* not less than 50% of its gross revenue for the year was from dividends from taxable corporations,

Clause 11: This new paragraph provides that tax shall be deducted at the source on any benefits paid under a supplementary unemployment benefit plan.

Clause 12: (1) This amendment substitutes the words "registered pension" for the words "approved superannuation".

(2) This new paragraph provides an exemption from taxation for a trust established under a supplementary unemployment benefit plan.

Clause 13: This new paragraph provides that where an amount actually received from a personal corporation is required to be included in computing the income of a shareholder for the year in which received, the shareholder may claim the 20% dividend tax credit in respect of that amount.

Clause 14: (1) This amendment is for purposes of greater clarity. The portion of the section being repealed reads as follows:

"(2) In this Act, "an investment company" means a corporation that, during the whole of the taxation year in respect of which the expression is being applied, complied with the following conditions:"

(2) This amendment changes the percentage in paragraph *(ba)* from 60% to 50% and makes some changes in paragraphs *(c)* and *(d)* for purposes of greater clarity. The paragraphs being repealed read as follows:

"*(ba)* not less than 60% of its gross revenue for the year was from dividends from taxable corporations;

(c) at no time in the year did more than 10% of its property consist of shares, bonds or securities of any one corporation or debtor other than Her Majesty in right of Canada or of a province or a Canadian municipality,

(d) at no time in the year was the number of shareholders of the corporation less than 50, none of whom at any time in the year held more than 25% of the shares of the capital stock of the corporation, and"

(3) This section is applicable to the 1956 and subsequent taxation years.

15. (1) Section 75 of the said Act is amended by adding thereto, immediately after subsection (5) thereof, the following subsection:

Saving provision.

"(5a) For the purposes of subsection (3), "3% of the capital employed in the business at the commencement of the year" means, in any case where the taxation year of the taxpayer is less than 12 months, that proportion of 3% of the capital so employed at the commencement of the year that the number of days in the year is of 365."

(2) This section is applicable to the 1956 and subsequent taxation years.

16. Subsection (4) of section 77 of the said Act is repealed and the following substituted therefor:

Certain payments from pension fund.

"(4) Where a taxpayer, during the period from August 15, 1944, to December 31, 1945, made a contribution in excess of $300 to or under a registered pension fund or plan in respect of services rendered by him before he became a contributor, there shall be included in computing his income in respect of a payment received by him out of or under the fund or plan only that part of the payment that remains after deducting the proportion thereof that the contribution so made minus $300 is of the aggregate of all amounts paid by him to or under the fund or plan."

17. Subsection (6) of section 78 of the said Act is repealed and the following substituted therefor:

Pension benefits.

"(6) This section does not apply to superannuation or pension benefits received out of or under a registered pension fund or plan."

18. (1) All that portion of subsection (1) of section 79 of the said Act preceding the end of paragraph *(b)* thereof is repealed and the following substituted therefor:

(c) not more than 10% of its property was, throughout the year, shares, bonds or securities of any one corporation or debtor other than Her Majesty in right of Canada or of a province or a Canadian municipality,

(d) its shares were, throughout the year, held by at least 50 or more persons of whom none held more than 25%, and"

Clause 15: This new subsection provides a rule for determining what is meant by 3% of the capital employed in the business at the commencement of the year where the taxation year of the taxpayer paying a patronage dividend, such as a co-operative, is less than 12 months.

Clause 16: This amendment substitutes the words "registered pension" for the words "approved superannuation".

Clause 17: This amendment substitutes the words "a registered" for the words "an approved superannuation or".

Clause 18: (1) This amendment adds the underlined words. The words added in that part of section 79 before paragraph *(b)* broaden the definition of an employees profit sharing plan to include plans established for the benefit of employees of a group of corporations not dealing at arm's length. The words added to paragraph *(b)* of section 79 follow from part *(a)* of paragraph 1 of the Income Tax Resolution which reads as follows:

"Employees profit sharing plan" defined.

"**79.** (1) In this Act, an "employees profit sharing plan" means an arrangement under which payments computed by reference to his profits from his business or by reference to his profits from his business and the profits, if any, from the business of a corporation with whom he does not deal at arm's length are made by an employer to a trustee in trust for the benefit of officers or employees of the employer or of a corporation with whom the employer does not deal at arm's length (whether or not payments are also made to the trustee by the officers or employees), and under which the trustee has, since the commencement of the plan or the end of 1949, whichever is the later, each year allocated either contingently or absolutely to individual officers or employees,

(a) all amounts received by him from the employer or from a corporation with whom the employer does not deal at arm's length, and

(b) all profits from the trust property (computed without regard to any capital gain made by the trust or capital loss sustained by it at any time since the end of 1955)," 20

(2) Paragraph *(b)* of subsection (3) of section 79 of the said Act is repealed and the following substituted therefor:

"*(b)* a capital gain made by the trust."

(3) Subsection (4) of section 79 of the said Act is repealed and the following substituted therefor:

Employer's contribution to trust deductible.

"(4) An amount paid by an employer to a trustee under an employees profit sharing plan during a taxation year or within 120 days thereafter may be deducted in computing the employer's income for the taxation year to the extent that it was not deductible in computing income for a previous taxation year."

(4) Subsection (6) of section 79 of the said Act is amended by striking out the word "or" at the end of paragraph *(a)* thereof, by repealing paragraph *(b)* thereof and by substituting therefor the following:

"*(b)* amounts required to be included in computing the income of the employee for that or a previous taxation year, or

(c) a capital gain made by the trust,"

(5) Section 79 of the said Act is further amended by adding thereto, immediately after subsection (6) thereof, the following subsections:

"1. That for the 1956 and subsequent taxation years, in the taxation of employees who are beneficiaries under an employees profit sharing plan,

(a) gains and losses of the trustee under the plan in connection with investment transactions shall not be taken into account in calculating the income of the employee;"

(2) This new paragraph also implements part *(a)* of paragraph 1 of the Income Tax Resolution referred to above.

The paragraph being repealed reads as follows:

"*(b)* an amount that, by virtue of a previous allocation under the plan, was required to be included in computing the income of the employee, or the income of any other employee or former employee who is or was a beneficiary under the plan, for that or a previous taxation year."

(3) This amendment substitutes "120 days" for "60 days".

(4) This amendment deletes from paragraph *(b)* the reference to re-allocations. This is consequential upon the new subsection (6c) which is being added to section 79. See (5) below. The amendment also adds a new paragraph *(c)* to exclude capital gains. This is in accordance with part *(a)* of paragraph 1 of the Income Tax Resolution referred to above.

The paragraph being repealed reads as follows:

"*(b)* amounts required to be included in computing the income of the employee, or the income of any other employee or former employee who is or was a beneficiary under the plan, for that or a previous taxation year,"

(5) The new subsections (6a) and (6b) provide that a beneficiary under an employees profit sharing plan may claim the 20% dividend tax credit for that portion of any amount allocated to him that is considered as being derived from dividends from taxable corporations. This implements part *(b)* of paragraph 1 of the Income Tax Resolution which reads as follows:

Credit for dividends.

"(6a) For the purposes of section 38, that proportion of any amount required by subsection (3) to be included in computing the income for a taxation year of an employee who is a beneficiary under an employees profit sharing plan that

(a) the part of the gross revenue for the year of the trust that consisted of dividends from taxable corporations, is of

(b) the gross revenue for the year of the trust,

shall be deemed to have been received in the year by the employee as a dividend from a taxable corporation.

Definitions. "Gross revenue for the year."

(6b) In subsection (6a),

(a) "gross revenue for the year" includes any amount received in the year under an employees profit sharing plan by the trustee under the plan from the employer or from a corporation with whom the employer does not deal at arm's length; and

"Taxable corporation."

(b) "taxable corporation" means a taxable corporation as defined in subsection (2) of section 38.

Refunds.

(6c) For the purposes of section 57, where an employee who is a beneficiary under an employees profit sharing plan ceases, at any time in a taxation year, to be a beneficiary thereunder, and it is established that

(a) there has been included in computing the income of the employee for that or a previous taxation year an amount by virtue of any allocation made to him contingently by the trustee under the plan prior to the time he ceased to be a beneficiary thereunder, and

(b) the employee has not at any time received that amount from the trustee under the plan and is not, under the plan, entitled to receive that amount,

the employee shall be deemed to have made, at the time he ceased to be a beneficiary under the plan, a payment equal to 15% of that amount on account of tax under this Part for the taxation year in which he ceased to be a beneficiary under the plan."

(6) Subject to subsection (7), this section is applicable to the 1956 and subsequent taxation years.

(7) Subsection (6c) of section 79 of the said Act as enacted by subsection (5) of this section is applicable in the case of an employee who ceased or ceases to be a beneficiary under an employees profit sharing plan at any time after the commencement of the 1956 taxation year.

19. (1) The said Act is further amended by adding thereto, immediately after section 79 thereof, the following heading and section:

"1. That for the 1956 and subsequent taxation years, in the taxation of employees who are beneficiaries under an employees profit sharing plan,

(b) such part of any amount received by the trustee as a dividend from a taxable corporation as is taken into account in calculating the income of the employee shall be deemed to have been received by the employee as such a dividend for credit tax purposes; and"

The new subsection (6c) provides that if at any time an employee withdraws from an employees profit sharing plan, having in previous years included in his income an amount allocated to him contingently under the plan that he has not actually received and is not entitled to receive upon withdrawal from the plan, he shall be eligible for a refund of tax equal to 15% of the amount so allocated to him during his membership in the plan. This implements part *(c)* of paragraph 1 of the Income Tax Resolution which reads as follows:

"1. That for the 1956 and subsequent taxation years, in the taxation of employees who are beneficiaries under an employees profit sharing plan,

(c) there shall be excluded in calculating the income of an employee for the period of his first three years as a beneficiary under the plan any amount contingently allocated to him if, within that period, the employee does not become entitled to receive that amount upon his withdrawal from the plan."

Clause 19: The new section 79A defines what is meant by a supplementary unemployment benefit plan and specifies the manner in which payments in connection with such plans are to be treated for tax purposes.

"Supplementary Unemployment Benefit Plan.

"Supplementary unemployment benefit plan" defined.

79A. (1) In this Act, a "supplementary unemployment benefit plan" means an arrangement, other than an arrangement in the nature of a superannuation or pension fund or plan or an employees profit sharing plan, under which payments are made by an employer to a trustee in trust for the payment of periodic amounts to employees or former employees of the employer who are or may be laid off for any temporary or indefinite period.

No tax while trust governed by plan.

(2) No tax is payable under this Part by a trust upon the taxable income of the trust for a period during which the trust was governed by a supplementary unemployment benefit plan.

Amounts received taxable.

(3) There shall be included in computing the income of a taxpayer for a taxation year each amount received by him under a supplementary unemployment benefit plan from the trustee under the plan at any time in the year.

Payments by employer deductible.

(4) An amount paid by an employer to a trustee under a supplementary unemployment benefit plan during a taxation year or within 30 days thereafter may be deducted in computing the employer's income for the taxation year to the extent that it was not deductible in computing income for a previous taxation year."

(2) Subject to subsection (3), this section is applicable to the 1955 and subsequent taxation years.

(3) Subsection (3) of section 79A of the said Act as enacted by this section is applicable to the 1956 and subsequent taxation years.

20. (1) Section 82 of the said Act is amended by adding thereto, immediately after subsection (5) thereof, the following subsections:

Idem.

"(5a) Where, in the case of a corporation referred to in subsection (8a) of section 83A as a "predecessor corporation", paragraph *(a)* of subsection (1) is being applied to determine the undistributed income of the corporation on hand at any specified time after such time after 1954 as all or substantially all of the property of the corporation described in subsection (8a) of section 83A has been acquired as described in subsection (8a) of that section, there shall not be included in the amount or amounts deductible under any subparagraph of paragraph *(a)* of subsection (1) any amount in respect of expenses incurred by the corporation included in the aggregate determined under paragraph *(e)* of subsection (8a) of section 83A.

Capital gains and losses.

(5b) For greater certainty it is hereby declared that, where paragraph *(a)* of subsection (1) is being applied to determine a corporation's undistributed income on hand at

Clause 20: (1) The new subsection (5a) should be read in conjunction with clause 21. The amendment referred to in clause 21 provides that under certain circumstances expenses incurred by one corporation, referred to as the predecessor corporation, may be deducted by another corporation, referred to as the successor corporation, that has acquired the property of the predecessor corporation. The new subsection provides that the predecessor corporation in determining its undistributed income may not deduct the expenses that are being passed on to the successor corporation.

The new subsection (5b) provides for greater certainty an additional rule in connection with the determination of undistributed income.

a specified time, no capital profit or gain shall be deemed to have been made by the corporation and no capital loss shall be deemed to have been sustained by it in respect of any property unless such property has, otherwise than by distribution or appropriation in any manner whatsoever to or for the benefit of one or more of its shareholders on the winding-up, discontinuance or reorganization of its business, been disposed of at or before that specified time, or unless such property can reasonably be regarded as having, at that specified time, no value."

(2) Section 82 of the said Act is further amended by adding thereto, immediately after subsection (7) thereof, the following subsection:

Idem.

"(7a) For the purposes of subparagraph (iv) of paragraph *(a)* of subsection (1), where a capital loss has been sustained by a corporation (hereinafter in this subsection referred to as the "receiving corporation") in respect of shares of a corporation (hereinafter in this subsection referred to as the "payer corporation"), and, prior to the time the loss was sustained, the payer corporation, at a time when the receiving corporation was a personal corporation, paid a dividend to the receiving corporation in respect of which dividend or a part thereof tax under subsection (1) of section 105B would have been payable by the payer corporation if the receiving corporation, at the time the dividend was paid, had been a person exempt from tax under section 62 other than a personal corporation, the capital loss so sustained by the receiving corporation shall be deemed to be the amount of such loss minus the amount of the dividend or the part thereof in respect of which such tax would have been so payable."

(3) Section 82 of the said Act is further amended by adding thereto the following subsection:

Insurance corporations.

"(15) Where all of the assets and liabilities of an insurance corporation incorporated under or pursuant to the laws of a province (hereinafter in this subsection referred to as the "old corporation") have, at a time when the corporation had undistributed income on hand, been acquired by an insurance corporation incorporated under or pursuant to an Act of the Parliament of Canada (hereinafter in this subsection referred to as the "new corporation") under an arrangement whereby it is contemplated that the new corporation will carry on the business formerly carried on by the old corporation, and the paid up capital of the new corporation was not, at the time of the acquisition of such assets and liabilities, less than the paid up capital of the old corporation at that time,

(2) The new subsection (7a), which was made necessary by the amendment to section 105B of the *Income Tax Act* by subclause (1) of clause 23, relates to the determination of undistributed income. It places a limit on the amount of capital loss that a personal corporation may claim as a result of having acquired shares of another corporation and having been paid a dividend out of its designated surplus.

(3) This new subsection provides special rules in circumstances where an insurance corporation with undistributed income on hand that has been operating under a provincial charter is re-incorporated under an Act of the Parliament of Canada.

(a) the amount of the dividend deemed by section 81 to have been received at that time by each of the persons who held any of the shares of the old corporation at that time shall be deemed to be the amount otherwise so deemed to have been received at that time by each such person minus the amount paid up on the shares of the old corporation so held by him, and

(b) the undistributed income of the new corporation on hand immediately after that time as determined under paragraph *(a)* of subsection (1) shall be deemed to be the amount otherwise determined thereunder plus the amount of the undistributed income of the old corporation on hand immediately prior to that time."

(4) Subsection (5b) of section 82 of the said Act as enacted by subsection (1) is applicable in determining, at any time after 1955, the undistributed income of a corporation on hand at any time prior to such determination, except that nothing in subsection (5b) of section 82 of the said Act as enacted by subsection (1) applies in respect of any matter in respect of which an appeal was pending before a court at the end of 1955.

(5) Subsection (2) is applicable in respect of losses sustained after April 5, 1955 and subsection (3) is applicable where the assets and liabilities referred to in subsection (15) of section 82 of the said Act as enacted by subsection (3) were acquired after 1955.

21. (1) All that portion of paragraph *(b)* of subsection (1) of section 83A of the said Act following subparagraph (i) thereof is repealed and the following substituted therefor:

"(ii) if no deduction were allowed under this section, minus the deductions allowed for the year by subsection (8a) of this section and by section 28."

(2) All that portion of paragraph *(b)* of subsection (2) of section 83A of the said Act following subparagraph (i) thereof is repealed and the following substituted therefor:

"(ii) if no deduction were allowed under this section, minus the deductions allowed for the year by subsection (8a) of this section and by section 28,"

(3) All that portion of paragraph *(d)* of subsection (3) of section 83A of the said Act following subparagraph (i) thereof is repealed and the following substituted therefor:

"(ii) if no deduction were allowed under this section, minus the deductions allowed for the year by subsections (1), (2) and (8a) of this section and by section 28."

Clause 21: (1), (2) and (3). These amendments add the underlined words and substitute in each case the words "this section" for the words "this subsection". The addition of the underlined words is made necessary by the new subsection (8a) referred to below.

(4) Section 83A of the said Act is further amended by adding thereto, immediately after subsection (8) thereof, the following subsection:

Property acquired by successor corporation.

"(8a) Notwithstanding subsection (8), where a corporation (hereinafter in this subsection referred to as the "successor corporation") whose principal business is

(a) production, refining or marketing of petroleum, petroleum products or natural gas, or exploring or drilling for petroleum or natural gas, or

(b) mining or exploring for minerals,

has, at any time after 1954, acquired from a corporation (hereinafter in this subsection referred to as the "predecessor corporation") whose principal business was production, refining or marketing of petroleum, petroleum products or natural gas, or exploring or drilling for petroleum or natural gas, all or substantially all of the property of the predecessor corporation used by it in carrying on the business,

(c) pursuant to the purchase of such property by the successor corporation in consideration of shares of the capital stock of the successor corporation, or

(d) as a result of the distribution of such property to the successor corporation upon the winding-up of the predecessor corporation subsequently to the purchase of all or substantially all of the shares of the capital stock of the predecessor corporation by the successor corporation in consideration of shares of the capital stock of the successor corporation,

there may be deducted by the successor corporation, in computing its income under this Part for a taxation year, the lesser of

(e) the aggregate of

(i) the drilling and exploration expenses, including all general geological and geophysical expenses, incurred by the predecessor corporation on or in respect of exploring or drilling for petroleum or natural gas in Canada, and

(ii) the prospecting, exploration and development expenses incurred by the predecessor corporation in searching for minerals in Canada,

to the extent that such expenses

(iii) were not deductible by the successor corporation in computing its income for a previous taxation year, and were not deductible by the predecessor corporation in computing its income for the taxation year in which the property so acquired was acquired by the successor corporation or its income for a previous taxation year, and

(4) The new subsection (8a) provides that where an oil or mining corporation, referred to as the successor corporation, acquires the property of an oil corporation referred to as the predecessor corporation, the successor corporation may deduct certain drilling and exploration expenses incurred by the predecessor corporation not already deducted at the time of purchase. However, the successor corporation may not deduct in any year drilling and exploration expenses of the predecessor corporation in excess of income derived during that year from the property acquired from the predecessor corporation.

(iv) would, but for the provisions of paragraph *(b)* of subsection (1), paragraph *(d)* of subsection (3) and paragraph *(d)* of subsection (8) or of any of those paragraphs or this subsection, have been deductible by the predecessor corporation in computing its income for the taxation year in which the property so acquired was acquired by the successor corporation, or

(f) of that aggregate, an amount equal to such part of its income for the year

(i) if no deduction were allowed under paragraph *(b)* of subsection (1) of section 11, and

(ii) if no deduction were allowed under this section,

(minus any deduction allowed for the year by section 28), as may reasonably be regarded as attributable to the production of petroleum or natural gas from wells situated on property from which the predecessor corporation had, immediately before the acquisition by the successor corporation of the property so acquired, a right to take or remove petroleum or natural gas;

and, in respect of any such expenses included in the aggregate determined under paragraph *(e)*, no deduction may be made under this section by the predecessor corporation in computing its income for the taxation year in which the property so acquired was acquired by the successor corporation or its income for any subsequent taxation year."

(5) This section, except subsection (4), is applicable in computing a deduction from income for the 1956 and subsequent taxation years.

(6) Subsection (4) is applicable in respect of property of a corporation acquired after 1954, except that in computing the income of a successor corporation for a taxation year prior to the 1956 taxation year, no amount is deductible under subsection (8a) of section 83A of the said Act as enacted by subsection (4).

22. (1) The said Act is further amended by adding thereto, immediately after section 84 thereof, the following heading and section:

"Railway Companies.

Capital cost of certain property.

84A. (1) Notwithstanding subsection (3) of section 84, where property of the following description, namely:

(a) railway track or railway track grading, or

(b) a crossing as defined in subsection (9) of section 265 of the *Railway Act*,

Clause 22: This new section provides rules for determining the capital cost of certain railway assets that have not formerly been considered depreciable. It also provides for regulations to determine which replacements are to be treated as expenses and which are to be capitalized. The purpose is to keep the treatment of these items for income tax purposes as nearly in line as possible with the system of accounts required by the Board of Transport Commissioners.

has, prior to 1956, been acquired by a taxpayer, that property shall, for the purposes of section 20 and regulations made under paragraph *(a)* of subsection (1) of section 11, be deemed to have been acquired at a capital cost equal to the amount that, according to the books of the taxpayer, was its value at the end of 1955.

Idem.

(2) For the purposes of this section, in determining the amount that, according to the books of the taxpayer, was the value of any property at the end of 1955, no amount shall be included in respect of property that, at that time, was leased from any other person.

Repairs, replacements, etc.

(3) Where any amount in respect of an expenditure incurred by a taxpayer on or in respect of the repair, replacement, alteration or renovation of depreciable property of the taxpayer of a class prescribed by regulations of the Governor in Council made for the purposes of this section is, under any uniform classification and system of accounts and returns prescribed by the Board of Transport Commissioners for Canada pursuant to the *Railway Act*, required to be entered in the books of the taxpayer otherwise than as an expense,

(a) no deduction may be made in respect of that expenditure in computing the income of the taxpayer for a taxation year; and

(b) for the purposes of section 20 and regulations made under paragraph *(a)* of subsection (1) of section 11, the taxpayer shall be deemed to have acquired, at the time the expenditure was incurred, depreciable property of that class at a capital cost equal to that amount."

(2) Subsection (3) of section 84A of the said Act as enacted by this section is applicable in respect of expenditures incurred in the 1956 and subsequent taxation years.

23. (1) Paragraph *(b)* of subsection (1) of section 105B of the said Act is repealed and the following substituted therefor:

"*(b)* a person exempt from tax under section 62 other than a personal corporation, or"

(2) Subsection (2) of section 29 of chapter 54 of the Statutes of 1955 is repealed.

(3) Section 105B of the *Income Tax Act*, as amended by subsection (1) of this section, is applicable to dividends paid or deemed to have been paid after April 5, 1955, where control of the payer corporation was acquired after 1954, except where such control was acquired after 1954 by a non-resident corporation from another non-resident person that acquired control of the payer corporation before 1955.

Clause 23: (1) This amendment adds the underlined words, and provides that the tax of 15% in respect of dividends paid out of designated surplus by a corporation control of which has been acquired by a tax exempt organization shall not apply where the tax exempt organization is a personal corporation.

(2) and (3) These amendments repeal the application clause in the 1955 legislation and re-enact it with the addition of the underlined words. The purpose of the amendments is to ensure that the tax of 15% in respect of dividends paid out of designated surplus by a corporation control of which has been acquired by a non-resident corporation shall not apply in the situation described.

24. The said Act is further amended by adding thereto, immediately after section 126 thereof, the following section:

Definitions.

"**126A.** (1) In this section

"Judge." *(a)* "judge" means a judge of a superior court having jurisdiction in the province where the matter arises or a judge of the Exchequer Court of Canada;

"Custodian." *(b)* "custodian" means a person in whose custody a package is placed pursuant to subsection (3);

"Lawyer." *(c)* "lawyer" means, in the province of Quebec, an advocate, lawyer or notary and, in any other province of Canada, a barrister or solicitor;

"Officer." *(d)* "officer" means a person acting under authority conferred by or under section 126; and

"Solicitor-client privilege." *(e)* "solicitor-client privilege" means the right, if any, that a person has in a superior court in the province where the matter arises to refuse to disclose an oral or documentary communication on the ground that the communication is one passing between him and his lawyer in professional confidence.

Solicitor-client privilege as defence.

(2) Where a lawyer is prosecuted for failure to comply with a requirement under section 126 to give information or to produce a document, he shall be acquitted if he establishes to the satisfaction of the court

(a) that he, on reasonable grounds, believed that a client of his has a solicitor-client privilege in respect of the information or document; and

(b) that the lawyer communicated to the Minister, or some person duly authorized to act for the Minister, his refusal to comply with the requirement together with a claim that a named client of the lawyer has a solicitor-client privilege in respect of the information or document.

Examination or seizure of certain documents where privilege claimed.

(3) Where an officer is about to examine or seize a document in the possession of a lawyer and the lawyer claims that a named client of his has a solicitor-client privilege in respect of that document, the officer shall, without examining or making copies of the document,

(a) seize the document and place it, together with any other document in respect of which the lawyer at the same time makes the same claim on behalf of the same client, in a package and suitably seal and identify the package; and

(b) place the package in the custody of the sheriff of the district or county in which the seizure was made or, if the officer and the lawyer agree in writing upon a person to act as custodian, in the custody of such person.

Application to judge.

(4) Where a document has been seized and placed in custody under subsection (3), the client, or the lawyer on behalf of the client, may

Clause 24: The purpose of this new section is to extend to communications between solicitors and clients protection similar to the protection that would be available to such communications in an ordinary court of law.

(a) within 14 days from the day the document was so placed in custody, apply, upon 3 days' notice of motion to the Deputy Attorney General of Canada, to a judge for an order

(i) fixing a day (not later than 21 days after the date of the order) and place for the determination of the question whether the client has a solicitor-client privilege in respect of the document, and

(ii) requiring the custodian to produce the document to the judge at that time and place;

(b) serve a copy of the order on the Deputy Attorney General of Canada and the custodian within 6 days of the day on which it was made, and, within the same time, pay to the custodian the estimated expenses of transporting the document to and from the place of hearing and of safeguarding it; and

(c) if he has proceeded as authorized by paragraph *(b)*, apply, at the appointed time and place, for an order determining the question.

Disposition of application.

(5) An application under paragraph *(c)* of subsection (4) shall be heard *in camera*, and on the application

(a) the judge may, if he considers it necessary to determine the question, inspect the document and, if he does so, he shall ensure that it is repackaged and resealed; and

(b) the judge shall decide the matter summarily and,

(i) if he is of opinion that the client has a solicitor-client privilege in respect of the document, shall order the custodian to deliver the document to the lawyer, and

(ii) if he is of opinion that the client does not have a solicitor-client privilege in respect of the document, shall order the custodian to deliver the document to the officer or some other person designated by the Deputy Minister of National Revenue for Taxation,

and he shall, at the same time, deliver concise reasons in which he shall describe the nature of the document without divulging the details thereof.

Order to custodian to deliver.

(6) Where a document has been seized and placed in custody under subsection (3) and a judge, on the application of the Attorney General of Canada, is satisfied that the lawyer has not made an application under paragraph *(a)* of subsection (4), or, having made that application, has failed to make an application under paragraph *(c)* thereof, he shall order the custodian to deliver the document to the officer or some other person designated by the Deputy Minister of National Revenue for Taxation.

Delivery by custodian.

(7) The custodian shall

(a) deliver the document to the lawyer

(i) in accordance with a consent executed by the officer or by or on behalf of the Deputy Attorney General of Canada or the Deputy Minister of National Revenue for Taxation, or

(ii) in accordance with an order of a judge under this section; or

(b) deliver the document to the officer or some other person designated by the Deputy Minister of National Revenue for Taxation

(i) in accordance with a consent executed by the lawyer or the client, or

(ii) in accordance with an order of a judge under this section.

Applications to another judge.

(8) Where the judge to whom an application has been made under this section for any reason cannot act or continue to act under this section, subsequent applications under this section may be made to another judge.

Costs.

(9) No costs may be awarded upon the disposition of any application under this section.

Directions.

(10) Where any question arises as to the course to be followed in connection with anything done or being done under this section (other than subsection (2) or (3)) and there is no direction in this section with respect thereto, a judge may give such direction with regard thereto as, in his opinion, is most likely to carry out the object of this section of allowing solicitor-client privilege for proper purposes.

Prohibition.

(11) The custodian shall not deliver a document to any person except in accordance with an order of a judge or a consent under this section or except to any officer or servant of the custodian for the purposes of safeguarding the document.

Idem.

(12) No officer shall examine or seize a document in the possession of a lawyer without giving him a reasonable opportunity of making a claim under subsection (3).

Authority to make copies.

(13) At any time while a document is in the custody of a custodian under this section, a judge may, upon an ex parte application of the lawyer, authorize the lawyer to examine or make a copy of the document in the presence of the custodian or the judge by an order that shall contain such provisions as may be necessary to ensure that the document is repackaged and that the package is resealed without alteration or damage.

Waiver of claim of privilege.

(14) Where a lawyer has, for the purpose of subsection (2) or (3), made a claim that a named client of his has a solicitor-client privilege in respect of information or a document, he shall at the same time communicate to the Minister or some person duly authorized to act for the Minister the address of the client last known to him so that the Minister may endeavour to advise the client of the claim of privilege that has been made on his behalf and may thereby afford him an opportunity, if it is practicable within the time limited by this section, of waiving the claim of privilege before the matter comes on to be decided by a judge or other tribunal."

25. (1) Paragraph *(c)* of subsection (1) of section 139 of the said Act is repealed.

(2) Subsection (1) of section 139 of the said Act is further amended by adding thereto, immediately after paragraph *(ah)* thereof, the following paragraph:

"Registered pension fund or plan."

"(ahh) "registered pension fund or plan" means an employees' superannuation or pension fund or plan accepted by the Minister for registration for the purposes of this Act in respect of its constitution and operations for the taxation year under consideration;"

26. Section 141 of the said Act is amended by adding thereto the following subsection:

Registered pension fund or plan.

"(12) A reference in this Act to a registered pension fund or plan shall, in respect of a period while the fund or plan was an approved superannuation or pension fund or plan, be construed as a reference to such approved superannuation or pension fund or plan."

Clause 25: The purpose of this amendment is to repeal the present definition of "approved superannuation fund or plan" and to substitute therefor a new definition defining "registered pension fund or plan". The paragraph being repealed reads as follows:

> "*(c)* "approved superannuation fund or plan" means an employees' superannuation or pension fund or plan approved by the Minister in respect of its constitution and operations for the taxation year under consideration;"

Clause 26: This new subsection is consequential upon the amendment effected by clause 25.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 435.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

AS PASSED BY THE HOUSE OF COMMONS, 22nd JUNE, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 435.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1957, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 4, 1956.*

$264,409,639.92 granted for 1956-57.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two hundred and sixty-four million, four hundred and nine thousand, six hundred and thirty-nine dollars and ninety-two cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-twelfth of the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

$12,168,792.75 granted for 1956-57.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, a sum not exceeding in the whole twelve million, one hundred and sixty-eight thousand, seven hundred and ninety-two dollars and seventy-five cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-twelfth of the total of the amounts of the items set forth in the Supplementary Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

Account to be rendered. R.S., c. 116.

4. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act.*

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 436.

An Act to authorize Contributions by Canada in respect of Unemployment Assistance Costs in the Provinces.

First reading, June 27, 1956.

THE MINISTER OF NATIONAL HEALTH AND WELFARE.

71146

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 436.

An Act to authorize Contributions by Canada in respect of Unemployment Assistance Costs in the Provinces.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short Title.

Short title.

1. This Act may be cited as the *Unemployment Assistance Act.*

Interpretation.

Definitions.

"Agreement."

"Contributions."

"Minister."

"Unemployment assistance costs."

2. In this Act,

(a) "agreement" means an agreement made under section 3;

(b) "contributions" means contributions by Canada pursuant to an agreement;

(c) "Minister" means the Minister of National Health and Welfare; and

(d) "unemployment assistance costs" means the aggregate of the cost to the province, and the cost to municipalities in the province, of providing financial assistance to persons who are in need.

Agreements with Provinces.

Agreements for contributions.

3. (1) Subject to this Act, the Minister may, with the approval of the Governor in Council, enter into an agreement with any province to provide for the payment by Canada to the province of contributions in respect of unemployment assistance costs in the province.

Maximum amount.

(2) The contributions to a province shall not exceed fifty per cent of the unemployment assistance costs in the province in respect of which Canada has, under the agreement with the province, undertaken to contribute.

Contents of agreement.

4. (1) An agreement shall

(a) include provisions for defining, calculating and determining unemployment assistance costs in respect of which contributions may be made;

(b) provide for the time, manner and form of making claims or applications for contributions, and for the conditions of payment;

(c) provide for the carrying out by the province or by municipalities or other agencies in the province of any arrangements for administering assistance to persons who are in need, and for supplying to Canada all necessary information and documents with respect thereto;

(d) provide for the determination of differences arising under the agreement; and

(e) fix the time of the agreement at not more than five years and thereafter from year to year subject to termination by either party.

Determination of unemployment assistance costs.

(2) Except as provided in subsection (3), an agreement shall, for the purposes of this Act, exclude from unemployment assistance costs

(a) payments made to or on behalf of persons who are inmates of any institution or class of institution maintained in whole or in part out of funds provided by Canada, a province, a municipality or a charitable organization;

(b) payments made to or on behalf of persons who are in receipt of financial assistance under any Act of the legislature of a province the cost of which is shared by Canada under an Act of the Parliament of Canada other than this Act, and payments made by way of supplemental allowance or cost of living bonus to those persons or to persons who are in receipt of financial assistance under any Act of the Parliament of Canada;

(c) payments made to persons by way of mothers' allowance;

(d) payments made in respect of medical, hospital, nursing, dental and optical care, drugs and dressings, funeral expenses and travelling expenses; and

(e) the costs of administration of any legislation or arrangements for providing assistance to persons who are in need.

Idem.

(3) An agreement may include as unemployment assistance costs

(a) payments made to or on behalf of persons who are inmates of homes for special care and who would not normally be cared for in general, acute, chronic or convalescent hospitals, tuberculosis sanitoria, mental institutions, institutions for incurables, orphanages or child welfare institutions;

(b) relief payments made to or on behalf of the persons referred to in paragraph *(b)* of subsection (2) in addition to the payments therein specified; and

(c) travelling costs incurred for the benefit of persons to whom assistance is provided or their dependants.

"Homes for special care" defined.

(4) In this section, the expression "homes for special care" means nursing homes, hostels for indigent transients, homes for the aged, poor houses, alms houses and hostel facilities provided for the aged within housing projects constructed under the *National Housing Act.*

Effective date of agreements.

5. An agreement may provide for contributions in respect of unemployment assistance costs that were incurred within a period of one year prior to the execution thereof but after the first day of July, 1955.

PAYMENTS.

Payments out of C.R.F.

6. Contributions shall be paid by the Minister of Finance out of the Consolidated Revenue Fund upon the certificate of the Minister of National Health and Welfare; but all payments of contributions are subject to the conditions specified in the agreement and to the observance by the province of the provisions thereof.

REGULATIONS.

Regulations.

7. The Governor in Council may make regulations for the administration of this Act and of agreements and for carrying their purposes and provisions into effect.

PRIOR AGREEMENTS.

Payments under prior agreements.

8. For the purposes of this Act, an agreement made with a province prior to the coming into force of this Act providing for payments by Canada to the province in respect of unemployment assistance costs in accordance with the terms and conditions specified in this Act for contributions shall be deemed to have been made under this Act.

REPORT TO PARLIAMENT.

Report to Parliament.

9. As soon as practicable after the end of each fiscal year the Minister shall lay before Parliament a report of all proceedings under this Act for that fiscal year.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 439.

An Act to amend the Indian Act.

First reading, July 2, 1956.

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

67381

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

HOUSE OF COMMONS OF CANADA.

BILL 439.

An Act to amend the Indian Act.

R.S. c. 149; 1952-53 c. 41.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Subsection (1) of section 4 of the *Indian Act* is repealed and the following substituted therefor:

Application of Act.

"**4.** (1) A reference in this Act to an Indian does not include any person of the race of aborigines commonly referred to as Eskimos.

(2) Section 4 of the said Act is further amended by adding thereto the following subsection:

Certain sections inapplicable to Indians living off reserves.

"(3) Sections 113 to 122 and, unless the Minister otherwise orders, sections 42 to 52 do not apply to or in respect of any Indian who does not ordinarily reside on a reserve or on lands belonging to Her Majesty in right of Canada or a province."

2. (1) Subsection (1) of section 9 of the said Act is amended by deleting all the words after the end of paragraph *(c)* thereof and substituting therefor the following:

"may, by notice in writing to the Registrar, containing a brief statement of the grounds therefor, protest the inclusion, omission, addition, or deletion, as the case may be, of the name of that person, and the onus of establishing those grounds lies on the person making the protest."

(2) Section 9 of the said Act is further amended by adding thereto the following subsections:

One reference only.

"(5) Not more than one reference of a Registrar's decision in respect of a protest may be made to a judge under this section.

Explanatory Notes.

1. The present subsection (1) of section 4 reads as follows:

"4. (1) *This Act does not apply to* the race of aborigines commonly referred to as Eskimos."

The proposed amendment is intended merely to make it clear that the exception relates to individuals.

The proposed new subsection (3) would make certain sections of the Act inapplicable to Indians not ordinarily resident on reserves or Crown lands.

2. These provisions are new. The new subsection (5) would make it clear that there can only be one reference to a judge from a decision of the Registrar, and the proposed new subsection (6) makes it clear that on a protest, the onus of proof is on the person making the protest.

Burden of proof.

"(6) Where a decision of the Registrar has been referred to a judge for review under this section, the burden of establishing that the decision of the Registrar is erroneous is on the person who requested that the decision be so referred."

3. (1) Paragraph *(e)* of section 11 of the said Act is repealed and the following substituted therefor:

"*(e)* is the illegitimate child of a female person described in paragraph *(a)*, *(b)* or *(d)*; or ".

(2) Section 12 of the said Act is amended by adding thereto, immediately after subsection (1) thereof, the following subsection:

Protest re illegitimate child.

"(1a) The addition to a Band List of the name of an illegitimate child described in paragraph *(e)* of section 11 may be protested at any time within twelve months after the addition, and if upon the protest it is decided that the father of the child was not an Indian, the child is not entitled to be registered under paragraph *(e)* of section 11."

Coming into force.

(3) This section applies only to persons born after the coming into force of this Act.

4. Paragraph *(b)* of subsection (1) of section 12 of the said Act is repealed and the following substituted therefor:

"*(b)* a woman who married a person who is not an Indian, unless that woman is subsequently the wife or widow of a person described in section 11."

5. Section 13 of the said Act is repealed and the following substituted therefor:

Admission to band and transfer of membership.

"**13.** Subject to the approval of the Minister and, if the Minister so directs, to the consent of the admitting band,

(a) a person whose name appears on a General List may be admitted into membership of a band with the consent of the council of the band; and

(b) a member of a band may be admitted into membership of another band with the consent of the council of the latter band."

6. (1) Paragraph *(a)* of subsection (3) of section 15 of the said Act is repealed and the following substituted therefor:

"*(a)* pay the moneys to the parent, guardian or other person having the custody of that person or to the public trustee, public administrator or other like official for the province in which that person resides, or"

3. The present paragraph *(e)* reads as follows:

"*(e)* is the illegitimate child of a female person described in paragraph *(a)*, *(b)*, or *(d)*, *unless the Registrar is satisfied that the father of the child was not an Indian and the Registrar has declared that the child is not entitled to be registered; or*"

The purpose of the amendment is to permit registration in the first instance of the illegitimate child of a female person, and to extend the time for a protest.

4. The present paragraph *(b)* of subsection (1) of section 12 reads as follows:

"*(b)* a woman *who* is married *to* a person who is not an Indian."

The purpose of the amendment is to make it clear that such a woman becomes an Indian again only if she subsequently marries an Indian.

5. The present section 13 reads as follows:

"13. (1) Subject to the approval of the Minister, a person whose name appears on a General List may be admitted into membership of a band with the consent *of the band* or the council of the band.

(2) Subject to the approval of the Minister, a member of a band may be admitted into membership of another band with the consent *of the latter band* or the council of the band."

The purpose of the amendment is to require the consent of the admitting band only if the Minister so directs.

6. (1) The purpose of this amendment to section 15 is to allow payment of moneys to which a minor is entitled to the Public Trustee or other like official.

(2) Section 15 of the said Act is further amended by adding thereto the following subsection:

Commutation of payments under former Act.

"(5) Where, prior to the coming into force of this Act, any woman became entitled, under section 14 of the *Indian Act*, chapter 98 of the Revised Statutes of Canada, 1927, or any prior provisions to the like effect, to share in the distribution of annuities, interest moneys or rents, the Minister may, in lieu thereof, pay to such woman out of the moneys of the band an amount equal to ten times the average annual amounts of such payments made to her during the ten years last preceding or, if they were paid for less than ten years, during the years they were paid."

7. (1) Subsection (1) of section 17 of the said Act is amended by striking out the word "and" at the end of paragraph *(a)* thereof, by inserting the word "and" at the end of paragraph *(b)* thereof and by adding thereto the following paragraph:

"*(c)* where a band has applied for enfranchisement, remove any name from the Band List and add it to the General List."

(2) Subsection (2) of section 17 of the said Act is repealed and the following substituted therefor:

Division of reserves and funds.

"(2) Where pursuant to subsection (1) a new band has been established from an existing band or any part thereof, such portion of the reserve lands and funds of the existing band as the Minister determines shall be held for the use and benefit of the new band.

No protest.

(3) No protest may be made under section 9 in respect of the deletion from or addition to a list consequent upon the exercise by the Minister of any of his powers under subsection (1)."

8. Subsection (2) of section 18 of the said Act is repealed and the following substituted therefor:

Use of reserves for schools, etc.

"(2) The Minister may authorize the use of lands in a reserve for the purpose of Indian schools, the administration of Indian affairs, Indian burial grounds, Indian health projects or, with the consent of the council of the band, for any other purpose for the general welfare of the band, and may take any lands in a reserve required for such purposes, but where an individual Indian, immediately prior to such taking, was entitled to the possession of such lands, compensation for such use shall be paid to the Indian, in such amount as may be agreed between the Indian and the Minister, or, failing agreement, as may be determined in such manner as the Minister may direct."

(2) The purpose of the proposed amendment is to provide authority for commuting payments to which persons became entitled under the former Act.

7. (1) The purpose of this amendment is to permit exceptions where a band is enfranchised.

(2) Subsection (2) of section 17 now reads as follows:

"(2) Where pursuant to subsection (1) a new band has been established from an existing band or any part thereof, such portion of the reserve lands and funds of the existing band as the *Governor in Council* determines shall be held for the use and benefit of the new band."

The purpose of the amendment is to permit the Minister to make the division, and to eliminate protests in cases where new bands have been constituted or bands have been amalgamated.

8. The present subsection (2) reads as follows:

"(2) The *Governor in Council* may authorize the use of lands in a reserve for the purpose of Indian schools, the administration of Indian affairs, Indian health projects or for any other purpose for the general welfare of the band, and may take any lands in a reserve required for such purposes, but where an individual Indian, immediately prior to such taking, was entitled to the possession of such lands, compensation for such use shall be paid to the Indian, in such amount as may be agreed between the Indian and the Minister, or, failing agreement, as may be determined in such manner as the Minister may direct."

"Minister" is substituted for "Governor in Council" and the consent of the council of the band is made necessary where land is to be used for the general welfare of the band.

9. Sections 26 and 27 of the said Act are repealed and the following substituted therefor:

Correction of Certificate or Location Tickets.

"**26.** Whenever a Certificate of Possession or Occupation or a Location Ticket issued under *The Indian Act, 1880*, or any statute relating to the same subject matter was, in the opinion of the Minister, issued to or in the name of the wrong person, through mistake, or contains any clerical error or misnomer, or wrong description of any material fact therein, the Minister may cancel the Certificate or Location Ticket and issue a corrected Certificate in lieu thereof.

Cancellation of Certificates or Location Tickets.

"**27.** The Minister may, with the consent of the holder thereof, cancel any Certificate of Possession or Occupation or Location Ticket referred to in section 26, and may cancel any Certificate of Possession or Occupation or Location Ticket that in his opinion was issued through fraud or in error."

10. Subsection (2) of section 28 of the said Act is repealed and the following substituted therefor:

Minister may issue permits.

"(2) The Minister may by permit in writing authorize any person for a period not exceeding one year, or with the consent of the council of the band for any longer period, to occupy or use a reserve or to reside or otherwise exercise rights on a reserve."

11. Subsections (1), (2) and (3) of section 39 of the said Act are repealed and the following substituted therefor:

How surrender made.

"**39.** (1) A surrender is void unless

(a) it is made to Her Majesty,

(b) it is assented to by a majority of the electors of the band

(i) at a general meeting of the band called by the council of the band,

(ii) at a special meeting of the band called by the Minister for the purpose of considering a proposed surrender, or

(iii) by a referendum as provided in the regulations, and

(c) it is accepted by the Governor in Council.

Minister may call meeting or referendum.

(2) Where a majority of the electors of a band did not vote at a meeting or referendum called pursuant to subsection (1) of this section or pursuant to section 51 of the *Indian Act*, chapter 98 of the Revised Statutes of Canada, 1927, the Minister may, if the proposed surrender was assented to by a majority of the electors who did vote, call another meeting by giving thirty days' notice thereof or another referendum as provided in the regulations.

9. The present sections 26 and 27 read as follows:

"26. Whenever a Certificate of Possession or Occupation was, in the opinion of the Minister, issued to or in the name of the wrong person, through mistake, or contains any clerical error or misnomer, or wrong description of any material fact therein, the Minister may cancel the Certificate and issue a corrected Certificate in lieu thereof.

27. The Minister may, with the consent of the holder thereof, cancel any Certificate of Possession or Occupation, and may cancel any Certificate of Possession or Occupation that in his opinion was issued through fraud or in error."

The purpose of the amendments is to extend the sections to Location Tickets issued under previous legislation.

10. The present subsection (2) of section 28 reads as follows

"(2) The Minister may by permit in writing authorize any person for a period not exceeding one year to occupy or use a reserve or to reside or otherwise exercise rights on a reserve."

The purpose of the amendment is to extend the period with the consent of the council of the band.

11. The present provision reads as follows:

"39. (1) A surrender is void unless
(a) it is made to Her Majesty,
(b) it is assented to by a majority of the electors of the band at
(i) a general meeting of the band called by the council of the band, or
(ii) a special meeting of the band called by the Minister for the purpose of considering a proposed surrender, and
(c) it is accepted by the Governor in Council.

(2) Where a majority of the electors of a band did not vote at a meeting called pursuant to subsection (1) of this section or pursuant to section 51 of the *Indian Act*, chapter 98 of the Revised Statutes of Canada, 1927, the Minister may, if the proposed surrender was assented to by a majority of the electors who did vote, call another meeting by giving thirty days' notice thereof.

Assent of band.

(3) Where a meeting is called pursuant to subsection (2) and the proposed surrender is assented to at the meeting or referendum by a majority of the electors voting, the surrender shall be deemed, for the purpose of this section, to have been assented to by a majority of the electors of the band."

12. Section 42 of the said Act is amended by adding thereto the following subsections:

Deceased Indian may be deemed to have been lawfully in possession of land.

"(2) The Governor in Council may make regulations for providing that a deceased Indian who at the time of his death was in possession of land in a reserve shall, in such circumstances and for such purposes as the regulations prescribe, be deemed to have been at the time of his death lawfully in possession of that land.

Application of regulations.

"(3) Regulations made under this section may be made applicable to estates of Indians who died before or after the coming into force of this Act."

13. Subsection (16) of section 48 of the said Act is repealed and the following substituted therefor:

"Child" defined.

"(16) In this section "child" includes a legally adopted child and a child adopted in accordance with Indian custom."

14. The portion of subsection (1) of section 58 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Uncultivated or unused lands.

"**58.** (1) Where land in a reserve is uncultivated or unused, the Minister may, with the consent of the council of the band,"

15. Section 64 of the said Act is amended by deleting the word "and" at the end of paragraph *(i)* thereof, by re-lettering paragraph *(j)* thereof as paragraph *(k)* and by adding thereto, immediately after paragraph *(i)* thereof, the following paragraph:

"*(j)* to construct houses for members of the band, to make loans to members of the band for building purposes with or without security and to provide for the guarantee of loans made to members of the band for building purposes, and".

(3) Where a meeting is called pursuant to subsection (2) and the proposed surrender is assented to at the meeting by a majority of the members voting, the surrender shall be deemed, for the purpose of this section, to have been assented to by a majority of the electors of the band."

Under the amendment as proposed the acceptance of a surrender may be assented to by a referendum.

12. These provisions are new and are intended to enable regulations to be made as indicated.

13. The present subsection (16) reads as follows:

"(16) In this section "child" includes a legally adopted child."

The purpose of the amendment is to recognize children adopted according to Indian custom.

14. The present provision reads as follows:

"58. (1) Where land in a reserve is uncultivated or unused *or remains uncultivated or unused for a period of two years*, the Minister may, with the consent of the council of the band,

(a) improve or cultivate such land and employ persons therefor, authorize and direct the expenditure of so much of the capital funds of the band as he considers necessary for such improvement or cultivation including the purchase of such stock, machinery or material or for the employment of such labour as the Minister considers necessary,"

The amendment would merely delete the words in italics above.

15. This is new and is intended to provide authority for the Minister, with the consent of the council of the band, to expend capital moneys of the band for housing purposes.

16. (1) Subsection (2) of section 66 of the said Act is repealed and the following substituted therefor:

Minister may direct expenditure.

"(2) The Minister may make expenditures out of the revenue moneys of the band to assist sick, disabled, aged or destitute Indians of the band and to provide for the burial of deceased indigent members of the band and to provide for the payment of contributions under the *Unemployment Insurance Act* on behalf of employed persons who are paid in respect of their employment out of moneys of the band."

(2) The portion of subsection (3) of section 66 of the said Act that precedes paragraph *(a)* thereof is repealed and the following substituted therefor:

Expenditure of revenue moneys with authority of Minister.

"(3) The Minister may authorize the expenditure of revenue moneys of the band for all or any of the following purposes, namely,".

17. The said Act is further amended by adding thereto, immediately after section 66 thereof, the following section:

Recovery of moneys expended for raising or collecting Indian moneys.

"**66A.** Where money is expended by Her Majesty for the purpose of raising or collecting Indian moneys, the Minister may authorize the recovery of the amount so expended from the moneys of the band."

18. (1) Subsection (1) of section 69 of the said Act is amended by striking out the word "or" at the end of paragraph *(a)* thereof, by inserting the word "or" at the end of paragraph *(b)* thereof, and by adding thereto the following paragraph:

"*(c)* to provide for any other matter prescribed by the Governor in Council."

(2) Subsection (5) of section 69 of the said Act is repealed and the following substituted therefor:

Limitation.

"(5) The total amount of outstanding advances to the Minister under this section shall not at any one time exceed one million dollars."

19. Subsection (1) of section 72 of the said Act is amended by striking out the word "and" at the end of paragraph *(k)* thereof, by adding the word "and" at the end of paragraph *(l)* thereof and by adding thereto the following paragraph:

"*(m)* for empowering and authorizing the council of a band to borrow money for band projects or housing purposes and providing for the making of loans out of moneys so borrowed to members of the band for housing purposes."

16. The present provisions read as follows:

"(2) The Minister may make expenditures out of the revenue moneys of the band to assist sick, disabled, aged or destitute Indians of the band and to provide for the burial of deceased indigent members of the band.

"(3) The *Governor in Council* may authorize the expenditure of revenue moneys of the band for all or any of the following purposes, namely:"

The amendment to subsection (2) is intended to authorize payment of unemployment insurance contributions out of moneys of the band.

The amendment to subsection (3) would substitute "Minister" for "Governor in Council".

17. This provision is new and is self-explanatory.

18. (1) This provision is new and is intended to authorize expenditures out of the Consolidated Revenue Fund for the purposes indicated.

(2) The present subsection (5) reads as follows:

"(5) The total amount of outstanding advances to the Minister under this section shall not at any one time exceed *three hundred and fifty thousand dollars.*"

19. This provision is new and would authorize the Governor in Council to make regulations for the purposes indicated.

20. (1) Subsections (1) and (2) of section 73 of the said Act are repealed and the following substituted therefor:

Elected councils.

"**73.** (1) Whenever he deems it advisable for the good government of a band, the Minister may declare by order that after a day to be named therein the council of the band, consisting of a chief and councillors, shall be selected by elections to be held in accordance with this Act.

Composition of council.

"(2) Unless otherwise ordered by the Minister, the council of a band in respect of which an order has been made under subsection (1) shall consist of one chief, and one councillor for every one hundred members of the band, but the number of councillors shall not be less than two nor more than twelve and no band shall have more than one chief."

(2) Paragraphs *(c)* and *(d)* of subsection (3) of section 73 of the said Act are repealed.

(3) Subsection (4) of section 73 of the said Act is repealed and the following substituted therefor:

Electoral sections.

"(4) A reserve shall for voting purposes consist of one electoral section, except that where the majority of the electors of a band who were present and voted at a referendum or a special meeting held and called for the purpose in accordance with the regulations have decided that the reserve should for voting purposes be divided into electoral sections and the Minister so recommends, the Governor in Council may make orders or regulations to provide that the reserve shall for voting purposes be divided into not more than six electoral sections containing as nearly as may be an equal number of Indians eligible to vote and to provide for the manner in which electoral sections so established shall be distinguished or identified."

21. Subsection (1) of section 82 of the said Act is amended by striking out the word "and" at the end of paragraph *(e)* thereof, by re-lettering paragraph *(f)* thereof as paragraph *(g)* and by adding thereto, immediately after paragraph *(e)* thereof, the following paragraph:

"*(f)* the raising of money from band members to support band projects; and".

22. Section 92 of the said Act and the heading immediately preceding that section are repealed and the following substituted therefor:

20. (1) The present provisions read as follows:

"73. (1) Whenever he deems it advisable for the good government of a band, the *Governor in Council* may declare by order that after a day to be named therein the council of the band, consisting of a chief and councillors, shall be selected by elections to be held in accordance with this Act.

(2) The council of a band in respect of which an order has been made under subsection (1) shall consist of one chief, and one councillor for every one hundred members of the band, but the number of councillors shall not be less than two nor more than twelve and no band shall have more than one chief."

The only change is to substitute "Minister" for "Governor in Council" in subsection (1) and to permit the Minister to modify the composition of the council.

(2) The present paragraphs *(c)* and *(d)* of subsection (3) read as follows:

"*(c)* that a reserve shall for voting purposes be divided into not more than six electoral sections containing as nearly as may be an equal number of Indians eligible to vote, and

(d) for the manner in which electoral sections established under paragraph *(c)* shall be distinguished or identified."

(3) The substance of these subparagraphs is being transferred to the proposed new subsection (4) which provides for a single electoral section unless the Governor in Council makes provision for more.

21. This is a new provision and is intended to authorize the council of the band to make by-laws for the purposes indicated.

22. The purpose of this amendment is to allow prosecution of persons who permit removal also.

"REMOVAL OF MATERIALS FROM RESERVES.

Removal of material from reserve.

92. A person who, without the written permission of the Minister or his duly authorized representative,

(a) removes or permits anyone to remove from a reserve

(i) minerals, stone, sand, gravel, clay or soil, or

(ii) trees, saplings, shrubs, underbrush, timber, cordwood or hay, or

(b) has in his possession anything removed from a reserve contrary to this section,

is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment."

23. (1) Section 95 of the said Act is repealed and the following substituted therefor:

Coming into force of this section.

"**95.** (1) Subsection (2) or subsection (3) shall come into force, or cease to be in force, in a province or in a part thereof only if a proclamation declaring it to be in force, or to cease to be in force, as the case may be, in the province or part thereof is issued by the Governor in Council at the request of the Lieutenant-Governor in Council of the province.

Exception to offences.

(2) No offence is committed against subparagraph (ii) of paragraph *(a)* of section 93 or paragraph *(a)* of section 94 if intoxicants are sold to an Indian for consumption in a public place in accordance with the law of the province where the sale takes place.

Idem.

(3) No offence is committed against subparagraph (ii) of paragraph *(a)* of section 93 or paragraph *(a)* of section 94 if intoxicants are sold to or had in possession by an Indian in accordance with the law of the province where the sale takes place or the possession is had."

(2) The said Act is further amended by adding thereto, immediately after section 96 thereof, the following section:

Coming into force of this section.

"**96A.** (1) Subsection (2) shall come into force, or cease to be in force, in a reserve only if a proclamation declaring it to be in force, or to cease to be in force, as the case may be, in the reserve, is issued by the Governor in Council.

Exception to offences.

(2) No offence is committed against paragraph *(a)* of section 96 if intoxicants are had in possession by any person in accordance with the law of the province where the possession is had.

Referendum.

(3) A proclamation in respect of a reserve shall not be issued under subsection (1) except in accordance with the wishes of the band, as expressed at a referendum of the electors of the band by a majority of the electors who voted thereat.

23. Section 95 reads as follows:

95. (1) No offence is committed against subparagraph (ii) of paragraph *(a)* of section 93 or paragraph *(a)* of section 94 if intoxicants are sold to an Indian for consumption in a public place in accordance with a law of the province where the sale takes place authorizing the sale of intoxicants to a person for consumption in a public place.

(2) This section shall not come into force in any province until a proclamation bringing it into force in the province is issued by the Governor in Council at the request of the Lieutenant-Governor in Council of the province.

Regulations.

(4) The Governor in Council may make regulations

(a) respecting the taking of votes and the holding of a referendum for the purposes of this section; and

(b) defining a reserve for the purposes of subsection (1) to consist of one or more reserves or any part thereof.

When proclamation may issue.

(5) No proclamation bringing subsection (2) into force in a reserve shall be issued unless the council of the band has transmitted to the Minister a resolution of the council requesting that subsection (2) be brought into force in the reserve, and either

(a) the reserve is situated in a province or part thereof in which subsection (3) of section 95 is in force, or

(b) the Minister has communicated the contents of the resolution to the Attorney General of the province in which the reserve is situated, the Lieutenant-Governor in Council of the province has not, within sixty days after such communication, objected to the granting of the request, and the Governor in Council has directed that the wishes of the band with respect thereto be ascertained by a referendum of the electors of the band.

Further exception to offences.

(6) Where subsection (2) is in force in a reserve no offence is committed against subparagraph (ii) of paragraph *(a)* of section 93 or paragraph *(a)* of section 94 if intoxicants are sold to or had in possession by a member of the band in accordance with the law of the province in which the reserve is situated."

34. (1) Subsection (1) of section 101 of the said Act is repealed and the following substituted therefor:

"Forfeitures and Penalties.

Seizure of goods.

101. (1) Whenever a peace officer or a superintendent or a person authorized by the Minister believes on reasonable grounds that an offence against section 33, 89, 92, 93, 94 or 96 has been committed, he may seize all goods and chattels by means of or in relation to which he reasonably believes the offence was committed."

(2) Subsection (3) of section 101 of the said Act is repealed and the following substituted therefor:

Forfeiture.

"(3) Where a person is convicted of an offence against the sections mentioned in subsection (1), the convicting court or judge may order that the goods and chattels by means of or in relation to which the offence was committed, in addition to any penalty imposed, are forfeited to Her Majesty and may be disposed of as the Minister directs.

The purpose of the amendment is to extend the exemptions in section 95 and to permit local options in Indian reserves.

24. Section 101 reads as follows:

"101. (1) Whenever a peace officer or a superintendent or a person authorized by the Minister believes on reasonable grounds that an offence against section 33, 89, 92, 93, 94 or 96 has been committed, he may seize all goods and chattels by means of or in relation to which he reasonably believes the offence was committed, *and he may enter, open and search any place or thing in or upon which he reasonably believes any such goods or chattels may be found.*

(2) All goods and chattels seized pursuant to subsection (1) may be detained for a period of three months following the day of seizure unless during that period proceedings under this Act in respect of such offence are undertaken, in which case the goods and chattels may be further detained until such proceedings are finally concluded.

(3) Where a person is convicted of an offence against the sections mentioned in subsection (1), the convicting court or judge may order that the goods and chattels by means of or in relation to which the offence was committed, in addition to any penalty imposed, are forfeited to Her Majesty."

The authority to enter and search is deleted from subsection (1) and transferred to the proposed new subsection (4). Under the amendment a warrant must be obtained for search.

Search

"(4) A justice who is satisfied by information upon oath that there is reasonable ground to believe that there are upon a reserve or in any building, receptacle or place any goods or chattels by means of or in relation to which an offence against any of the sections mentioned in subsection (1) has been, is being or is about to be committed, may at any time issue a warrant under his hand authorizing a person named therein or a peace officer at any time to search the reserve, building, receptacle or place for any such goods or chattels."

25. Paragraph *(b)* of section 105 of the said Act is repealed.

26. Subsection (2) of section 108 of the said Act is repealed and the following substituted therefor:

"(2) On the report of the Minister that an Indian woman married a person who is not an Indian, the Governor in Council may by order declare that the woman is enfranchised as of the date of her marriage and, on the recommendation of the Minister may by order declare that all or any of her children are enfranchised as of the date of the marriage or such other date as the order may specify."

27. Section 109 of the said Act is repealed and the following substituted therefor:

Enfranchised person ceases to be Indian.

"**109.** A person with respect to whom an order for enfranchisement is made under this Act shall, from the date thereof, or from the date of enfranchisement provided for therein, be deemed not to be an Indian within the meaning of this Act or any other statute or law."

28. Section 113 of the said Act is repealed and the following substituted therefor:

Schools.

"**113.** (1) The Governor in Council may authorize the Minister, in accordance with this Act, to enter into agreements on behalf of Her Majesty for the education in accordance with this Act of Indian children, with

(a) the government of a province,

(b) the Commissioner of the Northwest Territories,

(c) the Commissioner of the Yukon Territory,

(d) a public or separate school board, and

(e) a religious or charitable organization.

(2) The Minister may, in accordance with this Act, establish, operate and maintain schools for Indian children."

25. Paragraph *(b)* of section 105 reads as follows:

"*(b)* offences under the *Criminal Code* with respect to inciting Indians on reserves to commit riotous acts, and robbing of Indian graves, and"

This provision is no longer required under the new *Criminal Code*.

26. Subsection (2) of section 108 reads as follows:

"(2) On the report of the Minister that an Indian woman married a person who is not an Indian, the Governor in Council may by order declare that the woman is enfranchised as of the date of her marriage."

27. Section 109 now reads as follows:

"109. A person with respect to whom an order for enfranchisement is made under *section 108* shall, from the date thereof, be deemed not to be an Indian within the meaning of this Act or any other statute or law."

The purpose of the amendment is to apply the section to any order for enfranchisement under the Act.

28. The present section 113 reads as follows:

"113. The Governor in Council may authorize the Minister, in accordance with this Act,

(a) to establish, operate and maintain schools for Indian children,

(b) to enter into agreements on behalf of Her Majesty for the education in accordance with this Act of Indian children, with

(i) the government of a province,

(ii) the council of the Northwest Territories,

(iii) the council of the Yukon Territory,

(iv) a public or separate school board, and

(v) a religious or charitable organization."

The purpose of the amendment is to authorize the Minister to establish, operate and maintain schools for Indian children.

29. Paragraph *(a)* of subsection (2) of section 115 of the said Act is repealed and the following substituted therefor:

"*(a)* require an Indian who has attained the age of six years to attend school," 5

Repeal.

30. Paragraph *(b)* of section 116 of the said Act is repealed.

29. The present paragraph *(a)* reads as follows:

"*(a) permit* an Indian who has attained the age of six years to attend school,"

30. Paragraph *(b)* of section 116 reads as follows:

"*(b)* has passed entrance examinations for high school,"

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 440.

An Act to amend the Public Service Superannuation Act.

First reading, July 2, 1956.

THE MINISTER OF FINANCE.

67453 EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 440.

An Act to amend the Public Service Superannuation Act.

1952-53, c. 47; 1953-54, c. 64; 1955, c. 16.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Paragraph *(c)* of subsection (2) of section 4 of the *Public Service Superannuation Act* is repealed.

(2) Subsection (4) of section 4 of the said Act is repealed and the following substituted therefor:

Coming into force.

"(4) Paragraph *(b)* of subsection (2) shall come into force on the 1st day of August, 1957."

Repeal.

2. Subparagraph (iii) of paragraph *(d)* of subsection (1) of section 8 of the said Act is repealed.

Repeal.

3. Subsection (4) of section 9 of the said Act is repealed.

4. Section 21 of the said Act is amended by adding thereto, immediately after subsection (7) thereof, the following subsection:

Application of Part I of *Superannuation Act.*

"(7a) For the purposes of this Act and the *Superannuation Act*, Part I of the *Superannuation Act* shall be deemed to have applied to every transferred pensionable Newfoundland employee from and after the day on which he became an employee of the Government of Canada pursuant to an offer of employment made in accordance with the Terms of Union."

5. Subsections (5) and (6) of section 28 of the said Act are repealed and the following substituted therefor:

Service countable by employee entering Public Service.

"(5) Where an employee of any public service employer with whom the Minister has entered into an agreement pursuant to subsection (2) has ceased to be employed by that employer to become employed in the Public Service, any service of that employee that, at the time he left such employment, he was entitled to count for the purpose of any superannuation or pension fund or plan established

Explanatory Notes.

1, 2, 3. The purpose of these clauses is to leave the Act to operate as it does at present. As the Act now stands the provisions mentioned above would, on the 1st day of August, 1957, preclude a contributor who is sixty-five years of age or over from contributing further to the Superannuation Account in respect of current service and would preclude him from taking into account salary received after that time for the purpose of calculating the benefits payable to him upon retirement.

1. (1) Paragraph *(c)* of subsection (2) of section 4 reads as follows:

"*(c)* no person shall contribute to the Superannuation Account as required by subsection (1) after that person has reached sixty-five years of age;"

(2) The present subsection (4) of section 4 reads as follows:

"(4) Paragraphs *(b)* and *(c)* of subsection (2) shall come into force on the 1st day of August, 1957."

2. Subparagraph (iii) of paragraph *(d)* of subsection (1) of section 8 reads as follows:

"*(d)* "an amount equal to one month's pay for each year of pensionable service" means an amount computed on the basis of the rate of salary authorized to be paid to the contributor

(iii) in the case of a contributor who, on or after the 1st day of August, 1957, continues to be employed in the Public Service after having reached sixty-five years of age, as of the 1st day of August, 1957, or at the time he reached sixty-five years of age, whichever is the later,"

3. Subsection (4) of section 9 reads as follows:

"(4) On and after the 1st day of August, 1957, subsection (3) shall not apply in respect of any period of service during which a person is employed in the Public Service after he has reached sixty-five years of age."

4. This provision is new. Its purpose is to deem as contributors under the *Public Service Superannuation Act* as well as under the *Civil Service Superannuation Act* all former permanent employees (i.e., established civil servants) of the Government of the Province of Newfoundland who became employed by the Government of Canada pursuant to an offer of employment made in accordance with the Terms of Union of Newfoundland with Canada.

5. The present subsections (5) and (6) of section 28 read as follows:

"(5) Where an employee of any public service employer with whom the Minister has entered into an agreement pursuant to subsection (2) has ceased to be employed by that employer to become employed in the Public Service, any service of that employee that, at the time he left such employment, he was entitled to count for the purpose of any superannuation or pension fund or plan established for the benefit of employees of that employer may, if the agreement so provides, be counted by him as pensionable service for the purposes of subsection (1) of section 5 without contribution by him except as specified in the agreement if, within one year from the time when he becomes a contributor under this Act, the employer pays into the Superannuation Account such amount as is required under the agreement to be so paid by that employer in respect of such employee.

for the benefit of employees of that employer may, if the agreement so provides, be counted by him as pensionable service for the purposes of subsection (1) of section 5 without contribution by him except as specified in the agreement if, within one year from the time when he becomes a contributor under this Act or within such further time as is specified in the agreement, the employer pays into the Superannuation Account such amount as is required under the agreement to be so paid by that employer in respect of such employee.

Transfer of past contributions.

"(6) The Minister may pay to any public service employer with whom he has entered into an agreement pursuant to subsection (2), in respect of any employee of that employer who, having been a contributor under this Act or Part I of the *Superannuation Act*, ceased to be employed in the Public Service prior to the day on which the agreement was entered into to become employed by that employer and has not at any time received any withdrawal allowance or other benefit under this Act or the *Superannuation Act*, such amount out of the Superannuation Account, not exceeding the total amount paid into or credited to the said Account in respect of that employee, as is determined by the Minister, having regard to the terms of the agreement."

6. (1) Subsection (1) of section 30 of the said Act is amended by adding thereto, immediately after paragraph *(f)* thereof, the following paragraph:

"*(fa)* specifying, for the purposes of clause (B) of subparagraph (iii) of paragraph *(b)* of subsection (1) of section 5 and paragraph *(e)* of subsection (1) of section 6, the circumstances under which any service prior to becoming employed in the Public Service or to enlistment in the forces shall be deemed to be service immediately prior thereto;"

(2) Subsection (1) of section 30 of the said Act is further amended by adding thereto, immediately after paragraph *(p)* thereof, the following paragraph:

"*(pa)* providing, in respect of persons who are not, or have not been, in receipt of a stated annual salary, in any case where the rate of salary authorized to be paid to those persons at any time is within any range of rates established by the regulations, for the determination of the rate thereof for the purposes of this Act in terms of a specified rate within that range;"

(3) Paragraph *(aa)* of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

"*(aa)* defining, for the purposes of this Act, the expressions 'prevailing rate employee', 'seasonal employee' and 'sessional employee';"

"(6) The Minister may pay to any public service employer with whom he has entered into an agreement pursuant to subsection (2), in respect of any employee of that employer who, having been a contributor under Part I of the *Superannuation Act*, ceased to be employed in the Public Service prior to the *coming into force of this Act* to become employed by that employer and has not at any time received any withdrawal allowance or other benefit under the *Superannuation Act*, such amount out of the Superannuation Account, not exceeding the total amount paid into or credited to the said Account in respect of that employee, as is determined by the Minister, having regard to the terms of the agreement."

The amendment to subsection (5) will permit the extension in a reciprocal transfer agreement of the time within which a former employer of a person employed in the Public Service is required to pay the appropriate amount into the Superannuation Account in order that the employee may count as pensionable service under the *Public Service Superannuation Act* his service with that former employer.

The amendment to subsection (6) will permit payment of the appropriate amount to an employer in respect of a person formerly employed in the Public Service who ceased to be so employed prior to the day on which a reciprocal transfer agreement is or was entered into with that employer.

6. (1) This provision is new. Its purpose is to permit regulations to be made to define the expression "immediately prior" for the purpose of determining the periods of service in pensionable employment that may be counted as pensionable service under the *Public Service Superannuation Act* and also for the purpose of determining the amount required to be paid for any period of service on active service in the forces during World War I or World War II.

(2) This provision is new. Its purpose is to permit regulations to be made to determine a single rate of salary for each one of a series of ranges of rates authorized to be paid to prevailing rate employees.

(3) The present paragraph *(aa)* of subsection (1) of section 30 reads as follows:

"**30.** (1) The Governor in Council may make regulations
(aa) defining, for the purposes of this Act, the expressions "prevailing rate employee" and "seasonal employee";
....."

The purpose of this amendment is to permit the expression "sessional employee" to be defined.

1953-54, c. 64, s. 2.

7. (1) Sections 40 and 41 of the said Act are repealed and the following substituted therefor:

Election to continue as participant.

"**40.** (1) A public service participant who has been employed in the Public Service substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more may, within one year before such time as he ceases to be employed in the Public Service, elect to continue to be a participant under this Part after that time.

Idem.

(2) A person who ceases to be employed in the Public Service and at the time he ceases to be so employed is a public service participant who has been employed in the Public Service substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more,

(a) shall be deemed, for the purposes of this Part except section 42, to be a participant under this Part for a period of thirty days after that time, and

(b) may, within that period of thirty days, elect to continue to be a participant under this Part after that time.

Idem.

(3) An election under subsection (1) or (2) shall be deemed not to take effect until the expiration of the period of thirty days mentioned in paragraph *(a)* of subsection (2).

Election to continue as participant.

"**41.** (1) A regular forces participant who has been a member of the regular forces substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more may, within one year before such time as he ceases to be such a member, elect to continue to be a participant under this Part after that time.

Idem

(2) A person who ceases to be a member of the regular forces and at the time he ceases to be such a member is a regular forces participant who has been a member of the regular forces substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more,

(a) shall be deemed, for the purposes of this Part except section 42, to be a participant under this Part for a period of thirty days after that time, and

(b) may, within that period of thirty days, elect to continue to be a participant under this Part after that time.

Idem.

(3) Subsection (3) of section 40 applies *mutatis mutandis* to an election under subsection (1) or (2) of this section."

(2) A person who, prior to the coming into force of this Act,

7. (1) The present sections 40 and 41 read as follows:

"**40.** A person who ceases to be employed in the Public Service and at the time he ceases to be so employed is a public service participant who has been employed in the Public Service substantially without interruption for five or more years, may, within thirty days after that time, elect to continue to be a participant under this Part.

"**41.** A person who ceases to be a member of the regular forces and at the time he ceases to be such a member is a regular forces participant who has been a member of the regular forces substantially without interruption for five years or more, may, within thirty days after that time, elect to continue to be a participant under this Part."

The purpose of these amendments is to permit certain participants to continue to be participants after ceasing to be employed in the Public Service or after ceasing to be members of the regular forces by electing either within one year before or thirty days after ceasing to be so employed or ceasing to be such members.

(2) The purpose of this subclause is to provide an opportunity of continuing to be participants to those persons formerly employed in the Public Service and to former members of the regular forces who, before ceasing to be so employed or before ceasing to be such members (instead of within thirty days thereafter as required by the *Public Service Superannuation Act* as it presently stands), purported to elect to continue to be participants. It will also permit the payment of death benefits in respect of those former participants who come within its provisions and who die or have died at any time prior to six months after this Bill becomes law.

(a) ceased to be employed in the Public Service and at the time he ceased to be so employed was a public service participant who had been employed in the Public Service substantially without interruption for five years or more, or ceased to be a member of the regular forces and at the time he ceased to be such a member was a regular forces participant who had been a member of the regular forces substantially without interruption for five years or more, and

(b) purported, by instrument in writing made within one year prior to the time he ceased to be so employed or ceased to be such a member, to elect to continue to be a participant under Part II of the *Public Service Superannuation Act* after that time,

shall,

(c) if within six months after the coming into force of this Act he contributes to the Consolidated Revenue Fund an amount equal to the amount that he would have been required to contribute had he continued until the time of the contribution of that amount to be a participant under Part II of the *Public Service Superannuation Act* by virtue of an election made under section 40 or 41, as the case may be, of the said Act, be deemed, for the purposes of Part II of the said Act, to have contributed that amount under Part II of the said Act and to have continued until that time to be a participant thereunder by virtue of an election made under that section; and

(d) in the event of his death at any time prior to six months after the coming into force of this Act, be deemed, for the purposes of Part II of the *Public Service Superannuation Act*, to have continued until his death to be a participant thereunder by virtue of an election made under section 40 or 41, as the case may be, of the said Act, in which event the amount that he would have been required to contribute, had he continued until that time to be a participant under Part II of the said Act by virtue of an election made under that section, less any amount contributed by him as or on account of that amount during his lifetime, shall be deemed to be a debt due to Her Majesty and may be recovered in accordance with regulations of the Governor in Council from any benefit payable under Part II of the said Act to his spouse or estate, without prejudice to any other recourse available to Her Majesty with respect to the recovery thereof.

8. Section 52 of the said Act is amended by adding thereto the following subsection:

Application.

"(3) Subsection (1) applies only to a person described therein who

(a) at the coming into force of this subsection was employed in the Public Service or was a member of the regular forces and has thereafter continued to be so employed or to be such a member substantially without interruption, or

(b) at the coming into force of this subsection, was not employed in the Public Service and was not a member of the regular forces, but since the time when he last ceased to be so employed or to be such a member prior to the coming into force of this subsection, he continued to be employed in the Public Service or to be a member of the regular forces substantially without interruption."

8. This provision is new. Its purpose is to permit those persons who elected not to become participants to remain out of the supplementary death benefit scheme only if they continue to be employed in the Public Service or continue to be members of the regular forces substantially without interruption.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 441.

An Act to provide for Pay for Statutory Holidays for Employees and for Pay for Work Performed on Statutory Holidays.

First reading, July 16, 1956.

MR. KNOWLES.

76741

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 441.

An Act to provide for Pay for Statutory Holidays for Employees and for Pay for Work Performed on Statutory Holidays.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as the *Canada Statutory Holidays With Pay Act.*

Interpretation "Deputy Minister."

2. In this Act,

(a) "Deputy Minister" means the Deputy Minister of Labour;

"Employee."

(b) "employee" means a person of any age of either sex who is in receipt of or entitled to any remuneration for labour or services performed for an employer;

"Employer."

(c) "employer" means any person, firm or corporation employing one or more employees and includes every agent, manager, representative, contractor, sub-contractor or principal and every other person who either:

(i) has control or direction of one or more employees; or

(ii) is responsible, directly or indirectly, in whole or in part, for the payment of wages to, or the receipt of wages by, one or more employees;

"Full time employee."

(d) "full time employee" means any employee who, in a week in which a statutory holiday occurs, works or is required to be at the disposal of his employer not less than 28 hours exclusive of overtime and any time the employee works or is required to be at the disposal of the employer on that holiday;

"Minister."

(e) "Minister" means the Minister of Labour;

"Part time employee."

(f) "part time employee" means any employee other than a full time employee;

Explanatory Note.

The purpose of this bill is to provide that all employees in Canada who come under federal labour jurisdiction shall receive their regular pay for at least eight statutory holidays each year, without having to work on those holidays. It also provides that when any such employee is required to work on any statutory holiday, as defined in the bill, he shall receive pay for such work at double time in addition to his regular pay for such holiday.

Nothing in this bill affects any provision for statutory holidays with pay enjoyed by any employees where such provisions are more favourable than those enjoyed herein, but this bill does supersede any provisions which are less favourable than those set out in this bill.

"Prescribed."
(g) "prescribed" means prescribed by the Minister;

"Statutory holiday."
(h) "statutory holiday" means New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day;

"Rate of wages."
(i) "rate of wages" means the basis of calculation of wages;

"Wage" or "wages."
(j) "wage" or "wages" means any compensation for labour or services paid to or retained by, or partly paid to and partly retained by, an employee, whether measured by time, piece, commission or by any other method whatever or by any combination of such methods;

"Week."
(k) "week" means the period between midnight on Saturday and midnight on the immediately following Saturday.

Application of Act.
3. This Act applies to and in respect of employment upon or in connection with any work, undertaking or business that is within the legislative authority of the Parliament of Canada, including, but not so as to restrict the generality of the foregoing,

(a) works, undertakings, or businesses operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;

(b) railways, canals, telegraphs and other works and undertakings connecting a province with any other or others of the provinces, or extending beyond the limits of a province;

(c) lines of steam and other ships connecting a province with any other or others of the provinces or extending beyond the limits of a province;

(d) ferries between any province and any other province or between any province and any country other than Canada;

(e) aerodromes, aircraft and lines of air transportation;

(f) radio broadcasting stations;

(g) banks and banking;

(h) such works or undertakings as, although wholly situate within a province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces; and

(i) any work, undertaking or business outside the exclusive legislative authority of the legislature of any province;

and to and in respect of,

(j) all employees employed by any employer engaged in any such work, undertaking or business.

Statutory Holiday Pay for employees.

4. (1) Every full time employee, and every part time employee employed by an employer during not less than four consecutive weeks prior to a statutory holiday, who does not work and is not required to be at the disposal of his employer on a statutory holiday shall be paid by his employer in addition to all other sums to which he is entitled, a sum equal to that to which the employee would be entitled as wages exclusive of overtime for that day were that day not a statutory holiday.

(2) Every employee who works or is required to be at the disposal of his employer on a statutory holiday shall be paid by his employer in addition to all other sums to which he is entitled, a sum equal to a sum computed in accordance with subsection (1), plus a sum equal to two times the regular rate of wages of such employee for each hour or part thereof he works or is required to be at the disposal of his employer on such holiday.

(3) Where a statutory holiday falls on a day other than a regular work day of a full time employee the holiday shall for the purpose of this Act insofar as that employee is concerned be deemed to be the next following regular work day of such employee.

Evasion of section 4 prohibited.

5. No employer shall discharge, or temporarily dispense with the services of, an employee, or alter the regular working hours of an employee for the purpose of evading compliance with section 4 of this Act.

Effect of Act on alternative holiday arrangement.

6. (1) Nothing in this Act affects any provision in any Act, agreement or contract of service or any custom which ensures to employees more favourable conditions than those provided by this Act.

(2) Any provision in any Act, agreement or contract of service or any custom which is less favourable to employees than the provisions of this Act is superseded by this Act.

Agreements not to deprive employees of benefits of Act.

7. (1) No agreement, whether heretofore or hereafter entered into, shall have any force or effect in so far as it deprives any employee of any right, power, privilege or other benefit provided by this Act.

(2) No employer shall require an employee to return to him, nor shall he accept from an employee the whole or any part of any sum which he paid to that employee under the provisions of this Act.

Discrimination by employer prohibited.

8. No employer shall discharge or threaten to discharge or in any way discriminate against any employee for:

(a) testifying or consenting to testify in any investigation or proceeding relative to the enforcement of this Act, or

(*b*) giving any information to the Minister or his duly authorized representative regarding any matter governed by this Act.

Posting of abstracts.

9. Every employer shall post and keep posted in a conspicuous place where his employees are engaged in their duties any prescribed abstract or abstracts of the provisions of this Act or the regulations.

Holiday Book.

10. (1) Every employer employing any employee to whom this Act applies shall at all times keep a record to be called a "holiday" book showing in the case of each of his employees:

(*a*) the name and address of the employee;

(*b*) the regular rate of wages of the employee;

(*c*) the date of the commencement and termination of the employment of the employee;

(*d*) the date of the statutory holiday of the employee in accordance with this Act;

(*e*) the sum of money paid to the employee in respect of each statutory holiday excluding the sum referred to in clause (*f*);

(*f*) the sum of money paid to the employee in respect of time the employee was required or permitted to work or to be at the disposal of the employer on each statutory holiday;

(*g*) the exact hours the employee was required to work or to be at the disposal of the employer on each statutory holiday;

(*h*) such other particulars as are prescribed.

(2) The holiday book may be incorporated in any holiday book or wages book which the employer is required to keep under any other Act of Parliament.

Power to inspect holiday book and obtain information.

11. The Minister or his duly authorized representative may at any reasonable time:

(*a*) inspect the holiday book in use by any employer for the time being or any such book used by that employer during the preceding three years;

(*b*) require any employer to verify the entries in his holiday book by statutory declaration or in such manner as the Minister or his duly authorized representative may require;

(*c*) require any person to furnish, in a form acceptable to the Minister or his duly authorized representative, such information as the Minister or his duly authorized representative deems necessary to ascertain whether the provisions of this Act and the regulations are being or have been complied with.

Money paid under Act deemed to be salary or wages.

12. All money payable by an employer to any employee under this Act and any money ordered to be paid by an employer under subsection (2) of section 14 shall be deemed to be salary or wages earned by the employee, and shall be subject accordingly to all deductions which the employer is required to make from salary or wages under any Act of Parliament.

Time limit for prosecutions.

13. Prosecutions for offences created by this Act shall be instituted within one year after the commission of the alleged offence.

Penalties.

14. (1) Every person who:

(a) fails to comply with or violates any provision of this Act or the regulations; or

(b) with intent to deceive, makes any false or misleading statement in any communication, whether in writing or otherwise, to the Minister or his duly authorized representative; or

(c) interferes with or obstructs the Minister or his duly authorized representative in the exercise of any power conferred upon him by this Act or any regulation made thereunder;

is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars for the first offence and in default of payment to imprisonment for not more than thirty days, and for each subsequent offence, to a fine not exceeding four hundred dollars and in default of payment to imprisonment for not more than ninety days.

(2) If an employer is convicted of failure to pay to any employee any money which he is required to pay under the provisions of this Act, the Court shall, in addition to the fine imposed, order the employer to pay to it forthwith an amount equivalent to that which the employer failed to pay to the employee and the court shall pay the said amount to the employee forthwith upon receipt of it.

(3) If the employer fails to pay any money ordered to be paid under subsection (2), the court may order that the employer be imprisoned for a further term of not less than thirty days nor more than ninety days.

Power of representative of Minister to determine amount of average wage not paid.

15. (1) If a duly authorized representative of the Minister finds that an employer has failed to pay to any employee any money which the employer is required to pay under the provisions of this Act, the representative may determine the amount which the employer failed to pay to the employee and if the amount is agreed to in writing by the employer and the employee, the employer shall within two days, pay it to the Deputy Minister who shall pay it to the employee forthwith upon receipt of it.

(2) The employer who pays such amount to the Deputy Minister as required by subsection (1) shall not be liable to prosecution for failure to pay to the employee concerned the money referred to in subsection (1).

Records of Deputy Minister.

16. (1) The Deputy Minister shall keep a record of all money paid to him by employers and paid by him to employees under section 15.

(2) Where money received by the Deputy Minister on behalf of an employee has not been paid to the employee concerned by reason of the fact that the Deputy Minister has been unable to ascertain the whereabouts of the employee, and the employee does not claim it within a period of two years from the date of receipt thereof by the Deputy Minister, such money shall, upon the order of the Deputy Minister, become the property of the Crown in right of Canada.

Regulations.

17. (1) The Governor in Council may make such regulations, not inconsistent with this Act, as are necessary to carry out the provisions of this Act according to their true intent.

(2) All regulations shall take effect upon such date as may be designated in the regulations, and shall have the same force and effect as if herein enacted.

Coming into force.

18. This Act shall come into force on the 1st day of September, 1956.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 442.

An Act to authorize the Minister of Finance to make payments to the Governments of the Provinces and to authorize the Government of Canada to enter into fiscal agreements with the Governments of the Provinces.

First reading, July 17, 1956.

THE MINISTER OF FINANCE.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 442.

An Act to authorize the Minister of Finance to make payments to the Governments of the Provinces and to authorize the Government of Canada to enter into fiscal agreements with the Governments of the Provinces.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title.

1. This Act may be cited as the *Federal-Provincial Tax-Sharing Arrangements Act.*

INTERPRETATION.

Definitions.

2. (1) In this Act,

"Fiscal year."

(a) "fiscal year" means the period of twelve months commencing on the 1st day of April and ending on the 31st day of March next following;

"Minister."

(b) "Minister" means the Minister of Finance;

"Province."

(c) "province" does not include the Northwest Territories or the Yukon Territory;

"Standard corporation income tax."

(d) "standard corporation income tax" as applied to a province for a fiscal year, means the amount, as determined by the Minister, that would be derived from a tax on the income earned within the province by each corporation that maintained a permanent establishment within the province on the last day of its taxation year, for the purposes of the *Income Tax Act*, ending in the calendar year that ends in the fiscal year, at the rate of nine per cent on its taxable income earned within the province in that taxation year, such tax to be computed as if imposed under the *Income Tax Act* and regulations thereunder;

Explanatory Note.

This Bill is to provide the necessary authority for new financial arrangements with the provinces to come into effect on April 1, 1957, at the conclusion of the current tax rental agreements. It will authorize the implementation of the offer made by the Government of Canada to the Governments of the Provinces as a result of the several conferences held during the past year.

"Standard corporation rate."

(e) "standard corporation rate" means the rate specified in paragraph *(d)*;

"Standard individual income tax."

(f) "standard individual income tax" as applied to a province for a fiscal year, means the amount, as determined by the Minister, that would be derived from a tax

(i) on the incomes of individuals resident within the province on the last day of the taxation year, for the purposes of the *Income Tax Act*, ending in the fiscal year, and

(ii) on the incomes earned in that taxation year within the province by individuals not resident in any other province,

equal to ten per cent of the total amount of tax payable under the *Income Tax Act* on those incomes but not including the Old Age Security tax imposed by subsection (3) of section 10 of the *Old Age Security Act*;

"Standard individual rate."

(g) "standard individual rate" means the percentage specified in paragraph *(f)*;

"Standard succession duty."

(h) "standard succession duty" as applied to a province for a fiscal year means the amount determined by the Minister that would be derived from a tax equal to fifty per cent of the total amount of succession duty payable under the *Dominion Succession Duty Act* in respect of the province for the fiscal year, and where succession duty is payable under an enactment other than the *Dominion Succession Duty Act*, the amount determined by the Minister that would be derived from a tax equal to fifty per cent of the total amount of succession duty payable in respect of

(i) property situated in the province and included in the estates of persons dying in the fiscal year domiciled in the province,

(ii) property (other than real property) situated outside Canada passing to persons domiciled in the province and included in the estates of persons dying in the fiscal year domiciled in the province, and

(iii) property situated in the province included in the estates of persons dying in the fiscal year domiciled outside the province;

"Standard succession duty rate."

(i) "standard succession duty rate" means the percentage specified in paragraph *(h)*;

"Standard taxes."

(j) "standard taxes" as applied to a province for a fiscal year, means the aggregate of

(i) the standard individual income tax and the standard corporation income tax applicable to that province for that fiscal year, and

(ii) the average of standard succession duty applicable to that province for that fiscal year and the two fiscal years immediately preceding it;

"Succession duty."

(k) "succession duty" for the purposes of paragraph *(h)* means any estate, legacy, succession or inheritance duty or tax imposed by any Act of the Parliament of Canada; and

"Tax rental agreement."

(l) "tax rental agreement" means an agreement entered into under section 6.

Populations.

(2) For the purposes of this Act and any agreement made under this Act,

(a) the population of Canada or a province

(i) for a calendar year in which a census thereof was taken, means the population as ascertained by the census, and

(ii) for any other year, means the population on the 1st day of June in that year as estimated by the Dominion Statistician, on the assumption that the population changed at a uniform rate annually between censuses; and

(b) the population of Canada or a province for any fiscal year is the population determined in accordance with this subsection for the calendar year in which the fiscal year begins.

Alteration of standard rate.

(3) Where from time to time by reason of a change in the rates of tax or in personal exemptions or allowances for dependants as defined in the regulations, the effective rate of individual income tax or of succession duty differs from the corresponding effective rate applicable

(a) in the case of individual income tax, on the 6th of January, 1956, or

(b) in the case of succession duty, on the 6th day of January, 1956, or, where the succession duty is imposed by an enactment other than the *Dominion Succession Duty Act*, on the date of coming into force of that enactment,

the Minister shall alter the standard individual rate or the standard succession duty rate, or both, as the case may be, in relation to the corresponding effective rate, so that the ratio of the new standard rate to the former standard rate varies inversely with the ratio of the new effective rate to the former effective rate; and for the purposes of this subsection the Minister shall determine the effective rates.

Payments to a Province.

Payments to provinces.

3. (1) Subject to this Act, the Minister may pay to a province in respect of any fiscal year in the period commencing on the 1st day of April, 1957, and ending on the 31st day of March, 1962,

(a) a tax equalization payment not exceeding the amount computed in accordance with section 4;

(b) a provincial revenue stabilization payment not exceeding the amount computed in accordance with section 5; and

(c) a tax rental payment in accordance with a tax rental agreement made under section 6.

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(2) The amounts authorized to be paid by this Act shall be paid out of the Consolidated Revenue Fund at such times and in such manner as may be prescribed in the regulations or in an agreement made under this Act.

Tax Equalization Payments.

Tax equalization payment.

4. The tax equalization payment applicable to a province for a fiscal year is the amount, if any, as determined by the Minister, that when added to the standard taxes of the province for that year will cause

(a) the per capita amount derived by dividing

(i) the sum so obtained,

by

(ii) the population of the province for that year,

to equal

(b) the per capita amount derived by dividing

(i) the sum of the standard taxes of the two provinces for which the per capita standard taxes for that year is greatest,

by

(ii) the total population of those two provinces for that year.

Provincial Revenue Stabilization Payments.

Provincial revenue stabilization payment.

5. (1) The provincial revenue stabilization payment applicable to a province for a fiscal year is the amount by which the greatest of

(a) the adjusted 1957 tax rental payment,

(b) the projected tax rental payment, and

(c) the basic stabilization amount

applicable to the province for that fiscal year exceeds the total of the tax equalization payment and current tax rental payment applicable to the province for that fiscal year.

Adjusted 1957 tax rental payment.

(2) The adjusted 1957 tax rental payment applicable to a province is the amount, as determined by the Minister,

(a) in the case of a province that entered into an agreement contemplated by *The Tax Rental Agreements Act, 1952*, whereby the province and municipalities therein would refrain from imposing individual income taxes, corporation income taxes, corporation taxes and succession duties, that is payable by Canada to the province under that agreement in respect of the fiscal year ending in 1957 by way of compensation as authorized by section 4 of the said Act, or

(b) in the case of a province that did not enter into an agreement described in paragraph *(a)*, that would have been payable by Canada to the province in respect of the fiscal year ending in 1957 by way of compensation as authorized by section 4 of *The Tax Rental Agreements Act, 1952*, if the province had entered into such an agreement upon the most favourable terms permitted by the said Act,

increased, for the purposes of any fiscal year, to the amount that is in the same proportion to the amount so payable as the population of the province for that fiscal year is to the said population for the fiscal year ending in 1957.

Projected tax rental payment.

(3) The projected tax rental payment applicable to a province for a fiscal year is the amount, as determined by the Minister in accordance with the regulations, that would be payable by Canada to the province in respect of the fiscal year as compensation for the province and municipalities therein refraining from imposing individual income taxes, corporation income taxes, corporation taxes and succession duties pursuant to an agreement similar in principle to such an agreement as authorized by *The Tax Rental Agreements Act, 1952* (with such modification as the Governor in Council deems necessary for the purpose of applying that Act and the agreements to the period commencing the 1st day of April, 1957 and ending on the 31st day of March, 1962) if such an agreement had been entered into by Canada and the province.

Basic stabilization amount.

(4) The basic stabilization amount applicable to a province for a fiscal year is the amount determined by the Minister to be,

(a) for the fiscal year ending in the year 1959, ninety-five per cent of the total of the tax equalization payment, provincial revenue stabilization payment and current tax rental payment applicable to the province for the fiscal year ending in the year 1958; and

(b) for the fiscal year ending in the year 1960 and for each succeeding fiscal year, ninety-five per cent of the average of the totals of the tax equalization payments, provincial revenue stabilization payments and current tax rental payments applicable to the province for the two fiscal years immediately preceding that fiscal year.

Current tax rental payment.

(5) The current tax rental payment applicable to a province for a fiscal year is,

(a) in the case of a province that has entered into a tax rental agreement under which the province agrees to refrain from imposing individual income taxes, corporation income taxes, corporation taxes and succession duties, the amount payable by Canada to the province under that agreement in respect of that fiscal year by way of compensation therefor; and

(b) in the case of a province to which paragraph *(a)* does not apply, the amount determined by the Minister to be the amount that would be so payable by Canada to the province if the province had entered into such an agreement.

Tax Rental Agreements.

Tax rental agreements.

6. (1) The Minister, with the approval of the Governor in Council, may, on behalf of the Government of Canada, enter into an agreement with the government of any province to provide, in accordance with and subject to such terms and conditions as may be so approved, that Canada will pay compensation, as authorized by section 7, to the province if the province and the municipalities in that province refrain from levying all or any of the following:

(a) individual income taxes, as defined in the agreement, in respect of the period of five years commencing on the 1st day of January, 1957 and ending on the 31st day of December, 1961, or any lesser period ending on the said 31st day of December;

(b) corporation income taxes and corporation taxes as defined in the agreement, in respect of the period of five years commencing on the 1st day of January, 1957 and ending on the 31st day of December, 1961, or any lesser period ending on the said 31st day of December; and

(c) succession duties as defined in the agreement, in respect of successions or transmissions consequent upon, or on property passing upon any death occurring during the period of five years commencing on the 1st day of April, 1957 and ending on the 31st day of March, 1962, or any lesser period ending on the said 31st day of March.

Exception.

(2) Notwithstanding subsection (1), a tax rental agreement may, without affecting the compensation payable under section 7, provide that the province may levy or empower a municipality to levy taxes on income earned in the province during the whole or any part of the periods

mentioned in paragraph *(a)* or *(b)* of subsection (1) derived from mining operations or on income so earned derived from logging operations or on income so earned derived from both mining and logging operations, as defined in the agreement.

Amendments.

(3) The Minister, with the approval of the Governor in Council, may, on behalf of the Government of Canada, enter into an agreement, not inconsistent with the provisions of this Act, amending the terms and conditions of a tax rental agreement.

Compensation payable under tax rental agreement.

7. (1) The compensation payable by Canada to a province under a tax rental agreement shall be an annual amount payable in respect of each of the fiscal years in respect of which the agreement is entered into, which annual amount shall be in respect of any fiscal year,

(a) the standard individual income tax applicable to the fiscal year if, under the agreement, the province and municipalities refrain from levying individual income taxes as therein defined for a period related by the agreement to the fiscal year;

(b) the standard corporation income tax applicable to the fiscal year if, under the agreement, the province and municipalities refrain from levying corporation income taxes and corporation taxes as therein defined for a period related by the agreement to the fiscal year; and

(c) the average of the standard succession duty applicable to the fiscal year and the two fiscal years immediately preceding it if, under the agreement, the province and municipalities refrain from levying succession duties as therein defined in respect of the fiscal year.

For part of year.

(2) The amount of compensation payable by Canada to a province under a tax rental agreement in respect of part of a year shall not exceed the amount that is in the same proportion to the amount that would have been payable in respect of the whole year if the agreement had been entered into with respect to the whole year, as the part of the year is to the whole year.

Tax Collection Agreements.

Tax collection agreements.

8. Where a province imposes taxes on the income of individuals or corporations or both at the rate provided by the *Income Tax Act* for computing the amount that may be deducted from individual income tax or corporation income tax on account of such provincial taxes, under a statute that in the opinion of the Minister is substantially similar to the

corresponding provisions in the *Income Tax Act*, the Minister, with the approval of the Governor in Council, may, on behalf of the Government of Canada, enter into an agreement with the government of the province pursuant to which the Government of Canada will collect the provincial taxes on behalf of the province and will make payments to the province in respect of the taxes so collected, in accordance with such terms and conditions as the agreement prescribes.

PROVINCIAL CORPORATION TAXES.

Provincial corporation taxes.

9. Where a tax that a province or a municipality in the province levies and collects on corporations (other than a tax that is excluded by the regulations from the operation of this section) is allowed, in whole or in part, as a deduction in computing the income of a corporation under the *Income Tax Act* for any of the taxation years 1957 to 1961, the amount, as determined by the Minister, by which the income tax payable by the corporation under the *Income Tax Act* is reduced by reason of the tax being so allowed as a deduction may be deducted from any payment to the province under this Act or otherwise recovered as a debt due to Canada by the province.

REGULATIONS.

Regulations.

10. The Governor in Council may make such regulations as he deems necessary for carrying out the purposes and provisions of this Act and, without restricting the generality of the foregoing, may make regulations respecting

(a) payment to a province of advances on account of any amount that may become payable to the province in respect of a fiscal year, the adjustment of other payments by reason of such advances, and the recovery of overpayments;

(b) the time and manner of making any payment under this Act;

(c) the determination of any matter that under this Act is to be determined by the Minister; and

(d) any matter that, by this Act, is to be defined or prescribed by or done in accordance with the regulations.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 443.

An Act to amend the Supreme Court Act and the Criminal Code.

First reading, July 17, 1956.

THE MINISTER OF JUSTICE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

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3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 443.

An Act to amend the Supreme Court Act and the Criminal Code.

R.S., cc. 259; 335.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Sections 12 to 20 of the *Supreme Court Act* are repealed and the following substituted therefor:

Appointment of Registrar and Deputy Registrar.

"**12.** (1) The Governor in Council may by instruments under the Great Seal appoint fit and proper persons, being barristers of at least five years' standing, to be Registrar of the Supreme Court and Deputy Registrar of the Supreme Court respectively.

Staff.

(2) Such other officers, clerks and employees as are required for the purposes of the Court shall be appointed under the provisions of the *Civil Service Act*.

Tenure and salary.

"**13.** (1) The Registrar and Deputy Registrar shall be appointed to hold office during pleasure and shall each be paid a salary to be fixed by the Governor in Council.

Duties.

(2) The Registrar and Deputy Registrar shall devote their full time to their respective positions and shall not receive any pay, fee or allowances in any form in excess of the amount provided under subsection (1).

Office and residence.

"**14.** The Registrar shall keep an office at the City of Ottawa and the Registrar and Deputy Registrar shall reside at the City of Ottawa or within five miles thereof.

Functions of Registrar.

"**15.** Subject to the direction of the Minister of Justice, the Registrar shall superintend the officers, clerks and employees appointed to the Court.

Library.

"**16.** The Registrar shall, under the supervision of the Minister of Justice, manage and control the library of the Court and the purchase of all books therefor.

Explanatory Notes.

1. Sections 12 to 20 now read as follows:

"**12.** The Governor in Council may, by *an instrument* under the Great Seal, appoint a fit and proper *person*, being a barrister of at least five years' standing, to be Registrar of the Supreme Court.

"**13.** The Registrar holds office during pleasure and shall reside and keep an office at the City of Ottawa.

"**14.** The Registrar has the rank of a deputy head of a department, and shall be paid a salary *of not less than four thousand two hundred dollars and not more than eight thousand five hundred dollars*, to be *determined* by the Governor in Council.

"**15.** The Registrar shall, subject to the direction of the Minister of Justice, oversee and direct the officers, clerks and employees appointed to the Court.

"**16.** The Registrar shall give his full time to the public service, and sha not receive any pay, fee or allowance in any form in excess of the amount hereinbefore provided.

Reports.

"**17.** The Registrar or the Deputy Registrar, as the Minister directs, shall report and publish the judgments of the Court.

Jurisdiction as judge in chambers.

"**18.** The Registrar has such authority to exercise the jurisdiction of a judge sitting in chambers as may be conferred upon him by general rules or orders made under this Act.

Duties of Registrar.

"**19.** The Deputy Registrar shall exercise and perform such of the powers and duties of the Registrar as are assigned to him by the Registrar, and may exercise and perform all the powers and duties of the Registrar in the event that the Registrar is absent or unable to act or the office of Registrar is vacant.

Application of *Civil Service Act* and *Superannuation Act*.

"**20.** The provisions of the *Civil Service Act* and the *Public Service Superannuation Act*, so far as applicable, extend and apply to the Registrar and Deputy Registrar."

(2) Until the person holding the office of Registrar of the Supreme Court at the coming into force of this Act ceases to hold such office, section 15 of the *Supreme Court Act*, as enacted by this Act, shall be deemed to read as follows:

"**15.** The Registrar has the rank of a deputy head of a department and, subject to the direction of the Minister of Justice, shall superintend the officers, clerks and employees appointed to the Court."

2. Paragraph *(a)* of section 36 of the said Act is repealed and the following substituted therefor:

"*(a)* a judicial proceeding where the amount or value of the matter in controversy in the appeal exceeds ten thousand dollars, or"

3. Subsection (1) of section 41 of the said Act is repealed and the following substituted therefor:

Appeals with leave of Supreme Court.

"**41** (1) Subject to subsection (3), an appeal lies to the Supreme Court with leave of that Court from any final or other judgment of the highest court of final resort in a province, or a judge thereof, in which judgment can be had in the particular case sought to be appealed to the Supreme Court, whether or not leave to appeal to the Supreme Court has been refused by any other court."

4. Section 43 of the said Act is repealed and the following substituted therefor:

Amount or value in controversy.

"**43.** Where the right to appeal is dependent on the amount or value of the matter in controversy the amount or value may be proved by affidavit, and it shall not include interest subsequent to the day on which the judgment to be appealed from was pronounced or any costs."

"17. The Registrar shall, under the supervision of the Minister of Justice, have the management and control of the Library of the Court and the purchase of all books therefor.

"18. The Registrar shall, until otherwise provided, publish the reports of the decisions of the Court.

"19. The Registrar has such authority to exercise the jurisdiction of a judge sitting in chambers as may be conferred upon him by general rules or orders made under this Act.

"20. The provisions of the *Civil Service Act*, the *Civil Service Superannuation and Retirement Act*, and the *Civil Service Superannuation Act*, so far as applicable, extend and apply to the officers, clerks and servants at the seat of Government."

The purpose of the amendments is to establish the office of Deputy Registrar.

2. Section 36 now reads as follows:

"36. Subject to sections 40 and 44, an appeal to the Supreme Court lies from a final judgment or a judgment granting a motion for a nonsuit or directing a new trial of the highest court of final resort in a province, or a judge thereof, pronounced in

(a) a judicial proceeding where the amount or value of the matter in controversy in the appeal exceeds *two* thousand dollars, or

(b) proceedings for or upon a writ of *habeas corpus* or *mandamus*."

The purpose of the amendment is to provide that appeals as of right will lie in cases where the amount in controversy exceeds ten thousand dollars, rather than two thousand dollars. Cases involving less than ten thousand dollars could be appealed to the Supreme Court under section 41 of the Supreme Court Act with leave of the court.

3. Subsection (1) of section 41 presently reads as follows:

"41. (1) Subject to subsection (3) *and to section 44*, an appeal lies to the Supreme Court with leave of that court from any final or other judgment of the highest court of final resort in a province, or a judge thereof, in which judgment can be had in the particular case sought to be appealed to the Supreme Court, whether or not leave to appeal to the Supreme Court has been refused by any other court."

This amendment is consequential upon the proposed amendment to section 44 of the Act as provided for in clause 5 of this Bill.

4. Section 43 now reads as follows:

"43. Where the right to appeal *or to apply for special leave to appeal* is depend ent on the amount or value of the matter in controversy the amount or value may be proved by affidavit, and it shall not include interest subsequent to the day on which the judgment to be appealed from was pronounced or any costs."

The purpose of the amendment is to delete the words in italics, which became obsolete when the Supreme Court Act was amended in 1949.

5. Section 44 of the said Act is amended by adding thereto the following subsection:

Exception.

"(2) This section does not apply to an appeal under section 41."

6. The said Act is further amended by adding thereto, immediately after section 44 thereof, the following section:

Quorum on application for leave.

"**44A.** Where any Act authorizes an appeal to the Supreme Court of Canada with leave of that Court, any three of the judges of the Court constitute a quorum for the purpose of hearing and disposing of the application for leave to appeal, except that in the case of an application for leave to appeal from the judgment of a court

(a) affirming or quashing a conviction of an offence punishable by death, or

(b) allowing or dismissing an appeal against an acquittal of an offence punishable by death, including an acquittal in respect of a principal offence where the accused has been convicted of an offence included in the principal offence,

any five of the judges of the Court constitute a quorum."

Repeal.

7. Subsection (6) of section 55 of the said Act is repealed.

Repeal.

8. Subsection (2) of section 64 of the said Act is repealed and the following substituted therefor:

Limited appeal.

"(2) The appellant may appeal from the whole or any part of any judgment or order, and if he intends to limit the appeal, the notice of appeal shall so specify."

9. Subsection (1) of section 65 of the said Act is repealed and the following substituted therefor:

Extension of time for appeal.

"**65.** (1) Notwithstanding anything in this Act, the court proposed to be appealed from or any judge thereof or the Supreme Court of Canada or any judge thereof may under special circumstances, either before or after the expiry of the time prescribed by section 64, extend the time within which the appeal may be brought."

10. Section 66 of the said Act is repealed and the following substituted therefor:

Procedure on appeal.

"**66.** (1) An appeal shall be brought by

(a) serving a notice of appeal on all parties directly affected, and

5. Section 44 reads as follows:

"**44.** No appeal lies to the Supreme Court from a judgment or order made in the exercise of judicial discretion except in proceedings in the nature of a suit or proceeding in equity originating elsewhere than in the Province of Quebec and except in *mandamus* proceedings."

The purpose of the amendment is to permit appeals to the Supreme Court with leave from a judgment or order made in the exercise of judicial discretion.

6. At the present time an application for leave to appeal must be made to the court with a quorum of five, and applications for leave to appeal in criminal cases under the Criminal Code must be made to a single judge. The purpose of the amendment is to provide that the quorum in civil cases is three, and that in criminal cases the application must be made to the court, rather than to a judge, with a quorum of five in capital cases and a quorum of three in other cases.

7. Subsection (6) of section 55 now reads as follows:

"(6) The opinion of the Court upon any such reference, although advisory only, shall, for all purposes of appeal to Her Majesty in Council, be treated as a final judgment of the said Court between parties."

This provision is now obsolete.

8. The purpose of the amendments provided for in this clause and in clauses 9 to 16 of the Bill is to simplify the procedure upon appeals.

Subsection (2) of section 64 reads as follows:

"(2) The appellant may appeal from the whole or any part of any judgment, or order, and *at the time of bringing the appeal he shall*, if he intends to limit the appeal, *give notice stating that part only of such judgment or order is complained of, and* shall *in the notice* specify *such part*."

9. Subsection (1) of section 65 now reads as follows:

"**65.** (1) Notwithstanding anything in this Act the court proposed to be appealed from, or any judge thereof, may, under special circumstances allow an appeal, although the same is not brought within the time hereinbefore prescribed in that behalf."

10. Section 66 reads as follows:

"**66.** (1) No writ shall be required or issued for bringing any appeal in any case to or into the Court, but it is sufficient that the party desiring so to appeal has, within the time herein limited in the case, given the security required and obtained the allowance of the appeal.

(b) depositing with the Registrar security to the extent of five hundred dollars, to the satisfaction of the court proposed to be appealed from or a judge thereof or to the satisfaction of the Supreme Court or a judge thereof, that the appellant will effectually prosecute the appeal and pay such costs and damages as may be awarded against him by the Supreme Court,

within the time prescribed by section 64 or allowed under section 65.

Where error alleged.

(2) Whenever error in law is alleged, the proceedings in the Supreme Court shall be in the form of an appeal.

Service and filing of notice of appeal.

(3) The notice of appeal with evidence of service thereof shall be filed with the Registrar of the Supreme Court and a copy of the notice shall be filed with the clerk or other proper officer of the court appealed from."

11. Section 68 of the said Act is repealed and the following substituted therefor:

Transmission of record.

"**68.** The clerk or other proper officer of the court appealed from shall, upon payment to him of the proper fees and expenses of transmission, transmit the case, as soon as may be after service upon him of the notice of appeal, to the Registrar, and further proceedings shall thereupon be had according to the practice of the Supreme Court."

12. Section 69 of the said Act is repealed and the following substituted therefor:

Exceptions.

"**69.** The provisions of this Act requiring the deposit of security for costs do not apply to appeals by or on behalf of the Crown or in election cases, in cases in the Exchequer Court, in criminal cases or in proceedings for or upon a writ of *habeas corpus*."

13. The heading immediately before section 69 of the said Act is repealed and the heading "*Stay of Execution.*" is inserted immediately before section 70 of the said Act.

14. The portion of subsection (1) of section 70 of the said Act preceding paragraph *(a)* thereof is repealed and the following substituted therefor:

Stay of execution.

"**70.** (1) Upon filing and serving the notice of appeal and depositing security as required by section 66, execution shall be stayed in the original cause, except that"

15. Subsection (3) of section 70 of the said Act is repealed and the following substituted therefor:

As to instrument.

"(3) In any case in which execution may be stayed on the giving of security under this section, the security may be given by the same instrument whereby the security prescribed in section 66 is given."

(2) Whenever error in law is alleged, the proceedings in the Supreme Court shall be in the form of an appeal."

11. Section 68 reads as follows:

"**68.** The clerk or other proper officer of the court appealed from shall, upon payment to him of the proper fees and the expenses of transmission, transmit the case *forthwith* after *such allowance* to the Registrar, and further proceedings shall thereupon be had according to the practice of the Supreme Court."

12. Section 69 reads as follows:

"**69.** (1) No appeal shall be allowed until the appellant has given proper security, to the extent of five hundred dollars, to the satisfaction of the court from whose judgment he is about to appeal, or a judge thereof, or to the satisfaction of the Supreme Court, or a judge thereof, that he will effectually prosecute his appeal and pay such costs and damages as may be awarded against him by the Supreme Court.

(2) *This section does* not apply to appeals by or on behalf of the Crown or in election cases, in cases in the Exchequer Court, in criminal cases, or in proceedings for or upon a writ of *habeas corpus*."

14. The opening words of subsection (1) of section 70 now read as follows:

"**70.** (1) Upon *the perfecting of the security referred to in section 69*, execution shall be stayed in the original cause, except that"

15. Subsection (3) of section 70 reads as follows:

"(3) In any case in which execution may be stayed on the giving of security under this section, the security may be given by the same instrument whereby the security prescribed in section *69* is given."

16. Section 71 of the said Act is repealed and the following substituted therefor:

Fiat to sheriff when security deposited.

"**71.** (1) When security has been deposited as required by section 66, any judge of the court appealed from may issue his fiat to the sheriff, to whom any execution on the judgment has issued, to stay the execution, and the execution shall be thereby stayed whether a levy has been made under it or not."

17. Section 84 of the said Act is repealed and the following substituted therefor:

Entry of appeals on list and order of hearing.

"**84.** Unless otherwise ordered by the Chief Justice or one of the puisne judges at his direction:

(a) the appeals set down for hearing shall be entered by the Registrar on a list divided into five parts, and numbered as follows:—Number one, Election Cases; Number two, Western Provinces Cases; Number three, Atlantic Provinces Cases; Number four, Quebec Province Cases; Number five, Ontario Province Cases; and the Registrar shall enter all Election Appeals on part numbered one, all appeals from the Yukon Territory, the Northwest Territories and the Provinces of British Columbia, Alberta, Saskatchewan and Manitoba on part numbered two, all appeals from the Provinces of Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island on part numbered three, all appeals from the Province of Quebec on part numbered four, and all appeals from the Province of Ontario on part numbered five; and

(b) the appeals so entered shall be heard and disposed of in the order in which they are entered."

18. Paragraph *(b)* of subsection (1) of section 103 of the said Act is repealed and the following substituted therefor:

"*(b)* for allowing appeals *in forma pauperis* by leave, notwithstanding the provisions of this or any other Act requiring the giving of security for costs, and for allowing a respondent leave to defend *in forma pauperis;*"

1953-54, c. 51.

19. Paragraph *(b)* of subsection (1) of section 597 of the *Criminal Code* is repealed and the following substituted therefor:

On question of law with leave.

"*(b)* on any question of law, if leave to appeal is granted by the Supreme Court of Canada within twenty-one days after the judgment appealed from is pronounced or within such extended time as the Supreme Court of Canada or a judge thereof may, for special reasons, allow."

16. Subsection (1) of section 71 reads as follows:

"**71.** (1) When the security *has been perfected and allowed*, any judge of the court appealed from may issue his fiat to the sheriff, to whom any execution on the judgment has issued, to stay the execution, and the execution shall be thereby stayed, whether a levy has been made under it or not."

17. Section 84 reads as follows:

"**84.** The appeals set down for hearing shall be entered by the Registrar on a list divided into five parts, and numbered as follows:—Number one. Election Cases; Number two, Western Provinces Cases; Number three, Maritime Provinces Cases; Number four, Quebec Province Cases; Number five, Ontario Province Cases; and the Registrar shall enter all Election Appeals on part numbered one, all appeals from the Yukon Territory and the Provinces of British Columbia, Alberta, Saskatchewan and Manitoba on part numbered two, all appeals from the Provinces of Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island on part numbered three, all appeals from the Province of Quebec on part numbered four, and all appeals from the Province of Ontario on part numbered five; and such appeals shall be heard and disposed of in the order in which they are so entered, unless otherwise ordered by the Chief Justice or one of the puisne judges at his direction."

The purpose of the amendment is to provide that the court may alter the order in which appeals are entered on the list.

18. Paragraph *(b)* of subsection (1) of section 103 reads as follows:

"*(b)* for allowing appeals *in forma pauperis* by leave, notwithstanding *section 69*, and for allowing a respondent leave to defend *in forma pauperis;*"

The purpose of the proposed amendment is to provide for appeals *in forma pauperis* from judgments of the Exchequer Court.

19. Subsection (1) of section 597 of the *Criminal Code* now reads as follows:

"**597.** (1) A person who is convicted of an indictable offence whose conviction is affirmed by the court of appeal may appeal to the Supreme Court of Canada

(a) on any question of law on which a judge of the court of appeal dissents, or

(b) on any question of law, if leave to appeal is granted by *a judge of* the Supreme Court of Canada within twenty-one days after the judgment appealed from is pronounced or within such extended time *as the judge* may, for special reasons, allow."

The purpose of the amendment is to provide that leave to appeal must be granted by the Supreme Court rather than a judge thereof.

20. (1) Paragraph *(b)* of subsection (1) of section 598 of the *Criminal Code* is repealed and the following substituted therefor:

On question of law with leave.

"*(b)* on any question of law, if leave to appeal is granted by the Supreme Court of Canada within twenty-one days after the judgment appealed from is pronounced or within such extended time as the Supreme Court of Canada or a judge thereof may, for special reasons, allow."

Terms.

(2) Subsection (2) of section 598 of the *Criminal Code* is repealed and the following substituted therefor:

"(2) Where leave to appeal is granted under paragraph *(b)* of subsection (1), the Supreme Court of Canada may impose such terms as it sees fit."

20. Section 598 of the *Criminal Code* reads as follows:

"**598.** (1) Where a judgment of a court of appeal sets aside a conviction pursuant to an appeal taken under paragraph *(a)* of section 583 or dismisses an appeal taken pursuant to paragraph *(a)* of section 584, the Attorney General may appeal to the Supreme Court of Canada

(a) on any question of law on which a judge of the court of appeal dissents, or

(b) on any question of law, if leave to appeal is granted by *a judge of* the Supreme Court of Canada within twenty-one days after the judgment appealed from is pronounced or within such extended time as *the judge* may, for special reasons, allow.

(2) Where leave to appeal is granted under paragraph *(b)* of subsection (1) *the judge* may impose such terms as *he* sees fit."

The purpose of the amendment is to provide that leave to appeal must be granted by the Supreme Court rather than a judge thereof.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 444.

appropriation Bill
No 1st Reading

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

AS PASSED BY THE HOUSE OF COMMONS, 25th JULY, 1956.

77109

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 444.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1957, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 5, 1956.*

$264,409,-639.92 granted for 1956-57.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two hundred and sixty-four million, four hundred and nine thousand, six hundred and thirty-nine dollars and ninety-two cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-twelfth of the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

$12,168,792.75 granted for 1956-57.

3. From and out of the Consolidated Revenue Fund, there may be paid and applied, a sum not exceeding in the whole twelve million, one hundred and sixty-eight thousand, seven hundred and ninety-two dollars and seventy-five cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being one-twelfth of the total of the amounts of the items set forth in the Supplementary Estimates for the fiscal year ending the 31st day of March, 1957, as laid before the House of Commons at the present session of Parliament.

Account to be rendered. R.S., c. 116.

4. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act.*

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 445.

An Act to Promote Equal Pay for Female Employees.

First reading, July 30, 1956

THE MINISTER OF LABOUR.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

66272

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 445.

An Act to Promote Equal Pay for Female Employees.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title.

1. This Act may be cited as the *Female Employees Equal Pay Act*.

INTERPRETATION.

Definitions. "Fair Wage Officer."

2. In this Act,

(a) "Fair Wage Officer" means an officer of the Department of Labour designated by the Minister to deal with complaints under this Act;

"Federal works, undertakings or businesses."

(b) "federal works, undertakings or businesses" means

(i) works, undertakings or businesses operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;

(ii) railways, canals, telegraphs and other works and undertakings connecting a province with any other or others of the provinces, or extending beyond the limits of a province;

(iii) lines of steam and other ships connecting a province with any other or others of the provinces, or extending beyond the limits of a province;

(iv) ferries between any province and any other province or between any province and any country other than Canada;

(v) aerodromes, aircraft and lines of air transportation;

(vi) radio broadcasting stations;

(vii) banks and banking;

Explanatory Note.

The purpose of this Bill is to provide for equal pay for female employees as compared with male employees of the same employer, for identical or substantially identical work in federal works, undertakings or businesses.

(viii) such works or undertakings as, although wholly situate within a province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces; and

(ix) any work, undertaking or business outside the exclusive legislative authority of the legislature of any province, and all other works, undertakings or businesses that are within the legislative authority of the Parliament of Canada, but not including any works, undertakings or businesses of a local or private nature in the Yukon Territory or the Northwest Territories; and

"Minister." *(c)* "Minister" means the Minister of Labour.

APPLICATION

Application of Act. **3.** This Act applies to and in respect of

(a) employment upon or in connection with any federal works, undertakings or businesses;

(b) employers engaged in any federal works, undertakings or businesses;

(c) employees employed upon or in connection with any federal works, undertakings or businesses; and

(d) employment of employees by any corporation established to perform any function or duty on behalf of the Government of Canada.

EQUAL PAY FOR FEMALE EMPLOYEES.

Equal pay for identical work. **4.** (1) No employer shall employ a female employee for any work at a rate of pay that is less than the rate of pay at which a male employee is employed by that employer for identical or substantially identical work.

When work deemed identical. (2) Subject to subsection (3), for the purposes of subsection (1), work for which a female employee is employed and work for which a male employee is employed shall be deemed to be identical or substantially identical if the job, duties or services the employees are called upon to perform are identical or substantially identical.

Exception. (3) Payment to a female employee at a rate of pay less than the rate of pay at which a male employee is employed does not constitute a failure to comply with this section, if the difference between the rates of pay is based on length of service or seniority, on location or geographical area of employment or on any other factor other than sex, and, in the opinion of the Fair Wage Officer, Referee, court, judge or magistrate, the factor on which the difference is based would normally justify such difference in rates of pay.

Discharge, discrimination, etc.

5. No employer shall discharge or otherwise discriminate against any person because that person has made a complaint or given evidence or assisted in any way in respect of the initiation or prosecution of a complaint or other proceeding under this Act.

ENFORCEMENT PROCEDURE.

Complaint to Minister and reference to Fair Wage Officer.

6. (1) Any person claiming to be aggrieved because of an alleged violation of any of the provisions of this Act may make a complaint in writing to the Minister and the Minister may instruct a Fair Wage Officer to inquire into the complaint and endeavour to effect a settlement of the matters complained of.

Report to Minister.

(2) If the Fair Wage Officer is unable to effect a settlement of the matters complained of, he shall make a report to the Minister setting forth the facts and his recommendation thereon.

Powers of Minister.

(3) The Minister may

(a) refer the complaint to a Referee to be appointed by the Minister, or

(b) decline to refer the complaint to a Referee if he considers it to be without merit.

Referee.

(4) Where the Minister has referred a complaint to a Referee the Referee shall

(a) inquire into the matters referred to him,

(b) give full opportunity to all parties to present evidence and make representations,

(c) decide whether or not the complaint is supported by the evidence, and

(d) make whatever order he considers necessary to carry his decision into effect, which may include payment of the remuneration or additional remuneration that, during a period not exceeding six months immediately preceding the date of the complaint, would have accrued to the employee if the employer had complied with this Act.

Powers of Fair Wage Officer or Referee.

(5) In considering a complaint under this Act a Fair Wage Officer or a Referee may enter the premises where any work, business or undertaking relating to the complaint is carried on and may inspect payroll and other employment records; and the owner or person in charge of such premises and every person found therein shall give the Fair Wage Officer or Referee all reasonable assistance in his power and furnish the Fair Wage Officer or Referee with such information as he may reasonably require.

Powers of Referee.

(6) A Referee to whom a complaint has been referred has all the powers of a Conciliation Board under section 33 of the *Industrial Relations and Disputes Investigation Act.*

Compliance with order.

(7) Every person in respect of whom an order is made under this section shall comply with the order.

Obstruction.

(8) No person shall hinder or obstruct a Fair Wage Officer or Referee in the exercise of any duty or power conferred by this section.

False statements.

(9) No person shall make any false or misleading statement either verbally or in writing to any Fair Wage Officer or Referee engaged in carrying out his duties or powers under this section.

Allowances.

(10) A Referee appointed by the Minister under this Act may be paid such allowances and expenses as are approved by the Treasury Board.

Rights preserved.

(11) Nothing in this section operates to restrict the right of any aggrieved person to initiate proceedings under any other provision of this Act before a court, judge or magistrate against any person for an alleged contravention of this Act, except that where a complaint has been made under this section that an employer has failed to comply with section 4 or 5, and the complaint has been referred to a Referee appointed by the Minister, the employer shall not, in respect of the same matter, be convicted under section 7 for failure to comply with section 4 or 5, as the case may be.

Offences and Penalties.

Offences.

7. Every person who does anything prohibited by this Act or who refuses or neglects to do anything required by this Act is guilty of an offence and is liable on summary conviction

(a) if an individual, to a fine not exceeding one hundred dollars, and

(b) if a corporation, to a fine not exceeding five hundred dollars.

Restoration of remuneration.

8. (1) Where an employer is convicted for failure to comply with section 4 or 5 in respect of any employee, the convicting court, in addition to any other penalty, may order the employer to pay to the employee the remuneration or additional remuneration that, during a period not exceeding six months immediately preceding the date the prosecution was instituted, would have accrued to the employee if the employer had complied with those sections.

Idem.

(2) Where an employer is convicted for failure to comply with an order under section 6 for the payment to an employee of an amount as remuneration or additional remuneration, the convicting court, in addition to any other penalty, may order the employer to pay such amount to the employee.

Multiple complaints.

9. A complaint, information or order under this Act may relate to one or more offences by one employer in respect of one or more of his employees.

Evidence.

10. In any prosecution under this Act,

(a) a document purporting to be an order or a copy of an order of a Referee and purporting to be certified by a Referee, is receivable in evidence and is *prima facie* proof of the appointment of the Referee by the Minister under this Act and of the order; and

(b) a document purporting to be certified by the Minister or by any person purporting to be acting under the authority of the Minister and stating that any person named therein has been appointed by the Minister under this Act to be a Referee and stating the nature of the complaint referred to the Referee, is receivable in evidence as *prima facie* proof of the appointment of such person as a Referee under this Act and of the nature of the complaint referred to him.

INQUIRIES.

Inquiries.

11. The Minister may, where he deems it expedient, undertake or cause to be undertaken such inquiries and other measures as appear advisable to him to promote the purposes of this Act.

REGULATIONS.

Regulations.

12. The Governor in Council may make regulations to carry out the purposes and provisions of this Act.

COLLECTIVE AGREEMENTS.

Equal pay provisions in collective agreements.

13. (1) Where an employer is bound by a collective agreement that contains an equal pay provision and contains, or is deemed under subsection (2) of section 19 of the *Industrial Relations and Disputes Investigation Act* to contain, a grievance settlement provision, no complaint shall be made or information laid in respect of any employment by that employer of a female employee who is bound by the collective agreement.

Definitions.

(2) In this section

"Equal pay provision."

(a) "equal pay provision" means a provision in a collective agreement substantially to the same effect as section 4; and

"Grievance settlement provision."

(b) "grievance settlement provision" means a provision for final settlement without stoppage of work, by arbitration or otherwise, of all differences between the parties to or persons bound by a collective agreement or on whose behalf it was entered into, concerning its meaning or violation.

Transitional.

14. Where on the day this Act comes into force an employer is bound by a collective agreement that was entered into prior to that day, no complaint shall be made or information laid in respect of any employment by that employer of a female employee who is bound by the collective agreement, during

(a) the period that the collective agreement is in force, or

(b) a period of one year from the coming into force of this Act,

whichever is the shorter period.

COMING INTO FORCE.

Coming into force.

15. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 446.

An Act to amend the Royal Canadian Mounted Police Act.

First reading, July 30, 1956.

THE MINISTER OF JUSTICE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

74618

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 446.

An Act to amend the Royal Canadian Mounted Police Act.

R.S., c.241; 1953-54, c.43.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 20 of the *Royal Canadian Mounted Police Act* is repealed and the following substituted therefor:

Regulations.

"**20.** The Governor in Council may by regulation

(a) determine the pay and allowances to be paid to the Commissioner and other members of the Force; and

(b) provide for payment out of the Consolidated Revenue Fund, in the event of the death of a member or former member, upon application to the Minister by or on behalf of any successor thereunder to whom any pension or allowance becomes payable under this Act, of the whole or any part of such portion of the succession duties payable by that successor as is determined in accordance with the regulations to be attributable to that pension or allowance, and prescribing the amount by which and the manner in which any such pension or allowance shall be reduced."

2. (1) Paragraph *(j)* of subsection (1) of section 93 of the said Act is amended by striking out the word "and"at the end of subparagraph (ii) thereof, by inserting the word "and" at the end of subparagraph (iii) thereof, and by adding thereto the following subparagraph:

"*(iv)* in the case of a person who became a member of the Force under the terms of the agreement made under section 5 with the government of the Province of British Columbia on the 9th day of August, 1950, any period of service under such government that at the time he became a member of the Force was eligible to be counted by him for superannuation or pension purposes under any law of that Province providing for the payment of superannuation or pension benefits in respect of such period of service."

Explanatory Notes

1. The present section 20 reads as follows:

"20. The Governor in Council may by regulation determine the pay and allowances to be received by the Commissioner and other members of the Force."

The purpose of the proposed amendment is to provide that succession duties payable on pensions and allowances may be paid out of the Consolidated Revenue Fund and recovered by instalments out of the pensions or allowances. A similar provision is in effect with respect to Public Service Superannuation and Defence Services Pensions.

2. The purpose of the proposed amendment is to permit members of the British Columbia Provincial Police, who were absorbed into the Force, to count for pension purposes all of the time that could be counted for pension purposes under the law of the Province.

Coming into force.

(2) This section shall be deemed to have come into force on the 1st day of April, 1956.

3. Section 93 of the said Act is amended by adding thereto the following subsections:

Newfoundland service.

"(4) The period of pensionable service, as defined in the *Civil Service Acts, 1947 to 1949*, of Newfoundland, of a person who

(a) was an established civil servant, as defined in the *Civil Service Acts, 1947 to 1949*, of Newfoundland, in a service of the Government of Newfoundland that was taken over by Canada pursuant to the Terms of Union of Newfoundland with Canada, and

(b) became a member of the Force pursuant to an offer of employment made pursuant to the Terms of Union,

shall be deemed to be a period during which such person served in the Force, but for the purpose of computing pensions, allowances or gratuities, the expression "service" shall not include such period until such person has attained the age of sixty-five years or such lower age as is prescribed by the regulations or is retired from the Force by reason of disability; and no contributions in respect of such service are required to be made under section 96.

Prior service deemed to be service in the Force.

"(5) In the case of a member of the Force who served in the Force for at least ten years after he attained the age of forty years, any period of service referred to in paragraph *(j)* of subsection (1) or in subsection (4) may, in accordance with the regulations, be deemed to be a period during which the member served in the Force."

4. (1) Section 106 of the said Act is amended by adding thereto the following subsection:

General salary increases.

"(3) There shall be credited to the Royal Canadian Mounted Police Pension Account, as soon as possible following the authorization of any pay increase of general application to the Force, such amount as, in the opinion of the Minister of Finance, is necessary to provide for the increase in the cost to Her Majesty in right of Canada, of the benefits payable under this Part, as a result of such pay increase."

Coming into force.

(2) This section shall be deemed to have come into force on the 1st day of April, 1956.

3. (1) The purpose of the proposed new subsection (4) is to permit Newfoundland civil servants, who were taken into the Force, to count for pension purposes their service as a Newfoundland civil servant in respect of which the Province of Newfoundland is under the Terms of Union responsible for contributing.

(2) The purpose of the proposed new subsection (5) is to provide that under certain circumstances prior service may be counted not only for the purpose of making contributions and computing pensions, but also for the purpose of determining eligibility.

4. The purpose of this clause is to provide the funds for the additional liability to the R.C.M.P. Pension Account resulting from general pay increases.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 447.

An Act to amend the St. Lawrence Seaway Authority Act.

AS PASSED BY THE HOUSE OF COMMONS,
31st JULY, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA. 1956

76823

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 447.

An Act to amend the St. Lawrence Seaway Authority Act.

R.S., c. 242; 1953-54, c. 44; 1955, c. 58; 1956, c. 11.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Subsection (1) of section 14A of the *St. Lawrence Seaway Authority Act*, as enacted by section 3 of chapter 11 of the statutes of the present session of Parliament, is repealed and the following substituted therefor:

Authority may construct bridge over Pollys Gut or over the south channel.

"**14A.** (1) The Authority may, alone or jointly or in conjunction with the Saint Lawrence Seaway Development Corporation of the United States, construct, maintain and operate, either

(a) a bridge over Pollys Gut in the St. Lawrence River for the passage of pedestrians, vehicles, railway trains and for other like purposes, with all necessary approaches and facilities, from Cornwall Island in the County of Stormont in the Province of Ontario to Massena Point in the State of New York, or

(b) a bridge over the south channel in the St. Lawrence River for the passage of pedestrians, vehicles and for other like purposes, with all necessary approaches and facilities, from Cornwall Island in the County of Stormont in the Province of Ontario to the United States mainland in the State of New York."

EXPLANATORY NOTES.

Subsection (1) of section 14A at present reads as follows:

"**14A.** (1) The Authority may, alone or jointly or in conjunction with the Saint Lawrence Seaway Development Corporation of the United States, construct, maintain and operate a bridge over Pollys Gut in the St. Lawrence River for the passage of pedestrians, vehicles, railway trains and for other like purposes, with all necessary approaches and facilities, from Cornwall Island in the County of Stormont in the Province of Ontario to Massena Point in the State of New York."

The only change is the addition of paragraph *(b)* on the opposite page thus providing specific authority for the construction of an alternative international bridge.

Third Session, Twenty-Second Parliament, 4–5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 448.

An Act to amend the Customs Tariff.

First reading, August 1, 1956.

THE MINISTER OF FINANCE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

73347

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 448.

An Act to amend the Customs Tariff.

R.S. cc. 60, 316; 1952-53, c. 31; 1953-54, c. 53; 1955, c. 51.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Schedule A amended.

1. Schedule A to the *Customs Tariff* is amended by striking out tariff items 13*a*, 172, 206*c*, 219*d*, 279, 288*b*, 326*e*, 372, 376*a*, 390, 390*a*, 390*b*, 390*c*, 409*e* (1), 409*f*, 410*t*, 410*u*, 410*w*, 428*g*, 437*b*, 442, 443, 445*m*, 446*k*, 476*b*, 476*c*, 478 (2), 549*a*, 618*b*, 657*b* and 700, and the enumerations of goods and the rates of duty set opposite each of those items, and by inserting therein the items, enumerations of goods and rates of duty specified in Schedule A to this Act.

Schedule A to French version amended.

2. Schedule A to the French version of the said Act is amended by striking out tariff items 328*a*, 386*(h)* and 389, and the enumerations of goods and the rates of duty set opposite each of those items, and by inserting therein the items, enumerations of goods and rates of duty specified in Schedule B to this Act.

Schedule C amended.

3. Schedule C to the said Act is amended by striking out item 1209 and by inserting therein the item specified in Schedule C to this Act.

Schedule C to French version amended.

4. Schedule C to the French version of the said Act is amended by striking out item 1215 and by inserting therein the item specified in Schedule D to this Act.

Coming into force.

5. (1) Sections 1, 2 and 4 of this Act shall be deemed to have come into force on the 21st day of March, 1956, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

Idem.

(2) Section 3 of this Act shall come into force six months after the day on which this Act is assented to.

SCHEDULE A

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
13*a*	Lard compound and similar substances, n.o.p. per pound	1½ cts.	1¾ cts.	2 cts.
137*a*	*Molasses powder without admixture or mixed only with any necessary anti-caking agent..... per one hundred pounds*	35 cts.	45 cts.	50 cts.
172	Books, pamphlets and charts, printed or published by any government abroad; official financial and business reports and statements issued by companies or associations abroad; books and pamphlets, *and replacement pages therefor*, for the promotion of religion, medicine and surgery, the fine arts, law, science, technical training, and the study of languages, not including dictionaries. Scripture and prayer cards, and religious pictures and mottoes, not including frames; books, bound or unbound, which have been actually printed and manufactured more than twelve years; manuscripts; insurance maps; freight rates, passenger rates and timetables issued by transportation companies abroad and relating to transportation outside of Canada, in book or in pamphlet form.....	Free	Free	Free
206*c*	Bottles; tubes, bail bands, labels, corks, stoppers or other closures, for use with bottles, whether or not assembled into units partially filled with anti-coagulating solutions or not; filters, drop counters, clamps; all of the foregoing, when imported to be used exclusively for the collection, preparation, storage, transportation or administration of human blood (whether whole or in the form of liquid or dry serum or plasma) and extenders or substitutes therefor; component materials to be used exclusively in making the foregoing articles, anti-coagulating solutions and extenders or substitutes....	Free	Free	Free
219*d*	(1) Chloroform and ethyl chloride for anaesthetic purposes.....	Free	Free	Free
	(2) Sulphuric ether; chloroform, n.o.p.; preparations of vinyl ether for anaesthetic purposes.	Free	25 p.c.	25 p.c.
276g	*Corn oil, crude or refined*.....	15 p.c.	20 p.c.	25 p.c.
279	Degras and grease for stuffing or dressing leather.....	Free	Free	Free
288*b*	Hand forms of porcelain for use in the manufacture of rubber gloves.....	Free	10 p.c.	35 p.c.
326*e*	Articles of glassware, when imported by manufacturers of silverware to be used in receptacles made of or electro-plated with precious metals or to be equipped with tops made of or electro-plated with precious metals, in their own factories.....	Free	Free	22½ p.c.
326m	*Articles of glass, not including plate or sheet or machine-made tumblers, to be cut or mounted, when imported by manufacturers of cut or mounted glassware, for use in the manufacture of such glassware in their own factories, under such regulations as the Minister may prescribe.*	Free	Free	32½ p.c.

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
326n	*Machine-made glass tumblers, when imported by manufacturers of cut or mounted glassware, for use in the manufacture of such glassware in their own factories, under such regulations as the Minister may prescribe*	10 p.c.	10 p.c.	32½ p.c.
372	*Electric and* blast furnace slag	Free	Free	25 p.c.
376a	Chromium metal and tungsten metal, in lumps, powder, ingots, blocks or bars, and scrap of alloy metal containing chromium and tungsten, for use for alloying purposes	Free	Free	Free
390	Castings, of iron *or steel, in the rough*, n.o.p.	15 p.c.	25 p.c.	27½ p.c.
390a	Piston ring castings, of iron or steel, in the rough	Free	Free	27½ p.c.
402g	*Welded netting, of iron or steel, coated or not, made from wire of seventeen gauge or heavier, with meshes not smaller than one-half inch by one-half inch and not larger than two inches by two inches, when for use exclusively on fur farms, under such regulations as the Minister may prescribe*	12½ p.c.	20 p.c.	35 p.c.
409e	(1) Spraying and dusting machines and attachments therefor, including hand sprayers, *for agricultural or horticultural purposes;* apparatus for the destruction of predatory animals by the discharge of poisonous cartridges and poisonous cartridges for such apparatus; automatic explosive bird-scaring devices; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; dehorning instruments; parts of the foregoing	Free	Free	Free
409f	Automatic stock watering *devices;* Barn hay forks, carriage, pulleys and track; Barn litter carriers and track; Grain crushers; Grain or hay dryers; Grain or hay grinders; *Grain loaders;* *Elevators (other than storage elevators);* Hitches and couplings; Hydraulic hoists for unloading vehicles; *Land levellers;* Machines and tools for use on tractors, including blades, loaders, rippers, rakes and related operating and controlling gear; Milk coolers; Sodium metabisulphite; Sprinkler irrigation systems; Steel stanchions for confining livestock either in pens or individually, and complete equipment for milking parlors; All the foregoing for use on the farm for farm purposes only; Brooders for rearing young farm animals; Ensilage cutters; Fodder or feed cutters; Hay loaders; Hay tedders; Post hole diggers; Potato diggers; Potato planters;			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
409*f* (*con.*)	Snaths; Stumping machines; All other agricultural implements or agricultural machinery, n.o.p.; Parts of all the foregoing	Free	Free	Free
409*t*	*Axles, belts and belting, bolts, chains, nuts, pulleys, washers; all the foregoing when for use with the goods entitled to entry under tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409l, 409m, 409n, 409o and 409q*	Free	Free	Free
409*u*	*Electric freezing machines and parts thereof, for use in the processing and storing of frozen semen at temperatures below minus seventy degrees Fahrenheit*	Free	Free	40 p.c.
409*v*	*Roofs, chutes, ladders, wall sections with or without doors incorporated therein, materials and parts; all of the foregoing, of metal, for the construction or repair of silos for storing ensilage*	10 p.c.	17½ p.c.	35 p.c.
410*t*	Blowers, of iron or steel, for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; furnaces, rotary kilns and revolving roasters, of metal, for use in the roasting of ore, mineral, rock or clay; furnace slag trucks and slag pots:			
	(1) Of a class or kind made in Canada; parts thereof	12½ p.c.	17½ p.c.	20 p.c.
	(2) Of a class or kind not made in Canada; parts thereof	Free	Free	Free
410*w*	Machinery, n.o.p., for use in the concentration or separation of ores, metals or minerals, namely: Flotation machines, flotation cells, oil feeders and reagent feeders for flotation machines and flotation cells, pumps, vibrating and impact screens, jigs, filters, magnetic separators and magnetic pulleys; parts of all the foregoing	5 p.c.	7½ p.c.	20 p.c.
425*b*	*Air-cooled internal combustion engines of greater than one and one-half horsepower rating, and parts thereof; parts of power lawn mowers; all the foregoing for use in the manufacture or repair of power lawn mowers*	10 p.c.	15 p.c.	32½ p.c.
428*g*	*Starter cartridges*, fuel injection pumps and nozzles, and parts thereof, for diesel and semi-diesel engines	Free	Free	Free
437*b*	Motor rail cars or units and chassis for same, of a class or kind not made in Canada, for use on railways for the carriage of passenger, baggage, mail or express traffic; engines and transmissions for such motor rail cars or units; parts of the foregoing	Free	Free	35 p.c.
	On and after July 1, 1957	Free	20 p.c.	35 p.c.
442	Articles and materials which enter into the cost of manufacture of the goods enumerated in tariff items 409, 409*a*, 409*b*, 409*c*, 409*d*, 409*e*, 409*f*, 409*g*, 409*h*, 409*i*, 409*j*, 409*k*, 409*l*, 409*m*, 409*n*, 409*o*, 409*q*, *409t*, 427*b*(1), 439*c*			

SCHEDULE A—*Continued*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
442 *Con.*	and 618*b*(1), when imported for use in the manufacture of the goods enumerated in the aforesaid tariff items, or in the manufacture of parts therefor, under such regulations as the Minister may prescribe	Free	Free	Free
443	Apparatus, *and parts thereof*, for cooking or for heating buildings	15 p.c.	25 p.c.	30 p.c.
445*m*	(1) Flameproof electric switchgear, for use in mines in which inflammable gases exist, and complete parts thereof	Free	20 p.c.	30 p.c.
	(2) Flameproof electric transformers, rectifiers, cable-connecting devices, trailing cable extensions with couplers moulded on, junction boxes, and complete parts of the foregoing, when of a class or kind not made in Canada and for use in mines in which inflammable gases exist	Free	7½ p.c.	37½ p.c.
446*j*	*Steel box toes, for use in the manufacture of safety footwear*	Free	Free	35 p.c.
446*k*	Tools, wholly or in part of iron or steel, for use in machines *or in attachments or accessories therefor, including those made for use in a particular machine or in a particular attachment or accessory therefor:*			
	(1) Of a class or kind made in Canada	10 p.c.	22½ p.c.	35 p.c.
	(2) Of a class or kind not made in Canada	Free	7½ p.c.	35 p.c.
462*c*	*Lenses, shutters, and parts thereof, for use in the manufacture of cameras*	Free	Free	30 p.c.
462*d*	*Parts, unfinished, for use in the manufacture of cameras*	Free	5 p.c.	7½ p.c.
476*b*	Surgical suction apparatus including motive power; ethylene; operating room lights designed to minimize shadow, not including bulbs; all the foregoing of a class or kind not made in Canada, and complete parts thereof, for the use of any public hospital, under such regulations as the Minister may prescribe	Free	Free	Free
476*c*	*Prepared surgical sutures, of a class or kind not made in Canada*	Free	Free	Free
478	(2) Aural, nasal and *mastectomy* prostheses; ileostomy, colostomy and urinary appliances designed to be worn by an individual; materials and articles required therewith for proper application and maintenance	Free	Free	Free
549*a*	*Wool, not further prepared than scoured*	Free	Free	Free
597*d*	*Harpsichords*	5 p.c.	7½ p.c.	30 p.c.
618*b*	(1) Tires and tubes, wholly or in part of rubber, for equipment of the agricultural implements and agricultural machinery specified in tariff items 409*b*, 409*c*, 409*d*, 409*e*, 409*f*, 409*h*, 409*j*, 409*l* and the tractors provided for in tariff item 409*m*	Free	Free	Free
	(2) Tires and tubes, wholly or in part of rubber	20 p.c.	22½ p.c.	35 p.c.

SCHEDULE A—*Concluded*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Trriff	General Tariff
695c	*Original sculptures, or replicas made therefrom, when certified by the Director of the National Gallery of Canada as being of a cultural character*	Free	Free	Free
696f	*Apparatus, and parts thereof, for the heating of hot packs for use in the treatment of poliomyelitis*	Free	Free	Free
700	*Goods imported for a period not exceeding three months for the purpose of display at a convention or a public exhibition, held by an association not engaged in business of a private or commercial character, at which the goods of various manufacturers or producers are displayed* *The Minister may make regulations respecting the warehousing and bonding of such goods.*	Free	Free	Free

SCHEDULE B

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
328*a*	Pièces, non finies, pour la fabrication de montures de lunettes et de lorgnons.....	En franchise	5 p.c.	5 p.c.
386	*h)* Feuilles, tôles, feuillards, bandes ou rubans, cémentés, trempés ou meulés, non autrement ouvrés que taillés en forme, sans bords dentelés, lorsqu'ils sont importés par des fabricants de scies pour servir exclusivement à la fabrication de scies dans leurs propres fabriques.....	En franchise	10 p.c.	12½ p.c.
389	Sur tout article énuméré dans les numéros 377, 377*a*, 378*a)*, 378*b)*, 378*c)*, 388*a*, 388*b* et 388*c* de la présente liste, dont la valeur ne dépasse pas 6½ cents la livre, il sera imposé, perçu et payé, sous le régime de règlements prescrits par le Ministre, en plus des taux tarifaires énumérés dans ces numéros du Tarif, une surtaxe *ad valorem* de 5 p. 100 quand cet article contient l'un ou plus d'un des éléments suivants: *a)* Vanadium, 0·15 p. 100 ou plus au poids. *b)* Molybdène, 0·15 p. 100 ou plus au poids. *c)* Nickel, 0·4 p. 100 ou plus au poids. *d)* Chrome, 0·4 p. 100 ou plus au poids. *e)* Tungstène, 0·4 p. 100 ou plus au poids. *f)* Cobalt, 0·4 p. 100 ou plus au poids. *g)* Manganèse, 1·0 p. 100 ou plus au poids. *h)* Silicium, 1·0 p. 100 ou plus au poids. *i)* Tout autre élément, qui ne consiste pas en fer ou en carbone, dépassant 0·5 p. 100 au poids.			

SCHEDULE C

1209	Any goods (a) *in association with which there is used any description that is false in a material respect as to the geographical origin of the goods, or* (b) *the importation of which is prohibited by an order under section 51 of the Trade Marks Act.*

SCHEDULE D

1215	Automobiles et véhicules à moteur de toute sorte, usagés ou d'occasion, fabriqués antérieurement à l'année civile pendant laquelle on cherche à les importer au Canada. Ce numéro ne doit aucunement viser les automobiles et véhicules à moteur: *a)* Importés sous le régime des numéros 702, 705*a*, 706, 707 ou 708 du Tarif, ou en vertu de permis pour véhicules de touristes ou de voyageurs; *b)* Importés par un colon authentique, à sa première arrivée, mais ne bénéficiant pas de la franchise en vertu du numéro 705*a* du Tarif; *c)* Achetés de bonne foi le ou avant le premier juin mil neuf cent trente et un, par des consommateurs pour leur propre usage et non pour la revente; *d)* Confisqués par suite d'une infraction aux lois douanières, ou aux lois de toute province du Canada; *e)* Provenant de legs; *f)* Exemptés des dispositions du présent numéro par un règlement du gouverneur en conseil dans un cas particulier ou une catégorie de cas particulière.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 449.

An Act to amend the Unemployment Insurance Act.

First reading, August 6, 1956.

THE MINISTER OF LABOUR.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

77105

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 449.

An Act to amend the Unemployment Insurance Act.

1955, c. 50.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 29 of the *Unemployment Insurance Act* is amended by adding thereto the following subsection:

Extension of Act to fishermen.

"(2) Notwithstanding anything in this Act, the regulations made with the approval of the Governor in Council under section 26 for including employment in fishing in insurable employment may, for all purposes of this Act, provide for

(a) including as an insured person any person who is engaged in fishing (hereinafter called a "fisherman"), notwithstanding that such person is not an employee of any other person;

(b) including as an employer of a fisherman any person with whom the fisherman enters into contractual or other commercial relationship in respect of his occupation as a fisherman; and

(c) all such other matters as are necessary to provide unemployment insurance for fishermen."

2. Subsection (2) of section 45 of the said Act is repealed and the following substituted therefor:

Subsequent benefit period within 104 weeks.

"(2) If an insured person, within the period specified in paragraph *(a)* of subsection (1), had established a previous benefit period, then the subsequent benefit period is not established unless he proves that at least twenty-four of the contribution weeks referred to in the said paragraph *(a)* were

(a) in the period of fifty-two weeks immediately preceding the most recent Sunday before the day on which he makes the claim, or

Explanatory Notes.

This Bill amends the present Act in two respects.

The first clause concerns regulations providing for the application of the Act to all persons engaged in the fishing Industry.

The purpose of the other clauses is to ease the requalifying requirement and to adjust the provisions for computing the duration of benefit for these claimants in accordance with the new qualifying conditions. The Bill makes no change in the qualifying conditions for the establishment or the duration of a benefit period for a first claim, or for a second or subsequent claim made more than 104 weeks after the previous claim. Nor are the qualifying conditions for seasonal benefit affected. The duration of a seasonal benefit period is adjusted to conform with the new duration of the regular benefit period so as to avoid anomalies. The Bill will enable claimants who work at least 24 weeks per year (after the first year) to qualify for 12 weeks of regular benefit each year and 12 weeks of seasonal benefit if unemployed in the period from January 1 to April 15.

1. This subsection (2) is new. It will enable the Commission, with the approval of the Governor in Council, when extending coverage to employment in fishing, to insure self-employed fishermen; to designate as their employers for the purposes of the Act, persons for instance, who purchase their catch; and to make the necessary adaptations of the provisions of the Act to provide unemployment insurance for the fishermen who will be insured.

2. Subsection (2) of section 45 at present reads as follows:

"(2) Where an insured person in respect of whom a benefit period was established claims benefit in respect of a subsequent benefit period, any contribution week that is within the one hundred and four weeks immediately before the commencement of the previous benefit period and is more than fifty-two weeks before the commencement of the subsequent benefit period shall not be included as one of the thirty contribution weeks required to establish the subsequent benefit period or as a contribution week for the purposes of sections 47 and 48."

The present subsection (2) affects not only the qualification for establishing a subsequent benefit period but also the duration of the benefit period, in terms of maximum amounts. The effect of the present Act is such that if a claim is made every year the claimant, on his second, and on every subsequent claim, can qualify only if he has 30 contributions in the 52 weeks preceding his new claim. Clause 2 eases the requirements for requalification considerably. The effect on duration of benefit is explained in clause 3.

(b) in the period since the commencement of the immediately preceding benefit period,

whichever is the longer period."

3. Paragraph *(b)* of subsection (1) of section 48 of the said Act is repealed and the following substituted therefor:

"*(b)* the weekly rate applicable to him multiplied by one-half of the number of his contribution weeks

(i) within the period described in paragraph *(a)* of subsection (1) of section 45, in the case of a person to whom subsection (2) of that section does not apply, or

(ii) within the longer of the periods described in paragraphs *(a)* and *(b)* of subsection (2) of section 45, in the case of a person to whom that subsection applies,"

4. (1) Paragraph *(b)* of subsection (3) of section 53 of the said Act is repealed and the following substituted therefor:

"*(b)* the weekly rate applicable to him multiplied by the greater of

(i) ten, or

(ii) one-half of the number of his contribution weeks subsequent to the Saturday referred to in paragraph *(a)* of section 50,"

(2) Subsections (4) and (5) of section 53 of the said Act are repealed and the following substituted therefor:

Fractional weeks.

"(4) For the purposes of subparagraph (ii) of paragraph *(b)* of subsection (3), where one-half of the number of the contribution weeks therein referred to results in a fraction, the fraction shall be taken as one.

Maximum benefit.

"(5) A person coming within paragraph *(b)* of section 50 shall not be paid seasonal benefits in excess of

(a) the weekly rate applicable to him multiplied by the number of weeks in his seasonal benefit period, or

(b) the weekly rate applicable to him multiplied by the number by which the weekly rate applicable to him in respect of his most recent benefit period was multiplied in order to ascertain his maximum benefit under section 48 with respect to that period,

whichever is the lesser amount."

Coming into force.

5. This Act shall come into force on the 30th day of September, 1956.

3. Subsection (1) of section 48 at present reads as follows:

"**48.** (1) No person shall, in respect of any benefit period, be paid benefits in excess of

(a) thirty-six times the weekly rate applicable to him, or

(b) the weekly rate applicable to him multiplied by one-half of the number of his contribution weeks within the period described in paragraph *(a)* of subsection (1) of section 45,

whichever is the lesser amount."

There is no change in substance in paragraph *(b)* but since the number of contribution weeks required to requalify for the subsequent benefit periods mentioned in clause 2 has been reduced from 30 to 24, the wording of this paragraph had to be changed to provide that a claimant requalifying with 24 contribution weeks will be entitled to at least 12 weeks' benefit, the ratio being one week's benefit for every two contribution weeks. Those requalifying with 30 contribution weeks will still be entitled to at least 15 weeks' benefit.

4. (1) Subsection (3) of section 53 at present reads as follows:

"(3) A person coming within paragraph *(a)* of section 50 shall not be paid seasonal benefits in excess of

(a) the weekly rate applicable to him multiplied by the number of weeks in his seasonal benefit period or,

(b) the weekly rate applicable to him multiplied by two-thirds of the number of his contribution weeks subsequent to the Saturday referred to in paragraph *(a)* of section 50,

whichever is the lesser amount."

This provides a minimum duration of 10 weeks' seasonal benefit.

The change in paragraph *(b)* is the reduction of the factor two-thirds to one-half with a minimum of 10 weeks of benefit. This is to conform with the ratio of the regular benefit which is one week's benefit for each two weeks' contribution; otherwise there would be an anomaly as between recipients of regular benefit and seasonal benefit.

(2) Subsection (4) of section 53 at present reads as follows:

"(4) For the purposes of paragraph *(b)* of subsection (3), where two-thirds of the number of the contribution weeks therein referred to results in a fraction, a fraction less than one-half shall be disregarded and a fraction of one-half or more shall be taken as one."

The only change in this subsection is the substitution of one-half for two-thirds to conform with the proposed amendment to subsection (3) *(b)*.

Subsection (5) of section 53 at present reads as follows:

"(5) A person coming within paragraph *(b)* of section 50 shall not be paid seasonal benefits in excess of the weekly rate applicable to him multiplied by the number of weeks in his seasonal benefit period."

Since the duration of seasonal benefit for claimants who qualify by having a benefit period terminated since April 15, is the same as that of their previous regular benefit period, this subsection has to be amended to provide for the possibility that the previous regular benefit period may only be 12 weeks (the minimum duration under the proposed amendment).

5. This clause is to give sufficient time for the Commission to instruct its field staff on the amendments, and modify its forms and procedures in order that the changes may be effected without confusion.

450.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 450.

3rd Reading only

An Act to amend the Excise Tax Act.

AS PASSED BY THE HOUSE OF COMMONS,
7th AUGUST, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

73573

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 450.

An Act to amend the Excise Tax Act.

R.S. cc. 100, 320; 1952-53, c. 35; 1953-54, c. 56; 1955, c. 53.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Paragraphs *(b)* and *(c)* of section 3 of the *Excise Tax Act* are repealed.

1952-53, c. 35, s. 15.

(2) Paragraph *(f)* of section 3 of the said Act is repealed and the following substituted therefor:

"Net premiums."

"*(f)* "net premiums" means the gross premiums paid or payable in respect of a policy of insurance, less dividends received or receivable in respect of the policy and less premiums returned on cancellation of the policy; and"

1952-53, c. 35, s. 19.

2. Sections 4 to 11 of the said Act are repealed and the following substituted therefor:

Tax on insurance with British or foreign company.

"**4.** (1) Every person resident in Canada who insures property situated in Canada, in which he has an insurable interest otherwise than as an insurer, against risks other than marine risks, or who renews any such insurance, with

(a) any British or foreign company, or

(b) any exchange, having its chief place of business outside Canada, or having a principal attorney-in-fact whose chief place of business is outside Canada,

that at the time such insurance is effected or renewed is not authorized under the laws of Canada or of any province to transact the business of insurance, shall, on or before the 1st day of March in each year, pay to the Minister, in addition to any other tax payable under any other law, a tax of ten per cent of the net premiums paid or payable by such person during the immediately preceding calendar year in respect of such insurance.

Residence of corporation.

(2) For the purposes of this section, every corporation carrying on business in Canada shall be deemed to be a person resident in Canada.

Explanatory Notes.

Clauses 1 and 2: The purpose of these clauses is to repeal the provisions of Part I of the Act imposing a tax on the net premiums of Canadian insurance companies. The sections of the Act being retained are re-enacted without change except for re-numbering and a few minor consequential or drafting changes. The new sections 4, 5, 6 and 7 correspond to the present sections 6, 8, 9 and 11, respectively.

Returns.

"**5.** (1) Every person to whom section 4 applies shall, on or before the 1st day of March in each year, make a return in writing to the Minister stating the names of the companies and exchanges with which the insurance was effected by him or on his behalf during the immediately preceding calendar year, the amount of such insurance and the net premiums paid or payable in each case.

Returns by broker or agent.

(2) Any person who, acting as a broker or agent, obtains, effects or places or assists in obtaining, effecting or placing insurance with companies or exchanges, the net premiums on which are taxable under section 4, shall, on or before the 15th day of January in each year, make a return to the Minister showing the name and address of each person on whose behalf such insurance was so effected during the immediately preceding calendar year.

Examination of books and records.

"**6.** The Superintendent or any officer of his Department appointed by him may visit the office of any agent or broker and examine his books and records for the purpose of verifying any return required by this Part, and the Superintendent and such officer have a right of access to such books and records at all reasonable hours.

Penalty for refusal to make returns.

"**7.** (1) Every person who refuses or neglects to make a return as required by subsection (1) of section 5 or neglects to pay some or all of the tax imposed by section 4 is liable to a penalty of five per cent of the amount of tax unpaid at the expiration of the time for filing the return together with interest on the amount unpaid at the rate of six per cent per annum from the 1st day of March in the year in which such amount is payable to the day of payment.

Idem.

(2) Every person who refuses or neglects to make a return as required by subsection (2) of section 5 is liable to a penalty of ten dollars for each day of default or fifty dollars, whichever is the lesser."

3. The said Act is amended by adding thereto, immediately after Part I thereof, the following Part:

"PART II

Tax on Special Editions of Non-Canadian Periodicals.

Definitions.

"Editorial material."

8. In this Part,

(a) "editorial material" means any printed material other than advertising;

Clause 3. This clause implements paragraph 4 of the Budget Resolution.

"Non-Canadian periodical."

(b) "non-Canadian periodical" means a periodical published outside Canada by a person resident outside Canada;

"Periodical."

(c) "periodical" means printed material, unbound or paper bound, printed and published at regular intervals not less frequently than four times a year and bearing dates of issue;

"Publish," "publication," "publisher."

(d) "publish" means to issue copies to the public, and "publication" and "publisher" have corresponding meanings;

"Special edition of a non-Canadian periodical" or "special edition."

(e) "special edition of a non-Canadian periodical" or "special edition" means a periodical printed in or outside Canada for publication in Canada

(i) containing editorial material at least twenty-five per cent of which is the same or substantially the same as editorial material contained in one or more copies of a particular non-Canadian periodical, whether in the same or in some other language, and

(ii) containing any advertising material that is not contained in such non-Canadian periodical,

but does not include a periodical if the editorial material contained therein is devoted principally to religious or medical purposes.

Tax.

9. (1) There shall be imposed, levied and collected in respect of each copy of a special edition of a non-Canadian periodical published in Canada a tax of twenty per cent of the value of the advertising material contained therein.

Time of payment.

(2) The tax imposed by subsection (1) in respect of a special edition shall be paid by the publisher thereof at such times and in such manner as the regulations prescribe.

Import prohibited unless tax paid.

10. No person shall import any copies of a special edition into Canada unless the taxes imposed by this Part in respect thereof have been paid, or security as prescribed by the regulations for the payment thereof has been furnished.

Regulations.

11. The Minister may make regulations with respect to any case or class of cases

(a) prescribing the time and manner of payment of taxes imposed by this Part;

(b) prescribing the security to be given for the payment of the taxes imposed by this Part;

(c) requiring the making of returns, the form thereof and the information to be contained therein; and

(d) for calculating and determining the value of advertising material contained in any periodical."

1953-54, c. 56, s. 6 (2).

4. Subsection (3) of section 29 of the said Act is amended by striking out the word "and" at the end of paragraph *(a)* thereof, by inserting the word "and" at the end of paragraph *(b)* thereof, and by adding thereto the following:

"*(c)* in calculating the sale price of articles manufactured or produced in Canada, there may be excluded the fees paid to the Government of Canada or a province for the inspection, marking, stamping or certification thereof in respect of capacity, accuracy, standard or safety, if such fees are shown as separate items on the manufacturers' sales invoices."

1953-54, c. 56, s. 7.

5. Subsection (3) of section 32 of the said Act is repealed and the following substituted therefor:

Further articles exempted.

"(3) The taxes imposed by Parts IV to VI inclusive, do not apply to goods imported under *Customs Tariff* items 690a, 693, 703, 704, 705 and 708."

1953-54, c. 56, s. 14.

6. Section 12 of Schedule I to the said Act is repealed and the following substituted therefor:

Schedule I amended.

"**12.** *(a)* Clocks and watches adapted to household or personal use, except railway men's watches, and those specially designed for the use of the blind, and alarm clocks where the sale price by the Canadian manufacturer or the duty paid value of those imported does not exceed ten dollars.....ten per cent;

(b) Articles of all kinds made in whole or in part of ivory, jet, amber, coral, mother of pearl, natural shells, tortoise shell, jade, onyx, lapis lazuli, or other semi-precious stones.....ten per cent;

(c) The following articles, namely:

(i) articles commonly or commercially known as jewellery, whether real or imitation, including diamonds and other precious or semi-precious stones for personal use or for adornment of the person; goldsmiths' and silversmiths' products except plated table knives, forks and spoons; pewter ware;

(ii) articles of cut glassware, crystal glassware, cut or not, etched glassware, or metal decorated glassware, except articles for use in the preparation or serving of food or drink;

(iii) articles of china, porcelain, earthenware, marble, stoneware, or other pottery ware, except articles for use in the preparation or serving of food or drink, or except where they are sold or imported for use exclusively in the manufacture of electric lamps.....ten per cent;"

Clause 4. The proposed new paragraph *(c)* will provide that the sale price to which the sales tax applies may exclude certain fees paid by the manufacturer if these are shown separately on the manufacturers' sales invoices.

Clause 5. The purpose of this amendment is to provide that goods imported under the tariff items underlined are exempt from sales tax and special excise taxes.

Tariff item 690*a* covers casual donations not in excess of $10 in value brought into Canada by visitors or sent by persons abroad to friends in Canada.

Tariff item 693 covers articles for exhibit in public museums, libraries and schools; violins manufactured over 100 years ago; antiquities produced prior to 1847.

Tariff item 705 covers settlers' effects.

Clause 6. This clause implements paragraph 3 and also the amendment to paragraph 2 of the Budget Resolution.

1953-54, c. 56, s. 14. Schedule III repealed and re-enacted.

7. Schedule III to the said Act is repealed and the Schedule to this Act is substituted therefor.

Coming into force.

8. (1) Sections 1 and 2 of this Act shall come into force on the 31st day of March, 1957, but the tax imposed by section 4 of the *Excise Tax Act* as in force prior to that date is not applicable to any premiums received during the calendar year 1957.

Idem.

(2) Section 3 of this Act shall come into force on the 1st day of January, 1957.

Idem.

(3) Sections 4, 5, 6 and 7 of this Act and the Schedule to this Act shall be deemed to have come into force on the 21st day of March, 1956, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

Idem.

(4) During the period commencing on the 21st day of March, 1956, and ending on the 7th day of August, 1956, the expression "Cast iron soil pipe and cast iron fittings therefor" under the heading "CERTAIN BUILDING MATERIALS" in Schedule III to the *Excise Tax Act* shall be deemed to have read "Soil pipe and fittings therefor, for buildings", and this subsection shall be deemed to have applied to all such last-mentioned goods imported or taken out of warehouse for consumption during that period and to have applied to such articles previously imported for which the entry for consumption was made during that period.

Clause 7. Schedule III is the list of items exempt from sales tax. This clause enacts a new Schedule III to the Act to make some changes in wording and to add new items in accordance with the Budget Resolution.

Clause 8. Subclauses (1), (2) and (3) provide for the coming into force of the amendments.

(4) The Budget Resolution proposed a change in the wording of the sales tax exemption for soil pipe and fittings therefor, which would have eliminated the requirement that these items be made of cast iron. The Budget Resolution was subsequently amended to cancel this proposed change. The purpose of this subclause is to provide that soil pipe and fittings therefor made of substances other than cast iron sold in the period between the budget announcement and the introduction of the amended resolution shall be exempt from sales tax.

SCHEDULE

SCHEDULE III

FOODSTUFFS

Barley; Bread; Butter; Cheese; Cream; Eggs, Egg albumen and Egg yolks; Glucose; Honey; Ice; Lactose; Lard; Rice; Salt; Shortening; Soups; Split Peas; Sugar; Yeast; Yogurt;

Bakers' cakes and pies including biscuits, cookies or other similar articles;

Cereal breakfast foods not including beverages;

Cooking oil and salad oils, not including mayonnaise or salad dressing;

Drinks prepared from milk or eggs;

Fish and edible products thereof;

Flour including pastry, cake, biscuit, and similar mixes;

Foods prepared and sold exclusively for feeding infants;

Fruit, fresh, canned, frozen, preserved, dried or evaporated;

Grain grits and meals;

Ice cream;

Jams, jellies, marmalades, and preserves;

Malt syrup, except when sold for beverage purposes;

Maple syrup; corn syrup; table syrups; molasses;

Meats and poultry, fresh, cooked, canned, frozen, smoked or dried;

Milk, including buttermilk, condensed milk, evaporated milk, and powdered milk;

Peanut butter;

Prepared whipping cream;

Spaghetti, macaroni and vermicelli;

Vegetables, fresh, canned, frozen or dehydrated, not including pickles, relishes, catsup, sauces, olives, horseradish, mustard, and similar goods;

Vegetable juices; fruit juices which consist of at least ninety-five per cent of pure juice of the fruit;

Materials to be used exclusively in the manufacture or production of the foregoing foodstuffs;

FARM AND FOREST

Bees; Casein; Fertilizer; Hay; Hops; Shorts; Straw;

Alfalfa meal;

Animals, living;

Baling twine or baling wire for baling farm produce, and articles and materials to be used or consumed exclusively in process of manufacture thereof;

Beet pulp, dried;

Boxes for farm wagons, and articles and materials to be used exclusively in the manufacture thereof;

Creosote oil and other wood preservatives when for use exclusively in the treatment of timber, poles or lumber;

Drain tiles for agricultural purposes;

Farm produce sold by the individual farmer of his own production, not including flowers, flowering plants or bulbs, when the sales thereof exceed five hundred dollars per annum;

Feeds for fur-bearing animals whose pelts have commercial value;

Forest products when produced and sold by the individual settler or farmer;

Friction disc sharpeners;

Furs, raw;

Gopher poison, and materials for use exclusively in its manufacture;

Grain or seed cleaning machines and complete parts therefor;

Grains and seeds in their natural state;

Harness for horses and complete parts therefor, and articles and materials to be used exclusively in the manufacture thereof; harness leather;

Hides, raw and salted;

Logs and round unmanufactured timber;

Materials to be used exclusively in the manufacture of feeds for poultry, cattle and other stock and fur-bearing animals;

Nursery stock;

Oil cake, oil cake meal;

Peat moss when used for agricultural purposes, including poultry litter;

Poultry, cattle and other stock feeds;

Poultry, living;

Preparations, chemicals or poisons for pest control purposes in agriculture or horticulture, and materials for use exclusively in the manufacture thereof;

Sap spouts and sap buckets, evaporators and complete parts therefor, when for use exclusively for the production of maple syrup;

Sawdust and wood shavings;

Settlers' effects;

Steel pens and complete parts thereof for farm animals, and articles and materials for use exclusively in the manufacture thereof;

Vegetable plants;

Vermiculite;

Wool not further prepared than washed;

Woollen rolls or wool yarn milled for a producer of wool from wool supplied by him for his own use;

ENGINES

Internal combustion traction engines, and portable engines with boilers in combination, for farm purposes, or for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump or common or other carrier, and accessories (not including machines and tools for operation by

such engines) and complete parts of all the foregoing, and articles and materials, not including plant equipment, to be used or consumed exclusively in the manufacture of the foregoing engines, boilers or parts thereof;

MINES AND QUARRIES

Crushed stone or crushed gravel;

Gold and silver in ingots, blocks, bars, drops, sheets or plates unmanufactured;

Ores of all kinds;

Sand, gravel, rubble, and field stone;

MARINE AND FISHERIES

Boats *bona fide* purchased by fishermen for use in the fisheries, and articles and materials to be used exclusively in the manufacture, equipment or repair of such boats;

Carrageen or Irish Moss;

Cotton duck and cotton sail twine to be used only in the manufacture of equipment for ships or vessels;

Rope and cordage of cotton, hemp, manila or other vegetable fibre, or nylon, for the fisheries, not including these articles for sportsmen's purposes, and materials for use only in the manufacture thereof;

Preservatives for use exclusively for treating fishing nets, ropes and lines;

Materials for use only in the construction, equipment and repair of ships over ten tons net register tonnage;

Materials used as ingredients in canned fish;

Ships licensed to engage in the Canadian coasting trade;

Sinkers, and floats including trawl kegs, when for use exclusively in the fisheries, not including these articles for sportsmen's purposes;

CHARITABLE, HEALTH, ETC.

Adrenocorticotrophin (ACTH); Cortisone; Insulin; Radium;

Articles and materials for the sole use of any *bona fide* public hospital certified to be such by the Department of National Health and Welfare, when purchased in good faith for use exclusively by the said hospital and not for resale;

Artificial eyes;

Donations of clothing and books for charitable purposes;

Hearing aids and parts therefor, including batteries specifically designed for use with such hearing aids;

Liver extract for use exclusively in the treatment of anaemia;

Memorials or monuments erected in memory of members of the Armed Forces who lost their lives in the service of their country;

Vaccine for use in the prevention of poliomyelitis, and material for use exclusively in the manufacture thereof;

War Veterans' badges;

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PRINTING AND EDUCATIONAL

Bibles, missals, prayer books, psalm and hymn books, religious tracts, Sunday School lesson pictures, books, bound and unbound, pamphlets, booklets, leaflets, scripture, prayer, hymn and mass cards and religious mottoes and pictures unframed, for the promotion of religion, and materials to be used exclusively in the manufacture thereof, but not including forms, stationery or annual calendars;

Books, printed and bound, that contain no advertising and are solely for educational, technical, cultural or literary purposes, and materials to be used exclusively in the manufacture thereof, but excluding price lists, time tables, rate books, catalogues, periodic reports, fashion books, albums, books for writing or drawing upon, and any books similar to the foregoing exclusions;

National manufacturing, industrial or mercantile trade directories, and materials to be used exclusively in the manufacture thereof, but excluding all other directories, and excluding statistical, financial or biographical surveys, reports, year books or directories, and transportation, telephone, municipal or street directories, guides or rate books;

College and school annuals; newspapers; sheet music; magazines and literary papers unbound, regularly issued at stated intervals, not less frequently than four times yearly; and materials to be used exclusively in the manufacture thereof;

The Minister shall be the sole judge as to whether any printed material comes within any of the classes enumerated in any of the three foregoing paragraphs of this heading;

Manuscript;

Phonograph records authorized by the Department of Education of any province in Canada for instruction in the English and the French language, and materials to be used exclusively in the manufacture thereof;

Photographs, paintings, pastels, drawing and other art work and illustrations of all kinds, whether originals, copies or proofs, and printing plates made to reproduce the same, for use exclusively as non-advertising news pictures or for illustrating non-advertising articles or stories in periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound, wire stitched or otherwise fastened together;

DIPLOMATIC

Articles for the use of the Governor General;

Articles imported for the personal or official use of the Heads of Diplomatic Missions, High Commissioners representing other of Her Majesty's Governments, Counsellors, Secretaries and Attaches at Embassies, Legations and offices of High Commissioners in Canada, Trade Commissioners and Assistant Trade Commissioners representing other of Her Majesty's Governments, Consuls General, Consuls and Vice-Consuls of Foreign Nations, who are natives or citizens of the

countries they represent and are not engaged in any other business or profession;

Automobiles, cigars, cigarettes, manufactured tobacco, ale, beer, stout, wines and spirits purchased in Canada by any of the foregoing;

CERTAIN BUILDING MATERIALS

Bricks, building tile, floor tile, building blocks curved or shaped and building stone;

Hard surface composition yardage flooring for permanent bonding to floors;

Plaster; lime; cement and additives for concrete;

Lumber; sash; doors; shingles; lath; siding; stairways;

Material for waterproofing and moisture-proofing buildings;

Plaster boards, fibreboard, wall panels, building paper, wallpaper and materials, manufactured wholly or in part of vegetable or mineral substances, for ceilings, walls, building insulation or acoustical purposes;

Paints, varnishes, white lead and paint oil;

Prepared roofings;

Shower baths, bath tubs, basins, faucets, closets, lavatories, urinals, sinks and rims therefor and laundry tubs, not including repair parts therefor, nor pipes and pipe fittings;

Cast iron soil pipe and cast iron fittings therefor;

Glass for buildings;

Furnaces, stokers, oil or gas burners, hot water and steam radiators not including fittings, for the heating of buildings;

Locks and lock sets;

Materials to be incorporated in terrazzo flooring;

Skylights;

Structural steel for buildings;

Tar and asphalt for roofing;

Ventilators and louvres, not motor operated;

Articles and materials to be used exclusively in the manufacture or production of the foregoing building materials;

COVERINGS

Usual coverings to be used exclusively for covering goods not subject to the consumption or sales tax and materials to be used exclusively in the manufacture of such coverings;

FIRE BRICK, REFRACTORIES, ETC.

Fire brick, plastic refractories, high temperature cement, fire clay and other refractory materials for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment, and materials to be used or consumed exclusively in the manufacture of such fire brick or refractory materials;

PROCESSING MATERIALS

Materials (not including grease or lubricating oils) consumed or expended directly in the process of manufacture or production of goods;

MACHINERY AND APPARATUS TO BE USED IN MANUFACTURE OR PRODUCTION

Machinery and apparatus that, in the opinion of the Minister are to be used directly in the process of manufacture or production of goods, and the following machinery or apparatus:

Coal crushers and stokers;

Structures that are adjuncts to or provide access to the machinery and apparatus mentioned herein;

Repair and maintenance equipment used by manufacturers or producers for servicing their machinery and apparatus mentioned herein;

Safety devices and equipment for the prevention of accidents in the manufacturing or production of goods;

Systems installed by manufacturers or producers for exhausting dust and noxious fumes from their manufacturing operations;

Equipment used to carry refuse or waste from production machinery;

Equipment for hospitals and first aid stations in manufacturing establishments;

Diesel-powered self-propelled trucks mounted on rubber-tired wheels for off-highway use exclusively at mines and quarries;

Complete parts of all the foregoing;

This exemption does not apply to office equipment or motor vehicles, except those mentioned above;

MISCELLANEOUS

Articles and materials purchased or imported by a government of a country designated by the Governor in Council under *Customs Tariff* item 708, or purchased or imported by a Canadian government agency on behalf of such a government, for the construction, maintenance or operation of military or defence establishments in Canada and not intended for resale, gift or other disposition except as may be authorized by the Minister of National Revenue;

British and Canadian coins and foreign gold coin;

Drain tile not exceeding four inches in inside diameter and twelve inches in length;

Identification tags or labels for designating the grades or quality of meat, poultry, fish, eggs, fruit and vegetables, and materials to be used exclusively in the manufacture thereof;

Perforated bituminized fibre pipe for drainage purposes not exceeding four inches in inside diameter;

Electricity;

Equipment sold to or imported by municipalities for their own use and not for resale, at a price in excess of one thousand dollars per unit, specially designed for use directly for road making, road cleaning or fire fighting, but not including automobiles or ordinary motor trucks;

Fuel for lighting or heating, but not including fuel when for use in internal combustion engines; crude oil to be used in the production of fuel;

Natural gas and gas manufactured from coal, calcium carbide or oil for illuminating or heating purposes;

Tires and tubes for use exclusively on the machinery enumerated in *Customs Tariff* item 411a;

GOODS ENUMERATED IN CUSTOMS TARIFF ITEMS

173, 209b, 352a, 364, 406, 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, and complete parts thereof, 409j, 409k, 409q, 409t, 409u, 409v, 411a, 436, 437, 439c, 440k, 460, 476, 476a, 476b, 478, 480, 480a, 663b, 666, 667, 682, 690a, 692, 692b, 693, 695a, 695b, 695c, 696, 696a, 697, 698, 699, 700, 701, 702, 703, 704, 708, 708b, 786, 848;

Articles and materials that enter into the cost of manufacture of the goods enumerated in tariff items 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409k, 409o and 439c, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in the foregoing tariff items, under regulations prescribed by the Minister;

Articles and materials to be used exclusively in the manufacture of goods enumerated in *Customs Tariff* items 173, 406, 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409q, 409t, 409u, 409v, 410b, 411, 411a, 411b, 439c, 440k, 476, 476a, 480, 480a, 663, 663a, 663b, 666, 667, 696, 848;

Materials, not including plant equipment consumed in process of manufacture or production, that enter directly into the cost of goods enumerated in *Customs Tariff* items 406, 409, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409h, 409i, 409j, 409k, 409q, 410b, 411, 411a, 411b, 439c, 440k, 476, 476a, 480, 480a, 663, 663a, 666, 667, 696.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 451.

An Act to amend The Canada-United States of America Tax Convention Act, 1943.

First reading, August 8, 1956.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

77686

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA

BILL 451.

An Act to amend The Canada-United States of America Tax Convention Act, 1943.

1943-44, c. 21; 1944-45, c. 31; 1951 (Second Session), c. 5.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Convention approved.

1. The Convention entered into between Canada and the United States of America, set out in the Schedule, is approved and declared to have the force of law in Canada, and shall be deemed to be included in and to form part of the Convention and Protocol set out in the Schedule to *The Canada-United States of America Tax Convention Act, 1943*.

Coming into force.

2. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

SCHEDULE

CONVENTION BETWEEN CANADA AND THE UNITED STATES OF AMERICA FURTHER MODIFYING AND SUPPLEMENTING THE CONVENTION AND ACCOMPANYING PROTOCOL OF MARCH 4, 1942, FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION IN THE CASE OF INCOME TAXES, AS MODIFIED BY THE SUPPLEMENTARY CONVENTION OF JUNE 12, 1950.

The Government of Canada and the Government of the United States of America, being desirous of further modifying and supplementing in certain respects the Convention and accompanying Protocol for the avoidance of double taxation and the prevention of fiscal evasion in the case of income taxes signed at Washington on March 4, 1942, as modified by the Supplementary Convention of June 12, 1950, have decided to conclude a Supplementary Convention for that purpose and have appointed as their respective Plenipotentiaries:

The Government of Canada:

Walter E. Harris, Minister of Finance in the Government of Canada

The Government of the United States of America:

Livingston T. Merchant, Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

who, having communicated to one another their respective full powers, found in good and due form, have agreed as follows:

ARTICLE 1.

The provisions of the Convention and Protocol between Canada and the United States of America, signed at Washington on March 4, 1942, as modified by the Supplementary Convention of June 12, 1950, are hereby further modified and supplemented as follows:

(a) By inserting as the second paragraph of Article V, the following new paragraph:

"An enterprise of one of the contracting States engaged in the operation of motor vehicles, as a common carrier or as a contract carrier, shall be exempt from tax by the other contracting State in respect of income (if taxed by the former State in respect of such income) arising from the transportation of property for hire between points in one State and points in the other State."

(b) By amending Article VII to read as follows:

"1. A resident of Canada shall be exempt from United States tax upon compensation for personal (including professional) services performed during the taxable year within the United States of America if he is present therein for a period or periods not exceeding a total of 183 days during the taxable year and either of the following conditions is met—

(a) his compensation is received for such personal services performed as an officer or employee of a resident, or corporation or other entity of Canada or of a permanent establishment in Canada of a United States enterprise, or

(b) his compensation received for such personal services does not exceed $5,000.

"2. The provisions of paragraph 1 of this article shall apply, *mutatis mutandis*, to a resident of the United States with respect to compensation for such personal services performed in Canada."

(c) By amending Article XI as follows:

(A) By inserting in paragraph 1 immediately after "in respect of income" the words and symbols "(other than earned income)".

(B) By adding the following new paragraph:
5. To ensure that the benefit of the reduced rate of income tax provided for by this article is limited to persons entitled thereto each contracting State may make regulations requiring the withholding in such State of an additional amount from income derived from sources in the other contracting State.

(d) By striking out paragraph 2 of Article XI, and paragraph 6 of the Protocol as added by the Convention of June 12, 1950, redesignating paragraphs 7, 8, 9, 10, 11 and 12 thereof as paragraphs 6, 7, 8, 9, 10, and 11 respectively, and inserting in lieu of paragraph 2 of Article XI the following:

"2. Notwithstanding the provisions of paragraph 1 of this article, income tax in excess of 5 percent shall not be imposed by one of the contracting States in respect of dividends paid by a corporation organized under the laws of such State, or of a political subdivision thereof, to a corporation organized under the laws of the other contracting State, or of a political subdivision thereof; if,

(a) during the whole of the taxable year of the payor corporation at least 51 percent of the voting stock of such corporation was beneficially owned by the recipient corporation either alone or in association with not more than three other corporations of such other State, but each such recipient corporation must own at least 10 percent of the voting stock of the payor corporation; and

(b) not more than one-fourth of the gross income of the payor corporation (other than a corporation the chief business of which is the making of loans) is derived from interest and dividends other than interest and dividends received from its subsidiary corporations.

This paragraph shall not apply if the competent authority in the State imposing the tax is satisfied that the corporate relationship between the corporations has been arranged or is maintained primarily with the intention of taking advantage of this paragraph.

(e) By adding immediately after Article XIII C the following new article:

ARTICLE XIII D.

1. In the computation of taxable income for any taxable year under the revenue laws of the United States, there shall be allowed as a deduction contributions to any organization created or organized under the laws of Canada (and constituting a charitable organization for the purpose of the income tax laws of Canada) if and to the extent such contributions would have been deductible as a charitable contribution had such organization been created or organized under the laws of the United States: Provided, however, that such deduction shall not exceed an amount determined by applying to the taxpayer's taxable income (in the case of a corporation) or adjusted gross income (in the case of an individual) from sources in Canada the same percentage as is applied by Canada to income in determining the limitation of the deduction for gifts or contributions to charitable organizations of Canada.

2. In the computation of taxable income for any taxation year under the income tax laws of Canada, there shall be allowed as a deduction gifts to any organization created or oganized under the laws of the United States (and constituting a charitable contribution for the purposes of the income tax laws of the United States) if and to the extent such gifts would have been allowable had such organization been a Canadian charitable organization: Provided, however, that such deduction shall not exceed an amount determined by applying to the taxpayer's income from sources in the United States upon which he is subject to tax in Canada the same percentage as is applied by Canada to income in determining the limitation of the deduction for such gifts.

(f) By adding immediately after Article XIII D, as added by this Supplemental Convention, the following new article:

ARTICLE XIII E

A resident of one of the contracting States who is a beneficiary of an estate or trust of the other contracting State shall be exempt from tax by such other State with respect to that portion of any amount paid, credited, or required to be distributed by such estate or trust to such beneficiary out of income from sources without such other State.

(g) By amending Article XX 2 as follows:

(A) By striking out clauses *(b)* and *(c)* thereof;

(B) By striking out the designation *(d)* in clause *(d)* and inserting in lieu thereof "*(b)*"; and

(C) By striking out in clause *(b)* as so redesignated, "Income War Tax Act" and inserting in lieu thereof "Income Tax Act".

ARTICLE II

1. The present Supplementary Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

2. The present Supplementary Convention shall become effective with respect to taxable years beginning on and after the first day of January of the calendar year in which occurs the exchange of the instruments of ratification. It shall continue effective indefinitely as though it were an integral part of the Convention of March 4, 1942, as modified and supplemented by the Convention of June 12, 1950.

IN WITNESS WHEREOF the above-named Plenipotentiaries have signed the present Convention and have affixed thereto their respective seals.

Done, in duplicate, at Ottawa this 8th day of August, 1956.

For the Governement of Canada:
Walter E. Harris.

For the Government of the United States of America,
Livingston T. Merchant.

(SEAL)

(SEAL)

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 452.

An Act to implement an Agreement between Canada and the Federal Republic of Germany for the avoidance of Double Taxation with respect to Income Tax.

First reading, August 8, 1956.

THE MINISTER OF NATIONAL REVENUE.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

77682

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 452.

An Act to implement an Agreement between Canada and the Federal Republic of Germany for the avoidance of Double Taxation with respect to Income Tax.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title.

1. This Act may be cited as the *Canada-Germany Income Tax Agreement Act, 1956*.

Agreement approved.

2. The Agreement entered into between Canada and the Federal Republic of Germany, set out in the Schedule, is approved and declared to have the force of law in Canada.

Inconsistent laws.

3. In the event of any inconsistency between the provisions of this Act, or the Agreement, and the operation of any other law, the provisions of this Act and the Agreement prevail to the extent of the inconsistency.

Orders and regulations.

4. The Minister of National Revenue may make such orders and regulations as are, in his opinion, necessary for the purpose of carrying out the Agreement or for giving effect to any of the provisions thereof.

Commencement and duration.

5. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council, and shall continue in force until a day to be fixed by proclamation of the Governor in Council following the termination of the Agreement, and no longer.

SCHEDULE.

Convention Between Canada and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income.

Canada and the Federal Republic of Germany, desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, have agreed as follows:

Article I.

(1) The taxes which are the subject of this Convention are:

(a) in Canada:
income taxes, including surtaxes and the old age security tax on income which are imposed by the Government of Canada (hereinafter referred to as "Canadian tax");

(b) in the Federal Republic:
the Einkommensteuer (income tax),
the Koerperschaftsteuer (corporation tax),
the Notopfer Berlin (Berlin emergency aid tax),
(hereinafter referred to as "Federal Republic tax");

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed in the Federal Republic or Canada subsequently to the date of signature of this Convention.

Article II.

(1) In this Convention, unless the context otherwise requires:

(a) The terms "one of the territories" and "the other territory" mean the Federal Republic of Germany or Canada, as the context requires; the territory of the Federal Republic of Germany means the territory in which the Basic Law for the Federal Republic of Germany is in force;

(b) The term "tax" means Federal Republic tax or Canadian tax, as the context requires;

(c) The term "person" includes natural persons and companies;

(d) The term "company" means any body corporate and any entity which is treated as a body corporate for tax purposes;

(e) The terms "resident of the Federal Republic" and "resident of Canada" mean respectively any person who is resident in the Federal Republic for the purposes of Federal Republic tax and not resident in Canada for the purposes of Canadian tax and any person who is resident in Canada for purposes of Canadian tax, and not resident in the Federal Republic for the purposes of Federal Republic tax; a company shall be regarded as resident in the Federal Republic if

(i) its business is managed and controlled in the Federal Republic, or

(ii) it is incorporated in the Federal Republic and not managed and controlled in Canada.

A company shall be regarded as resident in Canada if its business is managed and controlled in Canada.

(f) The terms "Federal Republic enterprise" and "Canadian enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident of the Federal Republic and an industrial or commercial enterprise or undertaking carried on by a resident of Canada; and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a Federal Republic enterprise or a Canadian enterprise, as the context requires;

(g) (aa) The term "permanent establishment" when used with respect to an enterprise of one of the territories means a branch, office, factory, workshop, warehouse, mine, stone quarry or other place of exploitation of the ground or soil, permanent sales exhibition or other fixed place of business;

(bb) An enterprise of one of the territories shall be deemed to have a permanent establishment in the other territory if it carries on in that other territory a construction or assembly project or the like, the duration of which exceeds or will likely exceed twelve months, notwithstanding the fact that it has no fixed place of business in such other territory within the meaning of sub-paragraph *(aa)*.

(cc) Except as provided in sub-paragraph *(dd)* a permanent establishment is not constituted by the use of mere storage facilities,

or

the maintenance of a stock of merchandise—whether in a warehouse or not—merely for convenience of delivery and not for purposes of display;

(dd) An enterprise of one of the territories shall be deemed to have a permanent establishment in the other territory if in that other territory;

(i) it has an agent or employee who has and habitually exercises general authority to negotiate and conclude contracts on behalf of the enterprise; or

(ii) it has an agent or employee who has a stock of merchandise from which he regularly fills orders on behalf of the enterprise.

An enterprise of one of the territories shall not be deemed to have a permanent establishment merely because it carries on business dealings in the other territory through a bona fide broker, general commission agent or other independent agent acting in the ordinary course of his business as such;

(ee) The fact that an enterprise of one of the territories maintains in the other territory a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute that fixed place of business a permanent establishment of the enterprise;

(ff) The fact that a company which is a resident of one of the territories has a subsidiary company which is a resident of the other territory or which carries on a trade or business in that other territory (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary company a permanent establishment of its parent company.

(h) The term "competent authorities" means in the case of Canada, the Minister of National Revenue or his authorised representative, in the case of the Federal Republic the Federal Minister of Finance.

(2) In the application of the provisions of this Convention by one of the contracting States any term not otherwise defined in this Convention shall, unless the context otherwise requires, have the meaning which it has under the laws in force in the territory of that State relating to the taxes which are the subject of this Convention.

Article III.

(1) The industrial or commercial profits of an enterprise of one of the territories shall not be subject to tax in the other territory unless the enterprise carries on a trade or business in the other territory through a permanent establishment situated therein. If it carries on a trade or business in that other territory through a permanent establishment situated therein, tax may be imposed on those profits in the other territory but only on so much of them as is attributable to that permanent establishment.

(2) The share of the industrial or commercial profits of an undertaking accruing to a partner therein who is a resident of one of the territories shall likewise not be subject to tax in the other territory unless the undertaking carries on a trade or business in that other territory through a permanent establishment situated therein. If it carries on

a trade or business in that other territory through a permanent establishment situated therein tax may be imposed in the other territory on the share of the profits accruing to that partner, but only on so much as represents his share of the profits attributable to the permanent establishment.

(3) Where an enterprise of one of the territories carries on a trade or business in the other territory through a permanent establishment situated therein, there shall be attributed to that permanent establishment the industrial or commercial profits which it might be expected to derive in that other territory if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

(4) In determining industrial or commercial profits of a permanent establishment there shall be allowed as deductions all expenses reasonably allocable to the permanent establishment, including executive and general administrative expenses so allocable.

(5) Paragraphs (1) and (2) shall not be construed as preventing one of the contracting States from imposing pursuant to this Convention a tax on income (e.g. dividends interest, rents or royalties) derived from sources within its territory by a resident of the other territory if such income is not attributable to a permanent establishment in the first-mentioned territory.

(6) The competent authorities of the two contracting States may lay down rules by agreement for the apportionment of industrial or commercial profits.

Article IV.

Where

(a) the person carrying on an enterprise of one of the territories participates directly or indirectly in the management, control or capital of an enterprise of the other territory, or

(b) the same person participates directly or indirectly in the management, control or capital of an enterprise of one of the territories and an enterprise of the other territory,

and, in either case, conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises, then any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued may be included in the profits of that enterprise and taxed accordingly.

Article V.

(1) Profits accruing to a resident of one of the territories from an enterprise which is managed and controlled in that territory and derives such profits from operating ships or aircraft, whether owned or chartered by the enterprise, shall be exempt from tax in the other territory.

(2) Paragraph (1) shall klikewise apply in respect of participations in pools of any kind by enterprises engaged in air-transport.

Article VI.

(1) The rate of tax on dividends paid to a company which is a resident of one of the territories by a company resident in the other territory more than 25% of the voting shares of which are owned by the former company shall not exceed 15% in the other territory.

(2) Where a company which is a resident of one of the territories derives profits or income from sources within the other territory there shall not be imposed in that other territory:—

(i) any form of taxation on dividends paid by the company to a person not resident in that other territory unless such dividend is attributable to a permanent establishment maintained in that other territory by a person not resident in that territory or

(ii) any tax in the nature of an undistributed profits tax on undistributed profits of the company.

(3) In this Agreement the term "dividends" includes profits distributed to persons participating in a *Gesellschaft mit beschraenkter Haftung.*

(4) Paragraph (1) shall not apply where a resident of one of the territories has a permanent establishment in the other territory and such dividends are attributable to that permanent establishment; in such event article III of this Convention shall be applicable.

Article VII.

(1) The rate of tax on interest on bonds, securities, notes, debentures or on any other form of indebtedness (exclusive of interest on debts secured by mortgages on real estate and interest on convertible bonds and income bonds) derived from sources within one of the territories by a resident of the other territory shall not exceed 15% in the first mentioned territory.

(2) Paragraph (1) shall not apply where a resident of one of the territories has a permanent establishment in the other territory and such interest is attributable to that permanent establishment; in such event Article III of this Convention shall be applicable.

Article VIII.

(1) Copyright royalties and other like payments made in respect of the production or reproduction of any literary, dramatic, musical or artistic work (excluding royalties and like payments in respect of motion picture films and films for use in connection with television) and derived from sources within one of the territories by a resident of the other territory shall be exempt from tax in that first-mentioned territory.

(2) The rate of tax on royalties and other payments derived as consideration for the right to use patents, designs, plans, secret processes and formulai, trade marks and other like property and rights derived from sources within one of the territories by a resident of the other territory shall not exceed 15% in the first mentioned territory.

(3) The rate of tax on royalties and like payments in respect of motion picture films and films for use in connection with television derived from sources within one of the territories by a resident of the other territory shall not exceed 10% in the first mentioned territory.

(4) Where any royalty exceeds a fair and reasonable consideration in respect of the rights for which it is paid, the exemption provided by this Article shall apply only to so much of the royalties as represents such fair and reasonable consideration.

(5) Paragraphs (1) (2) and (3) shall not apply where a resident of one of the territories has a permanent establishment in the other territory and such items of income as are dealt with in these paragraphs are attributable to that permanent establishment; in such event Article III of this Convention shall be applicable.

Article IX.

(1) Except as provided in Article XIII a resident of one of the territories shall be exempt in the other territory from any tax on gains from the sale, transfer or exchange of capital assets.

(2) Paragraph (1) shall not apply where a resident of one of the territories has a permanent establishment in the other territory and such gains are attributable to that permanent establishment; in such event Article III of this Convention shall be applicable.

(3) Paragraph (1) shall not apply to the profits from the sale of shares in a company of the Federal Republic in which the vendor had a substantial interest.

Article X.

(1) Remuneration (other than pensions) paid out of public funds of one of the contracting states or political sub-divisions thereof to any individual for services to that State or political sub-division thereof shall be exempt from tax in the territory of the other State if the individual is a citizen of the first-mentioned State.

(2) The provisions of this Article shall not apply to payments in respect of services in connection with any trade or business carried on by either of the contracting states or political sub-divisions thereof for purposes of profit.

Article XI.

(1) Profits or remuneration from a profession (including services as a director) or employment earned by an individual who is a resident of one of the territories may also be taxed in the other territory but only if the activities are performed in the latter territory.

(2) An individual resident of the Federal Republic shall be exempt from Canadian tax upon the profits or remuneration referred to in paragraph (1) if he is temporarily present in Canada for a period or periods not exceeding a total of 183 days during the taxable year and either of the following conditions is met:

(a) his compensation is received for activities performed for or on behalf of a resident of the Federal Republic and such compensation is borne by such resident, or

(b) his compensation received for such activities does not exceed $3,000 gross.

(3) The provisions of paragraph (2) of this Article shall apply, mutadis mutandis, to an individual resident of Canada with respect to compensation for activities performed in the Federal Republic.

(4) The provisions of paragraphs (2) and (3) shall not apply to compensate of public entertainers such as theatre, motion picture, radio or variety artists, musicians or athletes.

Article XII.

(1) Any pension (other than pension paid out of public funds of one of the states or political subdivision thereof) and any annuity, derived from sources within one of the territories by an individual who is a resident of the other territory shall be exempt from tax in the first-mentioned territory.

(2) The term "pension", as used in this Article, means periodic payments made in consideration for services rendered or by way of compensation for injuries received.

(3) The term "annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

Article XIII.

(1) Income from immovable property (including gains derived from the sale or exchange of such property) may be subjected to tax in the territory in which the property is situated. Interest on debts secured by mortgages on real estate and royalties or other amounts paid in respect of the operation of a mine, stone quarry or any other extraction of natural resources shall be regarded as income derived from immovable property.

(2) Paragraph (1) shall not apply where a resident of one of the territories has a permanent establishment in the other territory and such income is attributable to that permanent establishment; in such event Article III of this Convention shall be applicable.

Article XIV.

A professor or teacher from one of the territories, who receives remuneration for teaching, during a period of temporary residence not exceeding two years, at a university, college, school or other educational institution in the other territory, shall be exempt from tax in that other territory in respect of that remuneration.

Article XV.

A student or business apprentice (including, in the Federal Republic, a Volonteer or a Praktikant) from one of the territories, who is receiving full-time education or training in the other territory, shall be exempt from tax in that other territory on payments made to him by persons in the first-mentioned territory for the purposes of his maintenance, education or training.

Article XVI.

(1) Except in the case of a Non-resident-owned Investment Corporation Canada agrees to allow as a deduction from Canadian tax on any income derived from sources within the Federal Republic

that is subject to tax in Canada the amount of Federal Republic tax payable in respect of that income. The amount of the deduction shall not exceed the proportion of the Canadian tax that the income from sources within the Federal Republic that is subject to Federal Republic tax bears to the total income subject to Canadian tax.

(2) In determining its taxes specified in Article I of this Convention the Federal Republic, when dealing with the question of residents of the Federal Republic, shall exclude from the basis upon which its taxes are imposed all income from sources within Canada which, according to Canadian law, and according to this Convention, are not exempt from Canadian tax. The Federal Republic, however, reserves the right to take into account in the determination of its rate of taxation the income excluded in accordance with the provisions of this paragraph. Sentences 1 and 2 shall not apply to income from dividends with the exception of dividends specified in Article VI, Para. (1) and also not for incomes within the meaning of Article VII, Para. (1) and Article VIII, Paras. (2) and (3); the Canadian tax collected on this income shall, however, on application, be allowed as a credit against the Federal Republic tax payable in respect of these incomes computed on the basis of an average rate of taxation.

(3) For the purposes of this Article, profits or remuneration from a profession (including services as a director) or employment performed in one of the territories shall be deemed to be income from sources within that territory, and the services of an individual whose services are wholly or mainly performed in ships or aircraft operated by an enterprise managed and controlled in one of the territories shall be deemed to be performed in that territory.

Article XVII.

(1) The competent authorities of the contracting States shall upon request exchange such information (being information available under the respective taxation laws of the contracting States) as is necessary for carrying out the provisions of this Convention or for the prevention of fraud or the like in relation to the taxes which are the subject of this Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those concerned with the assessment and collection of the taxes which are the subject of this Convention. No information shall be exchanged which would disclose any trade, business, industrial or professional secret or any trade process.

(2) In no case shall the provisions of this Article be construed so as to impose upon either of the contracting States the obligation to carry out administrative measures at variance with the regulations and practice of either contracting State or which would be contrary to its sovereignty, security or public policy or to supply particulars which are not procurable under its own legislation or that of the State making application.

Article XVIII.

(1) Where a resident of one of the territories shows proof that the action of the tax authorities of the contracting States has resulted or will result in double taxation contrary to the provisions of this Convention, he shall be entitled to present his case to the State of which he is a resident. Should this claim be deemed worthy of consideration, the competent authority of the State to which the claim is made shall endeavour to come to an agreement with the competent authority of the other State with a view to avoidance of double taxation.

(2) For the settlement of difficulties or doubts in the interpretation or application of this Convention or in respect of its relation to Conventions of the contracting States with third States the competent authorities of the contracting States shall reach a mutual agreement as quickly as possible.

Article XIX.

(1) The provisions of this Convention shall not be construed to deny or affect in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to such officers.

(2) The provisions of this Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance now or hereafter accorded, by the laws of one of the contracting States in the determination of the tax imposed by such State, or by any other Convention between the contracting States.

(3) The citizens of one of the contracting States shall not, while residents in the other contracting State, be subject therein to other or more burdensome taxes than are the citizens of such other contracting State, which are residents in its territory. The term "citizens" includes all juridical persons, partnerships and associations created or organized under the laws in force in the respective contracting States.

Article XX.

(1) The competent authorities of the two contracting States may prescribe regulations necessary to carry into effect this Convention within the respective States.

(2) The competent authorities of the two contracting States may communicate with each other directly for the purpose of giving effect to the provisions of this Convention.

ARTICLE XXI.

(1) This Convention shall apply to Land Berlin provided that the Government of the Federal Republic of Germany has not delivered a contrary declaration to the Government of Canada within three months from the date of entry into force of the Convention.

(2) Upon the application of this Convention to Land Berlin, references in the Convention to the Federal Republic shall be deemed also to be references to Land Berlin.

ARTICLE XXII.

(1) This Convention shall be ratified and the instruments of ratification shall be exchanged as soon as possible in Bonn.

(2) This Convention shall come into force after the expiration of a month following the date on which the instruments of ratification are exchanged and shall thereupon have effect—

(a) in respect of Canadian tax, for the taxation years beginning on or after the 1st day of January 1954

(b) in respect of the Federal Republic tax, for taxes, which are levied for the calendar year 1954 and for the subsequent calendar years.

ARTICLE XXIII.

(1) This Convention shall continue in effect indefinitely but either of the contracting States may on or before the 30th day of June in any calendar year after 1958 give to the other contracting State notice of termination, and in such event this Convention shall cease to be effective—

(a) in respect of Canadian tax, for the taxation years beginning on or after the 1st day of January in the calendar year next following that in which notice of termination is given;

(b) in respect of the Federal Republic tax, for taxes which are levied for the calendar years following the year in which the notice of termination is given.

(2) The limitation of the rate of taxation to 15% or 10% provided for by Article VI, Para. (1), Article VII, Para. (1) and Article VIII, Paras. (2) and (3) and the provisions of Article XVI, Para. (2), may be terminated by either of the contracting States by giving written notice of termination to the other State through diplomatic channels on or

before the 30th day of June of any year after this Convention has been in force for three years. In such an event this limitation and the provisions of Article XVI, Para. (2) concerning credits shall cease to be effective as of the 1st day of January of the year following that in which such notice is given.

In witness whereof the undersigned duly authorised thereto have signed this Convention.

Done in duplicate at Ottawa on June 4th 1956 in the English and German languages, both texts being equally authoritative.

For Canada,

W. E. Harris.

For the Federal Republic of Germany,

Werner Dankwort.

Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 453.

Appropriation Bill
No 1st Reading

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

AS PASSED BY THE HOUSE OF COMMONS, 14th AUGUST, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1956

69290

3rd Session, 22nd Parliament, 4-5 Elizabeth II, 1956.

THE HOUSE OF COMMONS OF CANADA.

BILL 453.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1957.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable Vincent Massey, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1957, and for other purposes connected with the Public Service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 6, 1956.*

$1,846,970,570.64 Main Estimates granted for 1956-57.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole one billion, eight hundred and forty-six million, nine hundred and seventy thousand, five hundred and seventy dollars and sixty-four cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being the total of the amounts of the items set forth in Schedule A to this Act, less the amounts voted on account of the said items by the *Appropriation Act, No. 1, 1956*, the *Appropriation Act, No. 3, 1956*, the *Appropriation Act, No. 4, 1956*, and the *Appropriation Act, No. 5, 1956.*

$85,181,549.25. Supplementary Estimates granted for 1956-57.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eighty-five million, one hundred and eighty-one thousand, five hundred and forty-nine dollars and twenty-five cents, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1956, to the 31st day of March, 1957, not otherwise provided for, and being the total of the amounts of the items set forth in Schedule B to this Act, less the amounts voted on account of the said items by the *Appropriation Act, No. 3, 1956*, the *Appropriation Act, No. 4, 1956*, and the *Appropriation Act, No. 5, 1956*.

Power to raise loan of $1,000,000,000 for public works and general purposes. R.S., c. 116.

4. The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the provisions of the *Financial Administration Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not to exceed in the whole, the sum of one billion dollars, as may be required for public works and general purposes.

Account to be rendered R.S., c. 116.

5. Sums expended under the authority of this Act shall be accounted for in the Public Accounts in conformity with section 64 of the *Financial Administration Act*.

SCHEDULE A

Based on the Main Estimates, 1956-57. The amount hereby granted is $1,846,970,570.64 being the total of the amounts of the items in the Estimates (less reduction of $2,000,000 in Resolution No. 386 which has been withdrawn and $50,000 in Resolution No. 289) as contained in this Schedule, less the amounts voted on account of the said items by the *Appropriation Act, No. 1, 1956*, the *Appropriation Act, No. 3, 1956*, the *Appropriation Act, No. 4, 1956*, and the *Appropriation Act, No. 5, 1956*.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1957, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	ADMINISTRATION SERVICE		
1	Departmental Administration (including Advisory Committee on Agricultural Services)	670,015	
2	Information Service	480,427	
3	Contributions to Commonwealth Agricultural Bureaux in a total amount of £34,928, notwithstanding that payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1955, which is	97,799	
	SCIENCE SERVICE		
	Science Service Administration—		
4	Operation and Maintenance, including an amount of $134,025 for grants in aid of agricultural research in universities and other scientific organizations in Canada	863,569	
5	Construction or Acquisition of Buildings, Works, Land and Equipment	2,100,000	
6	Bacteriology	242,748	
7	Botany and Plant Pathology	1,474,719	
8	Chemistry	754,679	
9	Entomology, including a grant of $40,000 to the International Congress of Entomology to assist in defraying the cost of the Tenth International Congress of Entomology to be held in Canada in 1956	2,210,475	
10	Forest Biology	2,167,733	
11	Plant Protection	839,688	
	EXPERIMENTAL FARMS SERVICE		
12	Experimental Farms Service Administration	211,122	
	Central Experimental Farm, including Research and Co-ordinating Divisions for the Experimental Farms Service—		
13	Operation and Maintenance, including a grant of $5,000 to the International Congress of Genetics to assist in defraying the costs of the Tenth International Congress of Genetics to be held in Canada in 1958	2,428,466	
14	Construction or Acquisition of Buildings, Works, Land and Equipment	306,000	
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
15	Operation and Maintenance	6,953,586	
16	Construction or Acquisition of Buildings, Works, Land and Equipment	2,122,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Continued*		
	PRODUCTION SERVICE		
17	Production Service Administration	78,515	
	Animal Pathology—		
18	Operation and Maintenance	715,074	
19	Construction or Acquisition of Buildings, Works, Land and Equipment	96,535	
	Health of Animals—		
20	Administration of Animal Contagious Diseases Act, and Meat and Canned Foods Act	5,698,838	
21	Compensation for animals slaughtered, including compensation for eggs destroyed from infected premises under terms and conditions approved by the Governor in Council	290,080	
22	Live Stock and Poultry	1,683,275	
23	To provide for Grants to Fairs and Exhibitions in accordance with Regulations of the Governor in Council; for payments pursuant to agreements in force on March 31, 1956, with Exhibition Associations covering the construction of buildings and other major undertakings; and for a Grant of $50,000 to the Royal Agricultural Winter Fair, Toronto, and Freight Assistance on Livestock Shipments for exhibition thereat	926,500	
24	Grants to Agricultural Organizations, as detailed in the Estimates	234,400	
25	Plant Products—Seeds, Feeds, Fertilizers, Insecticides and Fungicides Control	1,484,618	
	MARKETING SERVICE		
26	Marketing Service Administration	365,828	
27	Subsidies for Cold Storage Warehouses under the Cold Storage Act, in the amounts detailed in the Estimates	92,374	
28	Agricultural Economics	637,362	
29	Dairy Products	798,723	
30	To provide for grants and other assistance in accordance with the Cheese and Cheese Factory Improvement Act	1,050,000	
31	Fruit, Vegetables and Maple Products, and Honey	1,442,226	
32	Live Stock Products, Stockyard Supervision and Furs	769,648	
33	Poultry Products	765,680	
34	Marketing of Agricultural Products, including temporary appointments that may be required to be made notwithstanding the Civil Service Act, the amount available for such appointments not to exceed $6,000	100,000	
	TERMINABLE SERVICES		
35	Freight Assistance on Western Feed Grains	15,500,000	
36	Agricultural Lime Assistance	500,000	
37	To provide for Quality Premiums on High Grade Hog Carcasses and Administration Costs	5,700,000	
	SPECIAL		
38	For assistance in construction of potato warehouses under terms and conditions to be approved by the Governor in Council.	25,000	
39	Agricultural Products Board Administration	10,000	
40	To provide for Administrative Expenses, Agricultural Prices Support Act	89,650	
41	Prairie Farm Rehabilitation Act and Water Storage	4,142,965	
42	Major Irrigation and Reclamation Projects in the Prairie Provinces	7,050,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Concluded*		
	SPECIAL—*Concluded*		
43	Assiniboine River—Dyking and Cut-off	200,000	
44	Land Protection, Reclamation and Development in British Columbia under such terms and conditions as may be approved by the Governor in Council	70,036	
45	Land Protection and Reclamation; Clearing and Settlement of New Lands under such terms and conditions as may be approved by the Governor in Council	850,000	
46	Maritime Marshland Rehabilitation Act	1,920,601	
47	Prairie Farm Assistance Act Administration	502,137	
48	To provide for a grant to the Federated Women's Institutes of Canada	3,000	
			77,716,091
	ATOMIC ENERGY		
	ATOMIC ENERGY CONTROL BOARD		
49	Administration Expenses of the Atomic Energy Control Board	41,160	
50	Grants for Researches and Investigations with respect to Atomic Energy	300,000	
	ATOMIC ENERGY OF CANADA LIMITED (RESEARCH PROGRAM)		
51	Current Operation and Maintenance, including expendable research equipment	13,743,370	
52	Construction or Acquisition of Buildings, Works, Land and Equipment and to authorize Central Mortgage and Housing Corporation to undertake construction of works at Deep River for Atomic Energy of Canada Limited	8,713,685	
			22,798,215
	AUDITOR GENERAL'S OFFICE		
53	Salaries and Expenses of Office		682,450
	CANADIAN BROADCASTING CORPORATION		
	CANADIAN BROADCASTING CORPORATION		
54	To provide for the requirements of the Sound Broadcasting Service (to amount formerly authorized by Chap. 32, R.S.)	6,250,000	
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
55	Maintenance and Operation including authority to credit to the Appropriation revenue from the rental of facilities in Radio-Canada Building and at Sackville, N.B., to an amount of $315,000 and to re-expend these moneys for the purposes of the International Service	1,688,925	
56	Construction or Acquisition of Buildings, Works, Land and Equipment, including Supervision	228,900	
			8,167,825
	OFFICE OF THE CHIEF ELECTORAL OFFICER		
57	Salaries and Expenses of Office		68,645

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION		
	A—Department		
58	Departmental Administration	500,150	
	Citizenship		
59	Citizenship Registration Branch	398,265	
60	Citizenship Branch	761,200	
	Miscellaneous Grants		
61	Canadian General Council of the Boy Scouts Association	15,000	
62	Canadian Council of the Girl Guides Association	12,000	
63	Boys' Clubs of Canada	10,000	
64	Canadian Writers' Foundation	6,000	
	Immigration Branch		
65	Administration of the Immigration Act	950,650	
66	Field and Inspectional Service, Canada, including $10,000 for Grants to Immigrant Welfare Organizations	5,763,851	
67	Field and Inspectional Service, Abroad	1,800,831	
68	To provide, subject to the approval of Treasury Board, for Trans-Oceanic and Inland Transportation Assistance for Immigrants, including care en route and while awaiting employment	450,000	
	Indian Affairs Branch		
69	Administration	484,147	
	Indian Agencies—		
70	Operation and Maintenance	2,609,236	
71	Construction or Acquisition of Buildings, Works, Land and Equipment	591,776	
	Reserves and Trusts—		
72	Operation and Maintenance	291,294	
	Welfare of Indians—		
73	Operation and Maintenance	2,638,947	
74	Construction or Acquisition of Buildings, Works, Land and Equipment	1,153,753	
75	Grants to Agricultural Exhibitions and Indian Fairs	7,750	
76	Fur Conservation	330,095	
	Education—		
77	Administration, Operation and Maintenance	9,678,096	
78	Construction or Acquisition of Buildings, Works, Land and Equipment	4,441,000	
79	Grant to provide Additional Services to Indians of British Columbia	100,000	
	B—National Gallery of Canada		
80	Administration, Operation and Maintenance, including Industrial Design Division	328,910	
81	Payment to the National Gallery Purchase Account for the purpose of acquiring works of art in conformity with Section 8 of the National Gallery Act	130,000	
82	To provide for the construction of a Permanent Canadian Pavilion at the Venice International Biennale of Art from currencies owned by Canada and available only for governmental or other limited purposes in Italy	25,000	
83	Grant to Royal Canadian Academy of Arts	4,025	
			33,481,976

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CIVIL SERVICE COMMISSION		
84	Salaries and Contingencies of the Commission		2,599,117
	DEFENCE PRODUCTION		
	A—Department		
85	Departmental Administration and payments to Canadian Commercial Corporation and other corporate agencies for services provided in connection with defence purchasing and production	6,145,727	
86	Care, Maintenance and Custody of Standby Defence Plants, Buildings, Machine Tools and Production Tooling	500,000	
87	To provide capital assistance for the construction, acquisition, extension or improvement of capital equipment or works by private contractors engaged in defence contracts, or by Crown Plants operated on a management-fee basis, or by Crown Companies under direction of the Minister of Defence Production, subject to approval of Treasury Board	7,500,000	
88	To provide for payment of grants to municipalities in lieu of taxes on Crown-owned defence plants operated by private contractors	227,900	
	B—Crown Companies		
89	To provide for expenses incurred by Defence Construction (1951) Limited in procuring the construction of defence projects on behalf of the Department of National Defence	3,700,000	
	Canadian Arsenals Limited—		
90	Administration and Operation	1	
91	Construction, Improvements and Equipment	3,929,000	
			22,002,628
	EXTERNAL AFFAIRS		
	A—Department and Missions Abroad		
92	Departmental Administration	4,379,430	
93	Passport Office Administration	275,251	
94	Representation Abroad—Operational—including authority, notwithstanding the Civil Service Act, for the appointment and fixing of salary rates of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff by the Governor in Council	7,210,961	
95	Representation Abroad—Construction, acquisition or improvement of buildings, works, land, equipment and furnishings, and to the extent that blocked funds are available for these expenditures, to provide for payment from these foreign currencies owned by Canada and provided only for governmental or other limited purposes	1,987,207	
96	To provide for official hospitality	30,000	
97	To provide for relief and repatriation of distressed Canadian citizens abroad and their dependents and for the reimbursement of the United Kingdom for relief expenditures incurred by its Diplomatic and Consular Posts on Canadian account (part recoverable)	15,000	
98	Canadian Representation at International Conferences	200,000	
99	Grant to the United Nations Association in Canada	11,000	
100	Grant to the International Committee of the Red Cross	15,000	
101	Grant to Atlantic Treaty Association of Canada	2,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Continued*		
	A—Department and Missions Abroad—*Concluded*		
102	To authorize and provide for the payment of fellowships and scholarships and travelling expenses to enable Canadians to study in France, The Netherlands and Italy, and to the extent that blocked funds are available for these expenditures, to provide for payment from these foreign currencies owned by Canada and provided only for governmental or other limited purposes, and for payment to the Royal Society of Canada of amounts not to exceed $10,000 in all to meet travelling and other administrative costs incurred by the Society for those it may designate to act on its behalf in selecting persons to receive fellowships and scholarships	125,000	
	B—General		
103	To provide for the Canadian Government's Assessment for Membership in International (including Commonwealth) Organizations, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1955, which is	2,977,569	
104	To provide for a further contribution by the Canadian Government towards the cost of constructing the North Atlantic Treaty Organization Permanent Headquarters in an amount of 57,800,000 French Francs, notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1955, which is	165,077	
105	To provide for the Canadian Government's Contribution to the United Nations Expanded Program for Technical Assistance to Under-Developed Countries in an amount of $1,800,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1955, which is	1,798,875	
106	Contribution to the United Nations Children's Fund	650,000	
	North Atlantic Treaty Organization		
107	To provide, subject to the approval of the Governor in Council and notwithstanding the Civil Service Act, for special administrative expenses, including payment of remuneration, in connection with the assignment by the Canadian Government of Canadians to the international staff of the North Atlantic Treaty Organization (part recoverable from the North Atlantic Treaty Organization)	35,484	
	International Civil Aviation Organization		
108	To provide the International Civil Aviation Organization with office accommodation at less than commercial rates	200,543	
	International Joint Commission		
109	Salaries and Expenses of the Commission including, subject to the approval of the Governor in Council and notwithstanding the International Boundary Waters Treaty Act, as amended, payment of salary of the Chairman of $17,000 per annum	100,745	
110	To provide for Canada's share of the expenses of studies, surveys and investigations of the International Joint Commission	199,180	

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SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	B—General—*Concluded*		
	Terminable Services		
111	Colombo Plan	34,400,000	
112	To provide for the Canadian Government's Assessment for Membership in the Inter-Governmental Committee for European Migration in an amount of $209,665 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1955, which is	209,534	
113	To provide for a grant by the Canadian Government to the United Nations Refugee Fund	125,000	
114	Contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East	500,000	
115	To provide for the cost of Canada's participation as a member of the International Commissions for Supervision and Control in Indo-China including authority, notwithstanding the Civil Service Act, for the appointment and fixing of salary rates of Commissioners, Secretaries and staff by the Governor in Council; and to ratify the appointments made by the Governor in Council to the said Commissions and the salaries relating thereto fixed by the Governor in Council prior to the current fiscal year	564,500	
			56,177,856
	FINANCE		
	General Administration		
116	Departmental Administration	2,035,230	
117	Comptroller of the Treasury—Central Office and Branch Offices Administration	15,270,774	
	Administration of Various Acts and Costs of Special Functions		
118	Superannuation and Retirement Acts, Administration	516,463	
119	The Bank Act—Salaries and expenses of the Inspector General of Banks' Office	31,980	
120	Administration of the Farm Improvement Loans Act, the Veterans' Business and Professional Loans Act, the Fisheries Improvement Loans Act and the Prairie Grain Producers' Interim Financing program	90,083	
	Tariff Board—		
121	Administration	91,015	
	Expenses of the Royal Canadian Mint—		
122	Administration, Operation and Maintenance	931,321	
123	Construction or Acquisition of Equipment	181,710	
	Payments to Municipalities		
124	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with the Municipal Grants Act, and the Rural Municipal Grants Regulations established by Order in Council of October 28, 1954, P.C. 1954-1621, and to provide for payments to municipalities under Order in Council of October 6, 1954, P.C. 1954-1497, in respect of the cost of medical and hospital services and supplies furnished to federal employees and other persons specified therein	7,065,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	CONTINGENCIES AND MISCELLANEOUS		
125	To provide, subject to the approval of the Treasury Board, for miscellaneous minor and unforeseen expenses including authority to re-use any sums repaid to this appropriation from other appropriations, and special compensation or other rewards for inventions or practical suggestions for improvements	1,500,000	
126	Cost of Telephone Service at Ottawa for all Departments	1,121,000	
127	Amount required to cover losses incurred on foreign exchange tendered in payment of accounts receivable	500	
	SPECIAL		
128	To provide for the expenses of the Royal Commission on Canada's Economic Prospects	225,500	
129	To provide for the expenses of the Royal Commission on television and radio broadcasting, including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board to officers, clerks or employees permanently employed in the Civil Service for services rendered by them to the Commission	150,000	
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
130	To provide, subject to the approval of the Treasury Board, for supplementing other votes for the payment of salaries, wages and other paylist charges	750,000	
131	To provide for the Government's contribution, as an Employer, to the Unemployment Insurance Fund in respect of Government Employees paid through the Central Pay Office	1,080,000	
	GRANTS TO UNIVERSITIES		
132	To provide grants to institutions of higher learning recognized in each province by the Government of Canada and the government of the province as being universities or institutions of equivalent standing equal to an amount, for each province, not exceeding 50 cents per head of its population as certified by the Dominion Bureau of Statistics divided among the recognized institutions of the province proportionately to their enrolment of full time intramural students in personal attendance at the recognized institution or at an institution in the same province affiliated with it who are registered in courses of university level recognized as leading to and counting year for year toward a university degree awarded by a university in Canada and the Minister of Finance may for this purpose more particularly define the terms "university level" and "university degree"	7,986,000	
	MISCELLANEOUS GRANTS		
133	Canadian Association of Consumers	10,000	
134	Institute of Public Administration of Canada	6,000	
			39,043,076

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES		
	GENERAL SERVICES		
135	Departmental Administration	301,000	
136	Information and Educational Service, including Grant of $3,000 to Nova Scotia Fisheries Exhibition	174,465	
137	Markets and Economics Service	253,450	
138	Industrial Development Service	590,000	
	FIELD SERVICES		
139	Field Services Administration	768,470	
	Protection Branch—		
140	Operation and Maintenance	3,288,650	
141	Construction or Acquisition of Buildings, Works, Land and Equipment	285,950	
	Inspection Branch—		
142	Operation and Maintenance	1,138,470	
143	Construction or Acquisition of Buildings, Works, Land and Equipment	31,615	
	Fish Culture and Development Branch—		
144	Operation and Maintenance	852,525	
145	Construction or Acquisition of Buildings, Works, Land and Equipment	183,800	
146	Consumer Branch	60,150	
147	Fishermen's Indemnity Plan—Administrative Expenses	206,240	
148	To provide for the destruction of Harbour and Gray Seals	35,000	
	FISHERIES RESEARCH BOARD OF CANADA		
149	Headquarters Administration	135,070	
150	Operation and Maintenance, including an amount of $59,500 for contributions towards Fisheries Research and for Scholarships	2,296,333	
151	Construction or Acquisition of Buildings, Works, Land and Equipment	688,805	
152	To provide for Federal share of administrative expenses of the Great Lakes Fisheries Research Committee established jointly with the Province of Ontario; and to provide for a programme designed to eliminate lampreys in the Great Lakes	485,000	
	INTERNATIONAL COMMISSIONS		
153	To provide for Canadian share of expenses of the International Fisheries Commission appointed under Treaty dated March 2, 1953, between Canada and the United States for the preservation of the North Pacific Halibut Fisheries	101,800	
154	To provide for Canadian share of expenses of the International Pacific Salmon Fisheries Commission appointed under Treaty dated May 26, 1930, between Canada and the United States for the protection, preservation and extension of the Sockeye Salmon Fisheries of the Fraser River System	176,950	
155	To provide for Canadian share of expenses of the International Whaling Commission, appointed pursuant to the International Convention for the Regulation of Whaling, dated at Washington, December 2, 1946	2,500	
156	To provide for Canadian share of expenses of the International Commission for the Northwest Atlantic Fisheries appointed pursuant to International Conventions for the investigation, protection and conservation of the fisheries of the Northwest Atlantic Ocean, dated at Washington, February 8, 1949	12,500	
157	To provide for Canadian share of expenses of the International North Pacific Fisheries Commission appointed pursuant to the International Convention for the High Seas Fisheries of the North Pacific Ocean, dated May 9, 1952	25,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES—*Concluded*		
	SPECIAL		
158	To provide for operation and maintenance of Newfoundland Bait Service	274,800	
159	To provide for the extension of educational work in co-operative producing and selling among fishermen	80,000	
160	To provide for administrative expenses of the Fisheries Prices Support Act	74,740	
161	To provide for assistance in the construction of vessels of the dragger and/or long liner type, subject to such terms and conditions as may be approved by the Governor in Council	200,000	
162	To provide for assistance in the construction of bait freezing and storage facilities, subject to the regulations established by the Governor in Council	30,000	
			12,753,283
	GOVERNOR GENERAL AND LIEUTENANT-GOVERNORS		
163	Office of the Secretary to the Governor General	183,480	
164	To authorize and provide for the reimbursement to the Lieutenant-Governors of the Provinces of Canada of the costs of travelling and hospitality incurred in the exercise of their duties up to a maximum per annum for each as follows: *(a)* where the population of the province at the last decennial census did not exceed 500,000, $5,000; *(b)* where the population of the province at the last decennial census exceeded 500,000, $5,000 plus $1,000 per each 100,000 or fraction of 100,000 of population over 500,000, but not exceeding $12,000 in any case	86,000	
			269,480
	INSURANCE		
165	Departmental Administration	.....	547,660
	JUSTICE		
	A—DEPARTMENT		
166	Departmental Administration including Annual Contribution of $200 to the Conference of Commissioners on Uniformity of Legislation in Canada	513,658	
167	Remission Service, including $30,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by the Treasury Board	186,585	
	Supreme Court of Canada—		
168	Administration	174,938	
	Exchequer Court of Canada—		
169	Administration	90,670	
	Northwest Territories Territorial Court—		
170	Administration, including Administration of Justice—Northwest Territories	81,260	
	Yukon Territorial Court—		
171	Administration, including Administration of Justice—Yukon Territory	79,020	
	Other Courts—		
172	Payments of Gratuities to the widows or other dependents of judges who die while in office	20,000	
	Combines Investigation Act—		
173	Restrictive Trade Practices Commission	82,330	
174	Office of Investigation and Research	441,993	
175	Bankruptcy Act Administration	46,290	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	JUSTICE—*Concluded*		
	B—PENITENTIARIES		
176	Administration of the Office of the Commissioner of Penitentiaries, including $50,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by the Treasury Board...	420,953	
177	Operation and Maintenance of Penitentiaries, including supplies and services relating thereto; administration, operation, repair and upkeep of buildings, works and equipment; maintenance, discharge and transfer of inmates; compensation to discharged inmates permanently disabled while in penitentiaries	9,527,468	
178	Construction, Improvements and Equipment	1,566,222	
			13,231,387
	LABOUR		
	A—DEPARTMENT		
	GENERAL ADMINISTRATION		
179	Departmental Administration	702,905	
180	To provide for expenses of the Economics and Research Branch.	547,762	
181	Annuities Act—Administration	1,071,447	
182	Fair Wages, Conciliation, Industrial Relations, Industrial Disputes Investigations, including the administration of legislation relating thereto, and for activities *re* promotion of co-operation in industry between Labour and Management	454,706	
183	Canada Labour Relations Board	5,875	
184	Administration of the Canada Fair Employment Practices Act..	10,500	
185	International Labour Conferences	67,720	
186	Labour Gazette, authorized by Labour Department Act	122,635	
187	To provide for expenses of the Women's Bureau	26,958	
188	To provide for payments to implement a program for the rehabilitation of disabled persons, in accordance with terms and conditions approved by the Governor in Council, and administrative expenses connected therewith	196,700	
189	To provide for expenditures incurred in connection with manpower utilization, labour-management relations and related programs as may be authorized by the Minister of Labour..	30,000	
	SPECIAL SERVICES		
190	To provide for expenses of the Special Services Branch including administrative costs connected with federal-provincial farm labour programs, the movement of workers from outside Canada and the program for combating seasonal unemployment	175,798	
191	To provide for the effective organization and use of agricultural manpower, including recruiting, transporting and placing workers on farms and related industries and assistance to the Provinces pursuant to agreements that may be entered into by the Minister of Labour with the Provinces and approved by the Governor in Council	250,000	
192	To provide for expenses incurred in arranging for and the movement of workers from outside Canada to work on farms and for other essential employment in Canada where Canadian labour is not available to meet the need including the costs connected with their reception, supervision and with the welfare of persons already immigrated to Canada and to provide for expenditures under agreements with the provinces authorized by the Governor in Council	298,477	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR—*Concluded*		
	A—DEPARTMENT—*Concluded*		
	VOCATIONAL TRAINING CO-ORDINATION		
193	Administration	80,745	
194	To provide for carrying out the purposes of the Vocational Training Co-ordination Act and agreements made thereunder; to authorize the Minister of Labour to enter into agreements with any province on terms approved by the Governor in Council to provide financial assistance to vocational schools, and training under youth training projects and to provide for the expenditures thereunder and under vocational training agreements entered into in previous years—		
	Payments to the Provinces	4,515,150	
	GOVERNMENT EMPLOYEES COMPENSATION		
195	Administration of the Government Employees Compensation Act	72,600	
	B—UNEMPLOYMENT INSURANCE COMMISSION		
196	Administration of the Unemployment Insurance Act, including expenditures incurred in connection with other duties and responsibilities assumed and carried out as required by the Governor in Council on the recommendation of the Minister of Labour in accordance with Section 4 of the Act	27,341,745	
197	To provide for the transfer of labour to and from places where employment is available and expenses incidental thereto, in accordance with regulations of the Governor in Council.	75,000	
			36,046,723
	LEGISLATION		
	THE SENATE		
	The Speaker of the Senate—		
198	Allowance in lieu of Residence	3,000	
199	General Administration (including share of the former Printing of Parliament)	533,523	
	HOUSE OF COMMONS		
	The Speaker of the House of Commons—		
200	Allowance in lieu of Residence	3,000	
	Deputy Speaker of the House of Commons—		
201	Allowance in lieu of Apartments	1,500	
202	General Administration—Estimates of the Clerk (including share of the former Printing of Parliament)	1,555,515	
203	Estimates of the Sergeant-at-Arms	715,836	
204	Subscriptions to Publications of the Commonwealth Parliamentary Association to be distributed to Members of the House of Commons, and to provide for the Canadian share of expenses of the Commonwealth Parliamentary Association	10,000	
205	To provide hereby, notwithstanding anything contained in The Financial Administration Act or the provisions of the Senate and House of Commons Act respecting the independence of Parliament, for the payment out of the Consolidated Revenue Fund to each member of the House of Commons appointed by the Governor in Council to be a Parliamentary Assistant (which appointment shall not render such Member ineligible or disqualify him as a Member of the House of Commons) to assist a Minister of the Crown in such manner and to such extent as the Minister may determine and to represent his Department in the House of Commons in the absence of the Minister therefrom, a salary of four thousand dollars per annum and pro rata for any period less than a year	56,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION—*Concluded*		
	HOUSE OF COMMONS—*Concluded*		
206	To provide for an allowance to the Deputy Chairman of Committees	2,000	
	LIBRARY OF PARLIAMENT		
207	General Administration	311,121	
	PENSIONS AND OTHER BENEFITS		
208	Pension to the unmarried sister of the late Colonel Harry Baker, M.P.	700	
			3,192,195
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
209	Departmental Administration	510,190	
	EXPLOSIVES ACT		
210	Explosives Act—Administration, Operation and Maintenance	107,865	
	SURVEYS AND MAPPING BRANCH		
211	Surveys and Mapping Branch Administration	57,242	
212	Geodetic Survey of Canada—Administration, Operation and Maintenance	567,786	
213	International Boundary Commission	58,060	
	Topographical Surveys, including expenses of the Canadian Board on Geographical Names—		
214	Administration, Operation and Maintenance	1,584,232	
215	Construction or Acquisition of Equipment	106,000	
	Canadian Hydrographic Service—		
216	Administration, Operation and Maintenance, including Canada's Annual Contribution of $4,200 to the International Hydrographic Bureau	3,017,362	
217	Construction or Acquisition of Buildings, Works, Land and Equipment	461,290	
218	Legal Surveys and Aeronautical Charts, including a Grant of $500 to the Canadian Institute of Surveying and Photogrammetry	644,832	
219	Provincial and Territorial Boundary Surveys	50,725	
	Map Compilation and Reproduction—		
220	Administration, Operation and Maintenance	923,986	
221	Construction or Acquisition of Equipment	38,400	
	GEOLOGICAL SURVEY OF CANADA		
	Geological Surveys—		
222	Administration, Operation and Maintenance, including the expenses of the National Advisory Committee on Research in the Geological Sciences, an amount of $1,875 for Canada's share of the cost of the Committee on Mineral Resources and Geology, London, England, and an amount of $40,000 for Grants in aid of Geological Research in Canadian Universities	2,314,954	
223	Construction or Acquisition of Equipment	169,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Concluded*		
	A—Department—*Concluded*		
	Mines Branch		
224	Mines Branch Administration	95,968	
	Mineral Resources Investigations (including the former Investigations of Radioactive Ores)—		
225	Administration, Operation and Maintenance, including a Grant of $12,500 to the Canadian Institute of Mining and Metallurgy to assist in defraying the cost of the Sixth Empire Mining and Metallurgical Congress to be held in Canada in 1957	2,833,302	
226	Construction or Acquisition of Equipment	226,085	
227	To provide for payments to McGill University in connection with the development of a Coal-Fired Gas Turbine	50,000	
	Geographical Branch		
228	Geographical Branch—Administration, Operation and Maintenance, including a Grant of $250 to the Canadian Association of Geographers	283,386	
	Dominion Observatories		
	Dominion Observatory, Ottawa and Field Stations—		
229	Administration, Operation and Maintenance, including membership fee of $500 to the International Astronomical Union and a Grant of $3,500 to the Royal Astronomical Society of Canada	542,915	
230	Construction or Acquisition of Buildings, Works, Land and Equipment	122,738	
231	Dominion Astrophysical Observatory, Victoria, B.C.	148,597	
	General		
232	To provide for purchases of Air Photography and the expenses of the Interdepartmental Committee on Air Surveys, including purchases of equipment	1,500,000	
	B—Dominion Coal Board		
233	Administration and Investigations of the Dominion Coal Board	116,660	
234	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council	9,210,250	
			25,741,825
	NATIONAL DEFENCE		
	Defence Services		
235	To provide for the Canadian Forces, the Defence Research Board and other expenditures relating to defence, including contributions toward the military costs of the North Atlantic Treaty Organization; to authorize expenditures in the current year out of the amount hereby provided, not exceeding $143,000,000, under the provisions of Section 3 of the Defence Appropriation Act, 1950, and to provide that, notwithstanding subsection (3) of that Section, where equipment or supplies are transferred, the estimated present		

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL DEFENCE—*Concluded*		
	DEFENCE SERVICES—*Concluded*		
	value thereof shall be credited to this vote instead of being paid into the special account mentioned in the said subsection (3), and when so credited may be expended for the purposes of the Canadian Forces; and notwithstanding Section 30 of The Financial Administration Act to authorize total commitments for the foregoing purposes of $3,470,423,461 regardless of the year in which such commitments will come in course of payment (of which it is estimated that $1,675,484,744 will come due for payment in future years)	1,722,797,717	
	GENERAL SERVICES		
236	Grants to Military Associations, Institutes and Others, as detailed in the Estimates	249,175	
237	War Museum	25,440	
	PENSIONS AND OTHER BENEFITS		
238	Civil Pensions, as detailed in the Estimates	2,457	
239	To authorize in respect of members of the Royal Canadian Air Force on leave without pay and serving as instructors with civilian training organizations operating under the British Commonwealth Air Training Plan who were killed, payment to their dependents of amounts equal to the amounts such dependents would have received under the Pension Act, as amended, had such service as instructors been military service in the armed forces in Canada, less the value of any benefits received by such dependents under insurance contracts which were effected on the lives of such members of the Royal Canadian Air Force by or at the expense of the civilian organizations	3,890	
	Defence Services Pension Act—		
240	Government contribution to the Permanent Services Pension Account	46,351,821	
			1,769,430,500
	NATIONAL FILM BOARD		
241	Administration, Production and Distribution of Films and Other Visual Materials	3,351,859	
242	Acquisition of Equipment	157,622	
243	To provide for the dismantling, conversion and installation of existing equipment, acquisition of new equipment, removal expenses and other costs related to the transfer of the National Film Board to new building	1,026,127	
			4,535,608
	NATIONAL HEALTH AND WELFARE		
	A—DEPARTMENT		
244	Departmental Administration	1,222,800	
	NATIONAL HEALTH BRANCH		
	Health Services		
245	National Health Branch—Administration	155,250	
246	Administration of the Quarantine and Leprosy Acts	443,850	
247	Immigration Medical Services	1,103,214	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE—*Continued*		
	A—DEPARTMENT—*Concluded*		
	NATIONAL HEALTH BRANCH—*Concluded*		
	Health Services—*Concluded*		
248	Sick Mariners Treatment Services	967,575	
	Laboratory of Hygiene—		
249	Operation and Maintenance	725,958	
250	Construction or Acquisition of Buildings, Works, Land and Equipment	40,000	
251	Public Health Engineering	230,335	
252	Occupational Health	332,373	
253	Civil Service Health	322,807	
254	Epidemiology	66,361	
255	Administration of the Food and Drugs and the Proprietary or Patent Medicine Acts	1,389,761	
256	Administration of the Opium and Narcotic Drugs Act	188,171	
	Indians and Eskimos Health Services—		
257	Operation and Maintenance	15,983,621	
258	Construction or Acquisition of Buildings, Works, Land and Equipment	1,272,200	
259	Grants to Hospitals which care for Indians and Eskimos	64,000	
	Northern Health Services—		
260	Operation and Maintenance	89,530	
261	Construction or Acquisition of Buildings, Works, Land and Equipment	1,130,000	
262	Special Technical Services	617,676	
263	Health Insurance Studies and Administration of the General Health Grants	108,355	
	General Health Grants		
264	To authorize and provide for General Health Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates and under terms and conditions approved by the Governor in Council including authority, notwithstanding Section 30 of The Financial Administration Act, to make commitments for the current year not to exceed a total amount of $48,460,401	33,750,000	
	Grants to Health Organizations		
265	Canadian Mental Health Association	10,000	
266	Health League of Canada	10,000	
267	Canadian Public Health Association	5,000	
268	Canadian National Institute for the Blind	45,000	
269	L'Association Canadienne Française des Aveugles	6,000	
270	L'Institut Nazareth de Montreal	4,050	
271	Montreal Association for the Blind	4,050	
272	Canadian Tuberculosis Association	20,250	
273	Victorian Order of Nurses	13,100	
274	St. John Ambulance Association	10,000	
275	Canadian Red Cross	10,000	
276	Canadian Paraplegic Association	15,000	
	WELFARE BRANCH		
277	Welfare Branch Administration	53,360	
	Family Allowances and Old Age Security—		
278	Administration	2,693,059	
	Old Age Assistance, Blind Persons and Disabled Persons Allowances—		
279	Administration	116,338	
280	Grant to Canadian Welfare Council	28,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE—*Concluded*		
	B—Civil Defence		
281	To provide for the Civil Defence program	7,010,018	
			70,257,062
	NATIONAL RESEARCH COUNCIL		
282	Salaries and Other Expenses	15,470,139	
283	Construction or Acquisition of Buildings, Works, Land and Equipment	2,817,890	
284	To authorize the establishment in the Consolidated Revenue Fund of a special account to be known as the Sir Frederick Banting Fund Account, to which shall be credited the balance of the amount remaining in the Sir Frederick Banting Fund (comprised of private donations and originally established by Order in Council P.C. 4260 of the 27th day of August, 1940) as at the 31st day of March, 1956 (estimated at $954,550) and to authorize payment out of the Account during the current and subsequent fiscal years for or in respect of projects relating to the advancement of the natural sciences that are recommended by the President of the National Research Council and approved in accordance with regulations of the Governor in Council; and to approve the expenditures made from the Sir Frederick Banting Fund subsequent to the fiscal year that ended on the 31st day of March, 1945, and prior to the current fiscal year amounting in the aggregate to $101,700	1	
			18,288,030
	NATIONAL REVENUE		
	Customs and Excise Divisions		
285	General Administration	3,348,014	
286	Inspection, Investigation and Audit Services	3,548,580	
	Ports—		
287	Operation and Maintenance	24,616,357	
288	Construction or Acquisition of Buildings, Works, Land and Equipment	1,119,500	
	Taxation Division		
289	General Administration	2,652,629	
290	District Offices	24,835,694	
	Income Tax Appeal Board		
291	Administration Expenses	80,580	
			60,201,354
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
292	Departmental Administration	543,934	
293	Northern Research Co-ordination Centre, including a Grant of $10,000 to the Arctic Institute of North America; and an amount of $15,000 for grants in aid of northern research subject to allocation by the Treasury Board	75,158	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES—*Continued*		
	NATIONAL PARKS BRANCH		
294	Branch Administration	90,852	
	National Parks and Historic Sites Services—		
295	Administration, Operation and Maintenance	4,973,938	
296	Construction or Acquisition of Buildings, Works, Land and Equipment	9,337,340	
297	Grant to Jack Miner Migratory Bird Foundation	5,000	
298	Grant in aid of the development of the International Peace Garden in Manitoba	10,000	
299	National Battlefields Commission—To supplement the sum of $125,000 granted by An Act respecting the National Battlefields at Quebec (Chap. 57, Statutes of 1908, as amended) for the purposes and subject to the provisions of the said Act	21,331	
300	Canadian Wildlife Service—Wildlife Resources Conservation and Development, including Administration of the Migratory Birds Convention Act	472,331	
301	National Museum of Canada	328,835	
	WATER RESOURCES BRANCH		
	Water Resources Branch, including Federal share of expenses of the Lake of the Woods Control Board—		
302	Administration, Operation and Maintenance, including Grant of $350 to the International Executive Council, World Power Conference	838,204	
303	Construction or Acquisition of Buildings, Works, Land and Equipment	91,500	
304	To provide for studies and surveys of the Columbia River Watershed in Canada	465,010	
305	Fraser River—Federal expenditures in connection with investigations to be carried out by Fraser River Board	127,750	
306	To provide for a contribution to the cost of constructing a dam on the Conestogo River near Glen Allan, Ontario, for the purposes of flood control and water conservation, in accordance with the terms of an agreement entered into between Canada and the Province of Ontario	750,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
307	Branch Administration	791,592	
	Yukon Territory—		
308	Operation and Maintenance	589,806	
309	Construction or Acquisition of Buildings, Works, Land and Equipment	695,847	
	Northwest Territories and Other Field Services—		
310	Operation and Maintenance	2,867,827	
311	Construction or Acquisition of Buildings, Works, Land and Equipment	4,371,568	
	FORESTRY BRANCH		
312	Branch Administration	140,887	
	Forest Research Division—		
313	Operation and Maintenance	1,086,008	
314	Construction or Acquisition of Buildings, Works, Land and Equipment	148,372	
	Forestry Operations Division—		
315	Administration, Operation and Maintenance	174,198	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES—*Concluded*		
	FORESTRY BRANCH—*Concluded*		
	Forestry Operation Division—*Concluded*		
316	Construction or Acquisition of Buildings, Works, Land and Equipment	196,217	
317	To provide for contributions to the Provinces for assistance in forest inventory and reforestation in accordance with agreements that have been or may be entered into by Canada and the Provinces	1,125,000	
318	To provide for a contribution to the Province of New Brunswick for assistance in a program designed to combat the spruce budworm infestation, in accordance with an agreement entered into by Canada and the Province	650,000	
	Forest Products Laboratories Division—		
319	Operation and Maintenance	601,497	
320	Construction or Acquisition of Buildings, Works, Land and Equipment	540,125	
321	Grant to Canadian Forestry Association	10,000	
322	Eastern Rockies Forest Conservation Board—Remuneration and Expenses of the Federal member of the Board	5,575	
	CANADIAN GOVERNMENT TRAVEL BUREAU		
323	To assist in promoting the Tourist Business in Canada	1,567,559	33,693,261
	POST OFFICE		
324	Departmental Administration	1,596,132	
325	Operations—Including salaries and other expenses of Staff Post Offices, District Offices, Railway Mail Service Staffs, and supplies, equipment and other items for Revenue Post Offices, also including Administration	81,501,011	
326	Transportation—Movement of Mail by Land, Air and Water, including Administration	46,388,302	
327	Financial Services, including audit of revenue, money order and savings bank business; and postage stamps	2,567,214	132,052,659
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
328	General Administration	405,184	
	PRIME MINISTER'S RESIDENCE		
329	Maintenance and Operation	25,000	
	FEDERAL DISTRICT COMMISSION		
330	To provide a supplement to the sum of $300,000 granted by Chap. 112, R.S., for construction, improvements and operation of the parks, parkway system and other works under the control of the Federal District Commission	142,071	
331	To authorize the Federal District Commission to expend for construction, improvements and operation of works under its control, revenues accrued or accruing to the Commission from the rental of properties under its control and from other sources	1	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PRIVY COUNCIL—*Concluded*		
	FEDERAL DISTRICT COMMISSION—*Concluded*		
332	To provide for maintenance and improvement of grounds adjoining Government Buildings at Ottawa, and for expenses of the National Capital Planning Committee	531,728	
333	To authorize payment of the ninth instalment to a special account in the Consolidated Revenue Fund, known as the National Capital Fund, established under Vote 809, Appropriation Act No. 4, 1947-48	2,500,000	
			3,603,984
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	A—PUBLIC ARCHIVES		
334	General Administration and Technical Services	408,971	
	B—NATIONAL LIBRARY		
335	General Administration	146,221	
336	Payment to the National Library Purchase Account for the purpose of acquiring books, in conformity with Section 12 of the National Library Act	40,000	
			595,192
	PUBLIC PRINTING AND STATIONERY		
337	Departmental Administration	518,347	
338	Purchasing, Stationery and Stores	1,164,453	
339	Distribution of Official Documents	302,473	
340	Printing and Binding of Official Publications for sale and distribution to Departments and the Public	485,000	
341	Printing of Canada Gazette	110,000	
342	Printing and Binding the Annual Statutes	35,000	
343	Plant Equipment and Replacements	500,606	
			3,115,879
	PUBLIC WORKS		
344	Departmental Administration	1,128,150	
345	Expenses of work in the interests of Fire Prevention	137,570	
346	Furniture and Furnishings for Government Departments	2,127,721	
	PROPERTY AND BUILDING MANAGEMENT BRANCH		
347	Branch Administration	207,558	
348	Ottawa—Maintenance and Operation of Public Buildings and Grounds, including repairs and upkeep, rents, heating, etc., and to authorize commitments against future years in the amount of $500,000	14,456,914	
349	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, heating, etc., and to authorize commitments against future years in the amount of $800,000	23,884,597	
	BUILDING CONSTRUCTION BRANCH		
350	Branch Administration, including District Architects, staffs and related expenses	1,499,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Continued*		
	BUILDING CONSTRUCTION BRANCH—*Concluded*		
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
351	Newfoundland	2,027,000	
352	Nova Scotia	2,470,000	
353	Prince Edward Island	750,000	
354	New Brunswick	745,000	
355	Quebec	9,710,000	
356	Ottawa	8,720,000	
357	Ontario (other than Ottawa)	9,730,000	
358	Manitoba	5,125,000	
359	Saskatchewan	1,360,000	
360	Alberta	3,540,000	
361	British Columbia	6,495,000	
362	Yukon and Northwest Territories	320,000	
363	Outside Canada	800,000	
364	Unforeseen Improvements	900,000	
	HARBOURS AND RIVERS ENGINEERING BRANCH		
365	Branch Administration, including District Engineers, staffs and related expenses	2,381,423	
366	Construction or Acquisition of Buildings, Works, Land and Equipment	94,900	
	Dredging		
367	Maintenance and Operation of Plant and Contract and Day Labour Works	3,499,100	
368	Construction or Acquisition of Plant and Equipment	379,150	
	Graving Docks		
369	Maintenance and Operation	979,200	
	Locks and Dams		
370	Maintenance and Operation	296,368	
	Roads and Bridges		
371	Maintenance and Operation	336,643	
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
372	Newfoundland	2,260,601	
373	Nova Scotia	2,532,000	
374	Prince Edward Island	925,000	
375	New Brunswick	2,125,000	
376	Quebec	3,245,800	
377	Ontario	5,146,500	
378	Alberta and Northwest Territories	120,000	
379	British Columbia and Yukon	3,493,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	HARBOURS AND RIVERS ENGINEERING BRANCH—*Concluded*		
	Generally		
380	Repairs and Upkeep, including reconstruction and replacements for the maintenance of services; to provide for wharf repairs at Ste. Angele de Laval, Quebec, and to authorize commitments against future years in the total amount of $420,000, no new works to be undertaken	3,185,000	
381	To provide for remedial works where damages are caused by, or endanger, navigation or Federal Government structures and to complete protection works already under way	700,000	
	DEVELOPMENT ENGINEERING BRANCH		
382	Branch Administration, including district staffs for highways and bridges, and related expenses	861,997	
383	Testing Laboratory—Operation and Maintenance	517,115	
384	International Bridge over the St. Croix River between St. Stephen, New Brunswick, and Calais, Maine, the State of Maine to pay a like amount	150,000	
385	Construction of spans of bridge over the Interprovincial channel of the Ottawa River between Pembroke, Ontario, and Allumette Island, Quebec	450,000	
	Trans-Canada Highway		
387	To provide for surveys and construction of the Trans-Canada Highway through National Parks	11,000,000	
388	Payment to the Province of Manitoba, being 50% of the Province's contribution to the City of Winnipeg for reconstruction of Broadway Avenue, as part of the Trans-Canada Highway	36,633	
	GENERAL		
389	Miscellaneous Works not otherwise provided for: a maximum of $15,000 may be expended in respect of any one work and, with the approval of the Treasury Board, that maximum may be increased to $25,000 in the case of any one building construction project	800,000	
390	To provide for advance planning of projects including acquisition of sites	1,500,000	
391	To supplement, on approval of Treasury Board except where less than $1,000 is required, any of the appropriations of the Department of Public Works	750,000	
392	To provide for balances required to complete any projects undertaken in previous fiscal years and for which no specific provision is made in the fiscal year 1956–57	650,000	
393	Statue of the late Sir Robert L. Borden	20,000	
394	Emergency Shelter Administration	1,500	
395	To provide for the expenses incurred by Central Mortgage and Housing Corporation in constructing and supervising construction of married quarters, rental housing, schools and related services on behalf of the Department of National Defence	1,000,000	
			145,571,440

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	ROYAL CANADIAN MOUNTED POLICE		
	Headquarters Administration, National Police Services and Training Establishments—		
396	Administration, Operation and Maintenance	6,735,362	
397	Construction or Acquisition of Buildings, Works, Land and Equipment	976,592	
	Land and Air Services—		
398	Operation and Maintenance of Divisions	24,677,749	
399	Construction or Acquisition of Buildings, Works, Land and Equipment	3,553,146	
	Marine Services—		
400	Operation and Maintenance	1,394,224	
401	Construction or Acquisition of Buildings, Works, Land and Equipment	1,153,760	
402	Grant to the Canadian Association of Chiefs of Police	500	
403	Grant to the Royal Canadian Mounted Police Veterans' Association	300	
	PENSIONS AND OTHER BENEFITS		
404	Pensions to families of members of the Mounted Police who have lost their lives while on duty, as detailed in the Estimates	6,439	
405	To authorize payment out of the Consolidated Revenue Fund, during the current and subsequent fiscal years, of a pension to Basil Burke Currie	685	
406	Government's Contribution to the Royal Canadian Mounted Police Pension Account	889,881	
			39,388,638
	SECRETARY OF STATE		
407	Departmental Administration	244,775	
408	Companies Division	91,500	
409	Trade Marks Division, including a contribution of $3,800 to the International Office for the Protection of Industrial Property	176,360	
410	Bureau for Translations	1,162,016	
	PATENT AND COPYRIGHT OFFICE		
411	Administration Division	127,225	
412	Patent Division	1,209,633	
413	Copyright and Industrial Designs Division, including a contribution of $2,100 to the Union Office for the Protection of Literary and Artistic Works	26,385	
	SPECIAL		
414	To provide for special expenditure in connection with a Commission under the Inquiries Act to inquire into the working of the Patent Act, the Copyright Act, the Industrial Designs Act and other related legislation	20,000	
			3,057,894

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
415	Departmental Administration	628,021	
416	Commodities Services, including fees as detailed in the Estimates, the expenditure for these not to exceed the amounts shown unless otherwise approved by Treasury Board	699,490	
	Trade Commissioner Service—		
417	Administration and Operation	2,832,458	
418	Acquisition or Improvement of Buildings, Land, Equipment and Furnishings	150,000	
419	Trade Information	287,908	
420	Economics Branch	240,315	
421	International Trade Relations Branch, including a fee of $6,300 to the International Customs Tariffs Bureau	145,900	
	EXHIBITIONS		
422	Exhibitions generally	535,888	
423	Canadian participation in the Brussels Universal and International Exhibition 1958	750,000	
	STANDARDS BRANCH		
424	Administration, including the Standards Laboratory and administration of the Precious Metals Marking Act	220,829	
425	Electricity and Gas Inspection Services	782,515	
426	Weights and Measures Inspection Services	841,276	
	DOMINION BUREAU OF STATISTICS		
427	Administration	177,729	
428	Statistics, including contributions as detailed in the Estimates, the expenditure for these not to exceed the amounts shown unless otherwise approved by Treasury Board	5,529,351	
429	Census, including a contribution as detailed in the Estimates, the expenditure for which not to exceed the amount shown unless otherwise approved by Treasury Board	4,710,429	
	BOARD OF GRAIN COMMISSIONERS (Canada Grain Act)		
430	Administration	149,780	
431	Inspection and Weighing of Grain, and Related Services	3,621,974	
	Canadian Government Elevators—		
432	Operation and Maintenance	1,271,806	
433	Construction or Acquisition of Buildings, Works, Land and Equipment	400,750	
	SPECIAL		
434	International Economic and Technical Co-operation Branch, including the administration of the Colombo Plan and of certain United Nations co-operation plans	190,116	
			24,166,535

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT		
	A—Department		
435	Departmental Administration	1,777,100	
436	The St. Lawrence River Joint Board of Engineers—Canadian Section	180,180	
	Canal Services		
437	Administration	137,030	
438	Operation and Maintenance	6,268,240	
439	Construction or Acquisition of Buildings, Works, Land and Equipment, including payments to Provinces or Municipalities as contributions towards construction done by those bodies	1,499,975	
	Marine Services		
440	Marine Services Administration, including Agencies	670,240	
	Marine Service Steamers—		
441	Administration, Operation and Maintenance	7,393,793	
442	Construction or Acquisition of Vessels and Equipment	5,309,500	
	Aids to Navigation—		
443	Administration, Operation and Maintenance	4,948,613	
444	Construction or Acquisition of Buildings, Works, Land and Equipment	1,816,560	
445	Nautical Services — Administration, Operation and Maintenance, including grants and contributions as detailed in the Estimates; rewards for saving life from vessels in distress; subsidies to salvage companies, and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in Section 306 of the Canada Shipping Act	542,330	
446	Pilotage Service—Administration, Operation and Maintenance, including authority for temporary recoverable advances not exceeding $20,000	626,736	
447	Steamship Inspection Service, including the carrying out of the provisions of the conventions for the safety of life at sea and load lines, and contributions as detailed in the Estimates	739,710	
448	Marine Reporting Service	133,235	
	River St. Lawrence Ship Channel Service—		
449	Administration, Operation and Maintenance	953,254	
450	Contract Dredging, including Acquisition of Land for Ship Channel Improvement	3,544,200	
	Railway and Steamship Services		
451	Repairs and expenses in connection with the operation and maintenance of Official Railway Cars under the jurisdiction of the Department	56,240	
	Hudson Bay Railway—		
452	To provide for the difference between the expenditures for operation and maintenance, and revenue accruing from operation during the year ending March 31, 1957, not exceeding	150,000	
453	Construction or Acquisition of Buildings, Works, Land and Equipment	382,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	RAILWAY AND STEAMSHIP SERVICES—*Continued*		
454	Prince Edward Island Car Ferry and Terminals—To provide for the payment during the fiscal year 1956-57 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in payment of the deficit (certified by the auditors of the National Company) in the operation of the Prince Edward Island Car Ferry and Terminals arising in the calendar year 1956	1,501,000	
455	Reconditioning and refit of Ferry Vessel "Scotia II" for the Prince Edward Island Car Ferry Service	50,000	
	Strait of Canso—		
456	Transportation improvements and facilities	1,012,500	
457	Causeway Maintenance	10,000	
458	Enlargement of Dock and Terminal Facilities at North Sydney, Nova Scotia	261,300	
459	Construction of New Dock and Terminal Facilities at Port aux Basques, Newfoundland	413,000	
460	To provide for the payment during the fiscal year 1956-57 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in the payment of the deficit (certified by the auditors of the National Company) in the operation of ferry and terminal services between North Sydney, Nova Scotia and Port aux Basques, Newfoundland, and on a temporary basis between North Sydney, Nova Scotia and Argentia, Newfoundland and between North Sydney, Nova Scotia and other Newfoundland ports, arising in the calendar year 1956	3,496,250	
461	Construction or Acquisition of Auto-ferry Vessels and Equipment as listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended upon individual listed projects	1,914,000	
462	Yarmouth, Nova Scotia—Bar Harbour, Maine, U.S.A., Ferry Service—Deficit, 1956	230,000	
463	Construction or Acquisition of Vessels for Newfoundland Coastal Services	793,750	
464	To provide towards the cost of surveys of Newfoundland Railway properties entrusted to the Canadian National Railway Company	17,500	
465	Degaussing and strengthening for armament, sea-going merchant ships of Canadian registry of 1,000 gross tons and over	300,000	
466	Maritime Freight Rates Act—For the payment to the Railway Companies operating in the select territory designated by the Act, during the fiscal year 1956-57, of the difference occurring on account of the application of the Act, between the tariff tolls and normal tolls under approved tariffs (estimated and certified to the Minister of Transport by the Canadian National Railway Company and approved by auditors of the said Company respecting the Eastern Lines of the Canadian National Railways and in the case of the Other Railways by the Board of Transport Commissioners for Canada) on all traffic moved during the calendar year 1956 (Chap. 174, R.S.)	11,500,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	RAILWAY AND STEAMSHIP SERVICES—*Concluded*		
467	Canadian National (West Indies) Steamships, Limited—To provide for the payment from time to time to the Canadian National (West Indies) Steamships, Limited (hereinafter called the Company) of the amount of the deficit occurring during the year ending December 31, 1956, in the operations of the Company and the vessels under the control of the Company, as certified by the auditors of the Company, and upon applications made by the Company to the Minister of Finance and approved by the Minister of Transport, not exceeding	200,000	
468	To authorize the Governor in Council to grant to the Government of the Province of British Columbia a subsidy of $25,000 per mile, but not exceeding 50 miles, towards the construction of a line of railway of the Pacific Great Eastern Railway northward from Prince George in the Province of British Columbia; such grant of subsidy to be made in such manner and in such amounts and subject to such conditions, if any, as the Governor in Council deems expedient; estimated requirement for the fiscal year 1956–57	500,000	
469	To authorize the Governor in Council to grant to Canadian National Railway Company a subsidy of $25,000 per mile, but not exceeding $7,450,000, towards the construction of the line of railway referred to in Chapter 49 of the Statutes of Canada, 1953–54, as Branch Line Number 1 (described approximately as a line of railway from St. Felicien to Chibougamau and from Chibougamau to Beattyville in the Province of Quebec); such grant of subsidy to be made in such manner and in such amounts and subject to such conditions, if any, as the Governor in Council deems expedient; estimated requirement for the fiscal year 1956–57	2,725,000	
	PENSIONS AND OTHER BENEFITS		
470	Amount required to pay pensions at the rate of $300 per annum to former pilots: Arthur Baquet; Adelard Delisle; Raoul Lachance; Jules Lamarre; Wilhelm Langlois; Auguste Santerre	1,800	
471	Railway Employees' Provident Fund—To supplement pension allowances under the provisions of the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum payment during the period January 1, 1956, to March 31, 1957, the sum of $30 per month, instead of $20 per month as fixed by the said Act	11,000	
472	Supplemental Pension Allowances to former employees of Newfoundland Railways, Steamships and Telecommunication Services transferred to Canadian National Railways	27,000	
	GENERAL		
473	To provide for the expenses of an inquiry into the coasting trade of Canada authorized under the Inquiries Act, including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board to officers, clerks or employees permanently employed in the Civil Service for services rendered by them in connection with the inquiry	32,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Concluded*		
	AIR SERVICES		
	Administrative Division		
474	Air Services Administration	816,760	
475	Construction Services Administration	1,026,700	
	Telecommunications Division		
	Radio Aids to Air and Marine Navigation—		
476	Administration, Operation and Maintenance	8,925,412	
477	Construction or Acquisition of Buildings, Works, Land and Equipment	4,234,725	
	Radio Act and Regulations—		
478	Administration, Operation and Maintenance, including contributions as Canada's share of the administrative costs of various international radio, telegraph and telephone conferences, as detailed in the Estimates	1,691,165	
479	Construction or Acquisition of Buildings, Works, Land and Equipment	330,000	
	Telegraph and Telephone Service—		
480	Administration, Operation and Maintenance	515,320	
481	Construction or Acquisition of Buildings, Works, Land and Equipment, including capital assistance to local telephone systems in sparsely settled areas	543,000	
482	Northwest Communication System—Construction or Acquisition of Buildings, Works, Land and Equipment	924,870	
	Meteorological Division		
483	Administration, Operation and Maintenance	8,164,815	
484	Construction or Acquisition of Buildings, Works, Land and Equipment	947,700	
	Civil Aviation Division		
485	Control of Civil Aviation, including the Administration of the Aeronautics Act and Regulations issued thereunder	1,102,846	
	Airways and Airports—Operation and Maintenance—		
486	Civil Aviation Services	9,855,840	
487	Airway and Airport Traffic Control	2,971,684	
488	Construction or Acquisition of Buildings, Works, Land and Equipment, including Construction Work on Municipal Airports and payments to Municipalities as contributions towards construction done by those bodies	15,453,350	
489	Grants to Organizations for the development of Civil Aviation, in the amounts detailed in the Estimates	360,000	
490	Contributions to Municipalities or Public Bodies for Construction and Improvements of Airports on Land Acquired by such Organizations	60,000	
491	Contributions toward Airport Development and Other Airport Projects on Cost-Sharing Basis, in the amounts detailed in the Estimates	267,000	
492	Contributions, as detailed in the Estimates, to Other Governments or International Agencies for the operation and maintenance of airports, air navigation and airways facilities, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1955, which is	231,027	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General		
	Air Transport Board		
493	Salaries and Other Expenses, including the Canadian Delegation to the International Civil Aviation Organization	292,040	
	Board of Transport Commissioners for Canada		
494	Administration, Operation and Maintenance	867,930	
	Canadian Maritime Commission		
495	Administration	139,228	
496	Steamship Subventions for Coastal Services, as detailed in the Estimates	4,016,800	
	National Harbours Board		
497	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1956 on any or all of the following accounts:		
	Reconstruction and Capital Expenditures—		
	Halifax $1,942,000		
	Saint John 845,000		
	Quebec 1,687,000		
	Prescott 40,000		
	Port Colborne 80,000		
	Generally—		
	Unforeseen and Miscellaneous 200,000		
	$4,794,000		
	Less—Amount to be expended from Replacement Funds 79,236		
		4,714,764	
			130,578,012
	VETERANS AFFAIRS		
498	Departmental Administration	2,215,472	
499	District Services—Administration	2,821,316	
500	Veterans' Welfare Services	3,155,735	
	Treatment Services—		
501	Operation of Hospitals and Administration	39,347,750	
502	Medical Research and Education	375,000	
503	Hospital Construction, Improvements, Equipment and Acquisition of Land	4,534,825	
504	Prosthetic Services—Supply, Manufacture and Administration	1,044,899	
505	Veterans' Bureau	536,714	
506	War Veterans Allowance Board—Administration	142,554	
507	Veterans Insurance	70,650	
	War Veterans Allowances and Other Benefits		
508	War Veterans Allowances	41,192,000	
509	Assistance Fund (War Veterans Allowances)	650,000	
510	Treatment and Other Allowances	2,782,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS—*Concluded*		
	MISCELLANEOUS PAYMENTS		
511	To provide for payments to the Last Post Fund; for the payment under regulations of funeral and cemetery charges, including the perpetual care of graves where applicable; for the cost and erection of headstones in Canada; for the maintenance of departmental cemeteries; for the maintenance of Canadian Battlefields Memorials in France and Belgium and for Canada's share of the expenditures of the Imperial War Graves Commission	1,393,713	
512	Grant to Army Benevolent Fund	8,000	
513	Grant to Canadian Legion	9,000	
	CANADIAN PENSION COMMISSION		
514	Administration Expenses	2,298,111	
515	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order, P.C. 45/8848 of November 22, 1944, which shall be subject to the Pension Act; and including Newfoundland Special Awards	132,769,300	
516	Gallantry Awards—World War 2 and Special Force	21,000	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
517	To provide for the cost of administration of Veterans' Land Act; Soldier Settlement and British Family Settlement	4,852,880	
518	To provide for the upkeep of property, Veterans' Land Act, including engineering and other investigational planning expenses that do not add tangible value to real property; taxes, insurance and maintenance of public utilities	65,500	
519	To provide for the payment of grants to veterans settled on Provincial Lands in accordance with agreements with Provincial Governments under Section 38 of the Veterans' Land Act and payment of grants to veterans settled on Dominion Lands, in accordance with an agreement with the Minister of Northern Affairs and National Resources under Section 38 of the Veterans' Land Act	250,000	
520	To provide for the payment of grants to Indian veterans settled on Indian Reserve Lands under Section 39 of the Veterans' Land Act	100,000	
521	To provide for the reduction of indebtedness to the Director of Soldier Settlement of a settler in respect of a property in his possession, the title of which is held by the Director, or such Soldier Settler Loans which are administered by the Indian Affairs Branch of the Department of Citizenship and Immigration, by an amount which will reduce his indebtedness to an amount in keeping with the productive capacity of the property or his ability to repay his indebtedness under regulations approved by the Governor in Council	10,000	
522	To authorize and provide, subject to the approval of the Governor in Council, for necessary remedial work on properties constructed under individual firm price contracts and sold under the Veterans' Land Act to correct defects for which neither the veteran nor the contractor can be held financially responsible and for such other work on said properties as may be required to protect the interest of the Director therein	12,000	
	TERMINABLE SERVICES		
523	Veterans Benefits, including Assistance and the training of certain Pensioners under regulations approved by the Governor in Council	1,912,900	
			242,571,819

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SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	ATOMIC ENERGY OF CANADA LIMITED		
524	To provide for advances to Atomic Energy of Canada Limited in such amounts and on such terms and conditions (including the delivery to Her Majesty, in satisfaction of the advances, of obligations or shares of the Company) as the Governor in Council may approve, to finance the construction of a new reactor (NRU) and auxiliary buildings at Chalk River Project, works to provide services in connection therewith, to construct or acquire buildings and equipment for the Commercial Products Division in Ottawa and other locations, and housing and other works to be constructed at Deep River; and to authorize Central Mortgage and Housing Corporation to undertake construction of the said housing and other works at Deep River for Atomic Energy of Canada Limited	9,479,464	
525	To provide for Working Capital Advances to Atomic Energy of Canada Limited, subject to such terms and conditions as the Governor in Council may approve	3,880,000	
	CITIZENSHIP AND IMMIGRATION		
	Immigration Branch		
526	To provide, subject to regulations of the Treasury Board, for working capital advances in the current and subsequent fiscal years to posts and employees on posting abroad, and to authorize the creation of a special account in the Consolidated Revenue Fund to which shall be charged such advances and to which shall be credited expenditures made by and advances recovered from the said posts and employees; the excess of the amounts charged over the amounts credited to the account at any time not to exceed $275,000, of which $230,000 has already been provided under Vote 626, Appropriation Act No. 2, 1955	45,000	
	FISHERIES		
527	To extend the operation of the accounts established pursuant to Vote 540 of the Appropriation Act No. 5, 1955, to authorize payments therefrom of refunds of premiums in the current and subsequent fiscal years in accordance with regulations of the Governor in Council	1	
	POST OFFICE		
528	To authorize the operation of a revolving fund in accordance with Section 58 of The Financial Administration Act for the purpose of: *(a)* acquiring and managing material to be used in the manufacture of uniforms and satchels, and *(b)* acquiring and managing materials and fittings to be used in the manufacture of mail bags, the total amount to be charged to the revolving fund at any time not to exceed $895,000 of which $425,000 was provided under Vote 541, Appropriation Act No. 4, 1954, and $270,000 under Vote 543, Appropriation Act No. 5, 1955	200,000	
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	Public Archives		
529	To authorize the operation of a revolving fund in accordance with Section 58 of The Financial Administration Act for the purpose of producing, processing or dealing in microfilm, the amount to be charged to the revolving fund at any time not to exceed	27,500	

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	PUBLIC WORKS		
	Central Mortgage and Housing Corporation		
530	To provide for advances to Central Mortgage and Housing Corporation for the purposes of subsection (1) of Section 37 of the National Housing Act, 1954, in respect of housing projects for veterans and for housing projects at Gander, Newfoundland, and at Pembroke, Ontario, for sale or rental	1,462,000	
	TRANSPORT		
	St. Lawrence Seaway Authority		
531	Loans to the St. Lawrence Seaway Authority in such manner and subject to such terms and conditions as the Governor in Council may approve	75,000,000	
	Canal Services		
532	To provide for the acquisition of land required in connection with the development of the 27 foot Cornwall Navigation System	1,000,000	
	Air Services		
533	To provide for the acquisition of land required to control properties in the vicinity of main terminal airports in order to prevent the erection of hazards to flying and for future development of those airports	5,250,000	
534	Loan to the Canadian Overseas Telecommunication Corporation in accordance with the provisions of Section 14 of the Canadian Overseas Telecommunication Corporation Act for additions and betterments to facilities	4,506,725	
	National Harbours Board		
535	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1956 on any or all of the following accounts: Reconstruction and Capital Expenditures— Three Rivers $ 35,000 Montreal 12,736,500 Vancouver 525,000 $13,296,500 *Less*—Amount to be expended from Replacement Funds 1,503,010	11,793,490	
	VETERANS AFFAIRS		
	Soldier Settlement and Veterans' Land Act		
536	To provide for protection of security—Soldier Settlement, and refunds of surplus to veterans	9,200	
537	To provide for purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment; and for protection of security under the Veterans' Land Act	22,584,000	
			135,237,380
			*3,170,865,679

* Net Total $1,846,970,570.64

SCHEDULE B

Based on the Supplementary Estimates, 1956-57. The amount hereby granted is $85,181,549.25, being the amount of each of the items in the Estimates as contained in this Schedule less the amounts voted on account of the said items by the *Appropriation Act, No. 3, 1956*, *Appropriation Act, No. 4, 1956* and the *Appropriation Act, No. 5, 1956*.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1957, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	ADMINISTRATION SERVICE		
591	Departmental Administration—Further amount required.....	21,900	
	EXPERIMENTAL FARMS SERVICE		
592	Experimental Farms Service Administration—Further amount required.....	34,000	
	Central Experimental Farm, including Research and Co-ordinating Divisions for the Experimental Farms Service—		
593	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	32,000	
	Branch Experimental Farms, Sub-Stations and Illustration Stations—		
594	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	302,600	
	PRODUCTION SERVICE		
	Animal Pathology—		
595	Operation and Maintenance—Further amount required....	25,000	
596	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	104,000	
597	Live Stock and Poultry—Further amount required.....	57,000	
598	To provide for Grants to Fairs and Exhibitions in accordance with Regulations of the Governor in Council and for payments pursuant to agreements in force on March 31, 1956, with Exhibition Associations covering the construction of buildings and other major undertakings—Further amount required.....	615,000	
599	Special Grant to Royal Agricultural Winter Fair, Toronto.....	250,000	
600	Grants to Agricultural Organizations, as detailed in the Estimates—Further amount required.....	3,400	
	MARKETING SERVICE		
601	Subsidies for Cold Storage Warehouses under the Cold Storage Act, in the amounts detailed in the Estimates—Further amount required.....	1,636,552	
	SPECIAL		
602	To compensate the New Brunswick Potato Marketing Board for certain losses on payments to producers for potatoes marketed from the 1953 potato crop, which were not specifically covered by an agreement under the Agricultural Products Co-operative Marketing Act.....	177,000	
			3,258,452

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	ATOMIC ENERGY		
	ATOMIC ENERGY OF CANADA LIMITED (RESEARCH PROGRAM)		
603	Current Operation and Maintenance, including expendable research equipment—Further amount required	200,000	
604	Construction or Acquisition of Buildings, Works, Land and Equipment and to authorize Central Mortgage and Housing Corporation to undertake construction of works at Deep River for Atomic Energy of Canada Limited—Further amount required	502,600	
			702,600
	CANADIAN BROADCASTING CORPORATION		
605	Grant towards the anticipated deficit arising in 1956-57 from the operation of the Television Service	12,000,000	
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
606	Maintenance and Operation—Further amount required	42,000	
607	Construction or Acquisition of Buildings, Works, Land and Equipment, including Supervision—Further amount required	54,151	
			12,096,151
	CITIZENSHIP AND IMMIGRATION		
	A—DEPARTMENT		
608	Departmental Administration—Further amount required	60,356	
	CITIZENSHIP		
	Miscellaneous Grants		
609	Grant to the Canadian Council of the Girl Guides Association towards defraying a portion of the operating costs of the Centenary World Camp to be held in Canada in the summer of 1957	25,000	
	IMMIGRATION BRANCH		
610	Administration of the Immigration Act—Further amount required	159,317	
611	Field and Inspectional Service, Abroad—Further amount required	247,435	
612	To provide, subject to the approval of Treasury Board, for Trans-Oceanic and Inland Transportation Assistance for Immigrants—Further amount required in order to provide for transportation and other assistance to Immigrants and Settlers from April 1, 1956	2,255,000	
	INDIAN AFFAIRS BRANCH		
613	Reserves and Trusts—Operation and Maintenance—Further amount required	37,525	
614	Welfare of Indians—Operation and Maintenance—Further amount required	225,900	
615	Education—Administration, Operation and Maintenance—Further amount required	512,056	
			3,522,589

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS		
	A—Department and Missions Abroad		
616	Departmental Administration—Further amount required.....	121,199	
	B—General		
617	To provide for the Canadian Government's Assessment for Membership in International (including Commonwealth) Organizations, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of May, 1956—Further amount required.....	160,491	
	International Civil Aviation Organization		
618	To provide for a payment to the International Civil Aviation Organization in part reimbursement of compensation paid to its Canadian employees for Quebec income tax for the 1955 taxation year.....	7,500	
	Terminable Services		
619	To provide for a contribution towards the erection of a monument at Steinkjer, Norway, in honour of the Arctic explorer, Otto Sverdrup.....	1,400	
			290,590
	FINANCE		
	Payments to Municipalities		
620	Grants to Municipalities in lieu of taxes on Federal Property—To provide for payments to municipalities in accordance with the Municipal Grants Act, and the Rural Municipal Grants Regulations established by Order in Council of January 11, 1956, P.C. 1956-38, and to provide for payments to municipalities under Order in Council of October 6, 1954, P.C. 1954-1497, in respect of the cost of medical and hospital services and supplies furnished to federal employees and other persons specified therein—Further amount required, including authority, notwithstanding Section 7 of Chapter 49 of the Statutes of 1955 (an Act to amend the Municipal Grants Act), for payment of grants under Section 5 of the Municipal Grants Act to the municipality of Ste. Foy, in the province of Quebec.....	500,000	
	Special		
621	To provide for the expenses of the Royal Commission on Canada's Economic Prospects—Further amount required..	560,000	
622	To provide for the expenses of the Royal Commission on television and radio broadcasting—Further amount required.	170,920	
623	To provide for contributions to the Governments of the Provinces of Saskatchewan and Manitoba for assistance in meeting costs resulting from floods in the spring of 1955.....	120,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	SPECIAL—*Concluded*		
624	To authorize the Treasury Board to make regulations respecting the counting as pensionable service, for the purposes of the Public Service Superannuation Act, of any period, not otherwise countable as such, during which a person, before becoming a contributor under the said Act, performed on a full-time basis duties of a kind specified in the regulations for the benefit of the Crown in right of Canada, and providing, except in the case of a person who has ceased to be employed in the Public Service (for which case the regulations may otherwise provide), that the Public Service Superannuation Act shall apply as though such period were a period of service in a portion of the public service of Canada that was added to Schedule A of that Act on a day specified in the regulations	1	
	GENERAL ITEMS OF PAYROLL COSTS		
625	To provide, subject to the approval of the Treasury Board, for supplementing other votes for the payment of salaries, wages, and other paylist charges—Further amount required	30,000,000	
	MISCELLANEOUS GRANTS		
626	To provide for a grant to the National Council of Women of Canada to assist in defraying the expenses of the Triennial Conference of the International Council of Woman to be held in Montreal in June, 1957	5,000	
			31,355,921
	FISHERIES		
	GENERAL SERVICES		
627	Industrial Development Service—Further amount required	478,000	
	FIELD SERVICES		
	Protection Branch—		
628	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	20,860	
	Inspection Branch—		
629	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	146,420	
	Fish Culture and Development Branch—		
630	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	43,700	
	FISHERIES RESEARCH BOARD OF CANADA		
631	Operation and Maintenance—Further amount required	137,775	
632	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	202,500	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES—*Concluded*		
	INERNATIONAL COMMISSIONS		
633	To provide for Canadian share of expenses of the International Great Lakes Fishery Commission appointed pursuant to a Convention on Great Lakes between Canada and the United States, dated at Washington, September 10, 1954..	18,500	
	SPECIAL		
634	To provide for operation and maintenance of Newfoundland Bait Service—Further amount required.....	25,000	
635	To provide for a contribution towards the cost of a public aquarium at Vancouver, British Columbia, in accordance with an agreement entered into by the Minister of Fisheries, with the approval of the Governor in Council, whereby adequate facilities are to be made available to the Fisheries Research Board, the total cost to be borne in equal shares by the Government of Canada, the Government of British Columbia and the City of Vancouver (Revote).....	17,242	
636	To provide, subject to such terms and conditions as the Governor in Council prescribes, *(a)* for payment of assistance to producers of salted fish on products designated by the Governor in Council, in the amount of 50 per cent of the laid down cost of salt used in their 1956 production, and *(b)* for payment of assistance in respect of the 1955 production as specified in Vote 795 of the Appropriation Act No. 5, 1955, but not previously paid, including authority to charge administrative costs to Vote 160 of the Main Estimates, 1956-57.....	582,000	
637	To recoup the Lobster Trap Indemnity Account, established under Vote 540 of the Appropriation Act No. 5, 1955, to cover the net losses incurred in the operation of the Account during the fiscal years 1953-54, 1954-55 and 1955-56.....	57,680	
638	To provide, subject to such terms and conditions as the Governor in Council prescribes, for the destruction of predator dogfish on the Pacific Coast at the rate of $10.00 a ton for whole (round) dogfish up to a total of 30,000 tons during the fiscal year ending March 31, 1957.....	300,000	
			2,029,677
	JUSTICE		
	A—DEPARTMENT		
639	Remission Service—Further amount required including authority to pay the members of the Committee Appointed to Advise on Principles and Procedures Relating to the Remission Service honoraria in such amounts as the Treasury Board determines but not exceeding in the aggregate $14,000	26,595	
	Exchequer Court of Canada—		
640	Administration—Further amount required.....	3,000	
	Northwest Territories Territorial Court—		
641	Administration, including Administration of Justice—Northwest Territories—Further amount required.....	7,000	
	Yukon Territorial Court—		
642	Administration, including Administration of Justice—Yukon Territory—Further amount required.....	5,500	
	GENERAL		
643	Expenses of the Royal Commissions on the Law of Insanity as a Defence in Criminal Cases and on the Criminal Law Relating to Criminal Sexual Psychopaths.....	15,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	JUSTICE—*Concluded*		
	B—Penitentiaries		
644	Operation and Maintenance of Penitentiaries, including supplies and services relating thereto; administration, operation, repair and upkeep of buildings, works and equipment; maintenance, discharge and transfer of inmates; compensation to discharged inmates permanently disabled while in penitentiaries—Further amount required.....	530,645	
645	Construction, Improvements and Equipment—Further amount required.....	150,195	
			737,935
	LEGISLATION		
	The Senate		
646	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the Senate who attended the first part of the Third Session of the Twenty-Second Parliament, which commenced on January 10th, 1956, and ended on March 28th, 1956, of an amount representing the actual transportation and living expenses of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on March 28th, 1956, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during that Session.....	5,500	
	House of Commons		
647	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the House of Commons who attended the first part of the Third Session of the Twenty-Second Parliament, which commenced on January 10th, 1956, and ended on March 28th, 1956, of an amount representing the actual transportation and living expenses of such Member while on the journey between Ottawa and his place of residence after the Easter adjournment of Parliament on March 28th, 1956, and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on that date, or at any other one time during that Session.....	20,000	
648	Grant to the Canadian North Atlantic Treaty Organization Parliamentary Association.....	10,000	
			35,500
	MINES AND TECHNICAL SURVEYS		
	A—Department		
	Surveys and Mapping Branch		
	Canadian Hydrographic Service—		
649	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	500,000	

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SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Concluded*		
	A—Department—*Concluded*		
	Mines Branch		
650	Mines Branch Administration—Further amount required....	5,000	
651	To provide for payments to McGill University in connection with the development of a Coal-Fired Gas Turbine—Further amount required.....	50,000	
	Dominion Observatories		
652	Dominion Observatory, Ottawa and Field Stations—Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	20,000	
			575,000
	NATIONAL FILM BOARD		
653	To provide for the dismantling, conversion and installation of existing equipment, acquisition of new equipment, removal expenses and other costs related to the transfer of the National Film Board to new building—Further amount required.....	.....	68,800
	NATIONAL HEALTH AND WELFARE		
	National Health Branch		
	Health Services		
654	Indians and Eskimos Health Services—Operation and Maintenance—Further amount required.....	75,000	
	General Health Grants		
655	To authorize and provide for General Health Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates—Further amount required including authority, notwithstanding Section 30 of the Financial Administration Act, to make additional commitments for the current year not to exceed $4,991,799.....	3,000,000	
	Welfare Branch		
656	To provide in respect of the fiscal year 1956-57 a reduction in the amount owing by the Old Age Security Fund pursuant to Section 11 of the Old Age Security Act, representing the amount of temporary loans made by the Minister of Finance to the Fund during the fiscal year 1955-56 estimated at....	50,020,000	
	Special		
657	To provide for a grant to the Canadian Highway Safety Conference.....	20,000	
658	To provide a grant to the Estate of the late Dr. Stephen Kucher, former employee of the Department, in an amount equal to the Supplementary Death Benefit that would have been paid if he had been a participant under Part II of the Public Service Superannuation Act.....	4,500	
			53,119,500

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
	Ports—		
659	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	.....	100,000
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
660	Departmental Administration—Further amount required	20,000	
	NATIONAL PARKS BRANCH		
	National Parks and Historic Sites Services—		
661	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	1,765,000	
	National Battlefields Commission—		
662	To provide for Special Works at National Battlefields Park, Quebec	10,000	
663	National Museum of Canada—Further amount required	15,815	
	WATER RESOURCES BRANCH		
	Water Resources Branch, including Federal share of expenses of the Lake of the Woods Control Board—		
664	Administration, Operation and Maintenance—Further amount required	40,430	
665	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	9,500	
666	To provide for federal expenditures in connection with investigations to be carried out by the Lakes Winnipeg and Manitoba Board	25,000	
	NORTHERN ADMINISTRATION AND LANDS BRANCH		
	Yukon Territory—		
667	Operation and Maintenance—Further amount required	40,333	
	Northwest Territories and Other Field Services—		
668	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	1,150,000	
	FORESTRY BRANCH		
	Forest Research Division—		
669	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	8,000	
			3,084,078
	POST OFFICE		
670	Operations—Further amount required	.....	713,800
	PUBLIC PRINTING AND STATIONERY		
671	Distribution of Official Documents—Further amount required	10,665	
672	Plant Equipment and Replacements—Further amount required	245,438	
673	To provide for reimbursement of the Queen's Printer's Advance Account for the value of stores which have become obsolete, unserviceable, lost or destroyed	7,277	
			263,380

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS		
674	Furniture and Furnishings for Government Departments—Further amount required	150,000	
	PROPERTY AND BUILDING MANAGEMENT BRANCH		
675	Maintenance and Operation of Public Buildings and Grounds, other than at Ottawa, including repairs and upkeep, rents, heating, etc.—Further amount required	670,660	
	BUILDING CONSTRUCTION BRANCH		
	Acquisition, Construction and Improvements of Public Buildings		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
676	Newfoundland	1	
677	Nova Scotia	150,000	
678	New Brunswick	130,000	
679	Quebec	250,000	
680	Ottawa	265,000	
681	Ontario (other than Ottawa)	250,000	
682	Manitoba	850,000	
683	Saskatchewan	1	
684	Alberta	1	
685	British Columbia	750,000	
686	Yukon and Northwest Territories	130,000	
	HARBOURS AND RIVERS ENGINEERING BRANCH		
687	Branch Administration, including District Engineers, staffs and related expenses—Further amount required	60,000	
	Dredging		
688	Construction or Acquisition of Plant and Equipment—Further amount required	25,000	
	Roads and Bridges		
689	Maintenance and Operation—Further amount required	66,000	
	Acquisition, Construction and Improvements of Harbour and River Works		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
690	Newfoundland	481,000	
691	Nova Scotia	254,500	
692	Prince Edward Island	241,000	
693	New Brunswick	15,000	
694	Quebec	908,500	
695	Ontario	340,000	
696	Manitoba and Saskatchewan	50,000	
697	Alberta and Northwest Territories	145,000	
698	British Columbia and Yukon	179,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	DEVELOPMENT ENGINEERING BRANCH		
699	Construction of spans of bridge over the Interprovincial channel of the Ottawa River between Pembroke, Ontario and Allumette Island, Quebec—Further amount required.....	140,000	
	GENERAL		
700	To provide for the restoration of the special account in the Consolidated Revenue Fund established by Section 36 of the National Housing Act, 1954, by the amount paid out of the special account during the fiscal year 1955-56 in respect of: *(a)* Losses sustained as a result of the operation of Federal-Provincial rental projects—Federal share..... $34,097 *(b)* Preliminary expenses incurred under enabling agreements with Provincial Governments.... 128	34,225	6,534,888
	ROYAL CANADIAN MOUNTED POLICE		
	Land and Air Services—		
701	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	85,000	
	Marine Services—		
702	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	202,000	
	PENSIONS AND OTHER BENEFITS		
703	Government's Contribution to the Royal Canadian Mounted Police Pension Account—Further amount required.....	22,390	309,390
	SECRETARY OF STATE		
704	Bureau for Translations—Further amount required.....	.....	62,700
	TRADE AND COMMERCE		
	EXHIBITIONS		
705	Canadian participation in the Brussels Universal and International Exhibition 1958—Further amount required to authorize payment, notwithstanding the Civil Service Act, of an honorarium to Mr. J. J. Olson.....	.....	1
	TRANSPORT		
	A—DEPARTMENT		
	CANAL SERVICES		
706	Construction or Acquisition of Buildings, Works, Land and Equipment, including payments to Provinces or Municipalities as contributions towards construction done by those bodies—Further amount required.....	408,507	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—Department—*Continued*		
	Marine Services		
	Marine Service Steamers—		
707	Construction or Acquisition of Vessels and Equipment—Further amount required	926,000	
	Aids to Navigation—		
708	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	503,460	
709	Nautical Services—Administration, Operation and Maintenance, including grants and contributions as detailed in the Estimates—Further amount required	1	
	Pilotage Service—		
710	Administration, Operation and Maintenance—Further amount required	32,100	
711	Construction or Acquisition of Buildings, Works, Land and Equipment	36,000	
	Railway and Steamship Services		
712	Reconditioning and refit of Ferry Vessel *Scotia II* for the Prince Edward Island Car Ferry Service—Further amount required	150,000	
	Strait of Canso—		
713	Transportation improvements and facilities — Further amount required	100,000	
714	To provide for the payment during the fiscal year 1956-57 to the Canadian National Railway Company (hereinafter called the National Company) upon applications approved by the Minister of Transport made from time to time by the National Company to the Minister of Finance and to be applied by the National Company in the payment of the deficit (certified by the auditors of the National Company) in the operation of ferry and terminal services between North Sydney, Nova Scotia and Port aux Basques, Newfoundland, and on a temporary basis between North Sydney, Nova Scotia and Argentia, Newfoundland and between North Sydney, Nova Scotia and other Newfoundland ports—Further amount required to provide for payment of the balance of the deficit incurred in the operation of these services in the calendar year 1955	1,123,830	
715	Yarmouth, Nova Scotia—Bar Harbour, Main, U.S.A., Ferry Service, Deficit, 1956—Further amount required	308,000	
716	Construction or Acquisition of Vessels for Newfoundland Coastal Services—Further amount required	152,452	
	General		
717	To provide for the expenses of an inquiry into the coasting trade of Canada authorized under the Inquiries Act—Further amount required	52,000	
	Air Services		
	Telecommunications Division		
	Radio Aids to Air and Marine Navigation—		
718	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	618,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Concluded*		
	AIR SERVICES—*Concluded*		
	Telecommunications Division—*Concluded*		
	Radio Act and Regulations—		
719	Administration, Operation and Maintenance, including contributions as Canada's share of the administrative costs of various international radio, telegraph and telephone conferences, as detailed in the Estimates—Further amount required	9,000	
720	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	84,900	
	Northwest Communication System—		
721	To authorize, notwithstanding the Financial Administration Act or any other Act, the disbursement of revenues derived from operation of The System by such agent as the Governor in Council appoints, for maintenance and operation of The System, and the payment of such management fee as the Governor in Council prescribes.	1	
	Meteorological Division		
722	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	85,000	
	Civil Aviation Division		
	Airways and Airports—		
	Operation and Maintenance—		
723	Civil Aviation Services—Further amount required to authorize, notwithstanding the Financial Administration Act or any other Act, the disbursement of revenues derived from the management and operation of hotel, bakery, restaurant, staff messing, staff accommodation and similar facilities at Gander Airport, in accordance with such arrangement as the Governor in Council prescribes for the operation of these facilities, and to authorize payment of such deficit that may occur in the management and operation of these facilities	1	
724	Construction or Acquisition of Buildings, Works, Land and Equipment, including Construction Work on Municipal Airports and payments to Municipalities as contributions towards construction done by those bodies—Further amount required	3,374,000	
725	Contributions to Municipalities or Public Bodies for Construction and Improvements of Airports on Land acquired by such Organizations—Further amount required including a contribution to an appropriate authority in respect of an airport at Lourdes-du-Blanc-Sablon, Quebec	96,717	
726	Contributions toward Airport Development and Other Airport Projects on Cost-Sharing Basis in the amounts detailed in the Estimates—Further amount required	359,835	
	B—GENERAL		
	CANADIAN MARITIME COMMISSION		
727	Steamship Subventions for Coastal Services as detailed in the Estimates—Further amount required	1	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General—*Concluded*		
	National Harbours Board		
728	Advances to National Harbours Board, subject to the provisions of Section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1956 on the following account: Reconstruction and Capital Expenditures— Halifax—Further amount required.....$1,932,000 *Less*—Amount to be expended from Replacement Funds..... 334,500	1,597,500	
			10,017,305
	VETERANS AFFAIRS		
	Miscellaneous Payments		
729	To provide for the cost of transportation from their homes to London, England, and return of Victoria Cross holders and certain eligible relatives attending the Victoria Cross Centenary in June, 1956, and administrative expenses.....	85,000	
	Terminable Services		
730	To provide for the repayment in such amounts as the Minister of Veterans Affairs determines, not exceeding the whole of an amount equivalent to the compensating adjustment made under Subsection (1) of Section 13 of the War Service Grants Act or the payment made pursuant to paragraph *(c)* of Subsection (2) of Section 12 of the Veterans Rehabilitation Act, where the person who made the compensating adjustment or payment does not receive benefits under the Veterans' Land Act or where, having had financial assistance under that Act, he is deemed by the Minister on termination of his contract or agreement under that Act to have derived thereunder either no benefit or a benefit that is less than the amount of the compensating adjustment or payment made.....	190,000	
			275,000
	LOANS, INVESTMENTS AND ADVANCES		
	Finance		
731	To authorize the purchase of 3,600 shares of stock of the International Finance Corporation being Canada's subscription as a member thereof for the amount of $3,600,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of May, 1956 (Revote).....	3,564,000	
	National Defence		
732	To authorize loans to be made in the current and subsequent fiscal years in respect of housing projects constructed, pursuant to an agreement with the Minister of National Defence, for occupancy by members of the Canadian Forces; such loans to be at interest rates and in accordance with such terms and conditions as the Governor in Council prescribes.....	5,000,000	

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	NATIONAL DEFENCE—*Concluded*		
733	To authorize, under such terms and conditions as the Governor in Council prescribes, a capital assistance loan to the Town of Oromocto, New Brunswick, to be covered by town debentures, for the purpose of assisting in the completion of the physical development of municipal works.....	2,000,000	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
734	Advances to the Northwest Territories Power Commission for the purpose of capital expenditures in accordance with the provisions of Section 15 of the Northwest Territories Power Commission Act, subject to such terms and conditions as the Governor in Council may approve.....	500,000	
	PUBLIC WORKS		
	Central Mortgage and Housing Corporation		
735	To provide for the restoration of the special account in the Consolidated Revenue Fund established by Section 36 of the National Housing Act, 1954, by the amount paid out of the special account in respect of housing and land development projects undertaken jointly with the governments of the provinces during the fiscal year 1955-56.....	3,500,000	
	TRANSPORT		
	Air Services		
736	Loan to the Canadian Overseas Telecommunication Corporation in accordance with Section 14 of the Canadian Overseas Telecommunication Corporation Act for additions and betterments to facilities—Further amount required.....	1,908,256	
	National Harbours Board		
737	To authorize and provide for the construction, maintenance and operation by the National Harbours Board, either by itself or in co-operation with others, of a bridge for general traffic across the St. Lawrence River in such location at or near the Harbour of Montreal as may be approved by the Governor in Council upon the recommendation of the Minister of Transport; such bridge, during construction and when completed to be a work under the jurisdiction, administration, management and control of the National Harbours Board for all purposes of the National Harbours Board Act and to be subject to all the provisions of that Act, and to constitute a part of the facilities of the Harbour of Montreal; amount to be credited to the National Harbours Board Special Account, subject to the provisions of Section 29 of the said Act.....	400,000	
			16,872,256
	Total.....	.....	*146,025,513

* Net total $85,181,549.25