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LIST OF ACTS

SESSION 1935

SIXTH SESSION, SEVENTEENTH PARLIAMENT, 25-26 GEORGE V, 1935

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77.	Campbell, Charles Henry	K
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79.	Dafoe, Minnie Elizabeth Lyons	E
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82.	Eardley-Wilmot, Trevor	F
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84.	Gauthier, Mary Frances Isobel Brown	U
85.	Gorman, Amy May Wells	V
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Sixth Session, Seventeenth Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 61.

An Act to amend The New Westminster Harbour Commissioners Act.

First reading, April 15, 1935.

The MINISTER OF MARINE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95067
1935

6th Session, 17th Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 61.

An Act to amend The New Westminster Harbour Commissioners Act.

1913, c. 158; 1931, c. 40.

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

1. Section six of *The New Westminster Harbour Commissioners Act*, chapter one hundred and fifty-eight of the statutes of 1913, is amended by adding the following subsection thereto:—

Remuneration of chairman and commissioners.

"(6) The chairman and the other commissioners may be paid out of the revenue of the harbour such remuneration for their services as the Governor in Council determines,"

Explanatory Notes.

The New Westminster Harbour Commission was established by chapter 158 of the statutes of 1913.

The Commission consists of three commissioners, namely:—

2 appointed by the Governor in Council;

1 appointed by the City Council of New Westminster.

No provision is made in the Act of Incorporation for the payment of salaries to the Commissioners. The object of the amendment is to provide that they may be paid salaries.

Sixth Session, Seventeenth Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act to amend the Soldier Settlement Act.

First reading, April 15, 1935.

The MINISTER OF LABOUR.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96981 1935

6th Session, 17th Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act to amend the Soldier Settlement Act.

R.S., c. 188; 1928, c. 48; 1930, c. 42; 1931, c. 53; 1932, c. 53; 1932-33, c. 49; 1934, c. 41.

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

1. The *Soldier Settlement Act*, chapter one hundred and eighty-eight of the Revised Statutes of Canada, 1927, is amended by adding to section five thereof the following subsection:—

Certain officers deemed to be permanent employees.

"(3) Any officer, instructor, clerk, stenographer or other employee attached, at the date of the coming into force of this amending Act, to the service of the Director of Soldier Settlement whose position is in a report in writing of the Director of Soldier Settlement certified to be of indeterminate duration and who upon the recommendation of the Treasury Board is designated by the Governor in Council shall, notwithstanding anything contained in the *Civil Service Act*, be deemed to be a permanent employee and shall upon such designation become subject in all respects to the *Civil Service Act*."

R.S., c. 22.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act to amend the Soldier Settlement Act.

AS PASSED BY THE HOUSE OF COMMONS,
20th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
6983 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act to amend the Soldier Settlement Act.

R.S., c. 188; 1928, c. 48; 1930, c. 42; 1931, c. 53; 1932, c. 53; 1932-33, c. 49; 1934, c. 41.

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

1. The *Soldier Settlement Act*, chapter one hundred and eighty-eight of the Revised Statutes of Canada, 1927, is amended by adding to section five thereof the following subsection:—

Certain officers deemed to be permanent employees.

"(3) Any officer, instructor, clerk, stenographer or other employee attached, at the date of the coming into force of this amending Act, to the service of the Director of Soldier Settlement whose position is in a report in writing of the Director of Soldier Settlement certified to be of indeterminate duration and who upon the recommendation of the Treasury Board is designated by the Governor in Council shall, notwithstanding anything contained in the *Civil Service Act*, R.S., c. 22. be deemed to be a permanent employee and shall upon such designation become subject in all respects to the *Civil Service Act*."

Sixth Session, Seventeenth Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to create employment by public works and undertakings throughout Canada and to authorize the guarantee of certain railway equipment securities.

First reading, April 15, 1935.

THE PRIME MINISTER.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96535 1935

Sixth Session, Seventeenth Parliament, 25 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to create employment by public works and undertakings throughout Canada and to authorize the guarantee of certain railway equipment securities.

Preamble, 1934, c. 59.

WHEREAS Parliament did by *The Public Works Construction Act, 1934*, make provision for the construction and improvement of certain public works throughout Canada for the purpose of accelerating recovery of trade and industry to more normal conditions; and whereas in pursuance of the said Act there are Dominion public works throughout Canada in process of construction amounting approximately to thirty million dollars; and whereas employment can be further stimulated by the undertaking of works and projects mentioned in the Schedule hereto to supplement the works authorized by *The Public Works Construction Act, 1934;* and whereas it is in the national interest that such works and projects should be undertaken: Therefore, His 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 Supplementary Public Works Construction Act, 1935.*

Authority to execute and complete works.

2. The Governor in Council may authorize the execution and completion of the several works and undertakings mentioned in Schedule A to this Act, and for such purposes may authorize the performance of such acts and the execution of such contracts as may be deemed necessary and expedient.

Acquisition of lands.

3. The Governor in Council may acquire such lands as may be necessary for the purposes of this Act, and the provisions of the *Expropriation Act*, chapter sixty-four of the Revised Statutes of Canada, 1927, shall apply.

Amount appropriated.

4. The Governor in Council may authorize the Minister of Finance to pay out of unappropriated moneys in the Consolidated Revenue Fund such sums of money as may be necessary for all or any of the purposes of this Act, not exceeding in the aggregate the sum of eighteen million dollars exclusive of obligations arising out of the construction and betterment of railway equipment hereinafter provided for.

Administration.

5. The Governor in Council may from time to time place the administration, management, construction and execution of any of the works mentioned in Schedule A to this Act under such Minister or Department of the Government as may be considered most advisable in the public interest.

Tenders.

6. Except as hereinafter provided, the Minister or Department of the Government entrusted with the administration, management and execution of any of the works set forth in Schedule A to this Act, shall invite tenders for the construction and execution of such works, and contracts for all such works and undertakings shall be awarded under the direction of the Governor in Council.

Cases in which tenders may not be required.

7. In the case of work of pressing emergency in which, in the opinion of the Governor in Council, delay would be injurious to the public interest, or in which from the nature of the work it could be more beneficially executed under the direct supervision and control of the officers and employees of the Department in charge of such work, the Governor in Council, on the recommendation of the Minister of such Department, accompanied by a certificate of the Chief or Assistant Chief Engineer or Architect in charge of such work for the said Department, or of the Chief Engineer or Chief Architect of the Department of Public Works, may direct that the work proceed forthwith without inviting tenders:

Proviso.

Provided that in the case of any one work the cost of which is estimated to be less than fifteen thousand dollars, the Minister of the Department in charge of such work may proceed with such work under the direction of such Minister or Department.

Assistants.

8. For the purposes of this Act, the Governor in Council may authorize the Minister charged with the execution of any work under this Act from time to time to employ such architects, engineers and other persons as may be required.

Power to guarantee equipment securities of C.N.R. and C.P.R.

9. (1) The Governor in Council may authorize the guarantee of the principal and interest of securities to be issued by the Canadian National Railway Company to the principal amount of eight million dollars and by the Canadian Pacific Railway Company to the principal amount of seven

million dollars, for the purpose of acquisition or betterment or improvement of railway equipment; and the Canadian National Railway Company is hereby authorized to issue such securities for such purpose:

Re-imbursement of interest.

Provided that the Governor in Council may authorize the Minister of Finance to reimburse the said railway companies or either of them the amount of the interest payable in respect of the said securities over a period not exceeding two years.

Form, conditions and signature of guarantee.

(2) The guarantee or guarantees shall be in such form and on such terms and conditions as the Governor in Council may determine to be appropriate; and may be signed on behalf of His Majesty by the Minister of Finance, and such signature shall be conclusive evidence for all purposes of the validity of the guarantee.

Agreement or security to indemnify His Majesty.

(3) The Minister of Finance shall, with the approval of the Governor in Council, require each railway company to enter into an agreement with, or to furnish security to, His Majesty to secure and indemnify His Majesty in respect of any guarantee under this section.

Power to fix percentage of cost applicable to highway crossings.

10. Notwithstanding anything contained in section two hundred and sixty-two of the *Railway Act*, as enacted by chapter forty-three of the Statutes of 1928, and amended by chapter fifty-four of the Statutes of 1929, the Governor in Council may in the case of any highway crossing of a railway determine the percentage of the cost which shall be payable out of the sum appropriated by this Act to aid actual construction work for the protection, safety and convenience of the public.

Orders in Council laid before House.

11. All orders in council made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof if Parliament is then sitting, and if not, then said orders in council or an abstract thereof disclosing their essential provisions shall be published in the next following issue of the *Canada Gazette* and laid before Parliament in the case of all expenditures the amounts of which are not specifically set forth in Schedule A to this Act within the first fifteen days of the next ensuing session.

Report to Parliament.

12. The Minister of Finance shall make a report to Parliament within the first thirty days of each session during the currency of this Act, containing a statement of all moneys expended under the provisions thereof and the purposes to which they were applied.

SCHEDULE A.

1.	Railway Grade Crossings	$ 1,000,000
2.	Geological Surveys and investigations in the Northwest Territories and elsewhere in Canada	1,000,000
3.	Montreal Harbour Improvement and Deepening	3,500,000
4.	Quebec Harbour Improvements and Maintenance	1,250,000
5.	Canals—Repairs and Improvements	750,000
6.	Western Conservation Works	500,000
7.	Tunnel at Western Entrance Toronto Harbour	1,000,000
8.	Buildings and Improvements, Department of Agriculture	500,000
9.	Harbours and Rivers generally	2,500,000
10.	Alterations, Improvements and Additions to Public Buildings and to supplement where necessary, upon the authority of the Governor in Council, specific amounts provided in the Schedule to *The Public Works Construction Act, 1934*	4,000,000
11.	INTERIOR DEPARTMENT—To provide for the construction and development of public buildings, camp sites, electric light and telephone systems, highways, bridges, streets, sidewalks, landing fields, air harbours, trails, water and sewer systems, recreational areas, wharves, and river protection works; to provide for the development of historic sites including buildings, repairs and restorations; to provide for the purchase and acquisition of building sites, also to provide for the construction of the Golden-Revelstoke (Big Bend) section of the Trans-Canada Highway	1,500,000
12.	Lac Seul Protection Works	175,000
13.	Bridge at Ceepee, Saskatchewan	225,000
14.	Halifax—Pedestrian subway under C.N.R. tracks, Inglis St	40,000
		$17,940,000

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to create employment by public works and undertakings throughout Canada and to authorize the guarantee of certain railway equipment securities.

AS PASSED BY THE HOUSE OF COMMONS, 27th MAY, 1935.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96537 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to create employment by public works and undertakings throughout Canada and to authorize the guarantee of certain railway equipment securities.

Preamble, 1934, c. 59.

WHEREAS Parliament did by *The Public Works Construction Act, 1934*, make provision for the construction and improvement of certain public works throughout Canada for the purpose of accelerating recovery of trade and industry to more normal conditions; and whereas in pursuance of the said Act there are Dominion public works throughout Canada in process of construction amounting approximately to thirty million dollars; and whereas employment can be further stimulated by the undertaking of works and projects mentioned in the Schedule hereto to supplement the works authorized by *The Public Works Construction Act, 1934;* and whereas it is in the national interest that such works and projects should be undertaken: Therefore, His 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 Supplementary Public Works Construction Act, 1935.*

Authority to execute and complete works.

2. The Governor in Council may authorize the execution and completion of the several works and undertakings mentioned in Schedule A to this Act, and for such purposes may authorize the performance of such acts and the execution of such contracts as may be deemed necessary and expedient: Provided, however, that in the execution of such works, as far as practicable and consistent with reasonable efficiency and economy, first consideration shall be given to the employment of those who if available and competent are most in need in the locality in which the works are to be performed, without any discrimination whatsoever; preference being shown to unemployed ex-service men and unemployed married and single men with

dependents; and that the minister of the department responsible for the execution af such works may take such action as he may deem necessary and proper to enforce compliance with the foregoing provisions.

Acquisition of lands.

3. The Governor in Council may acquire such lands as may be necessary for the purposes of this Act, and the provisions of the *Expropriation Act*, chapter sixty-four of the Revised Statutes of Canada, 1927, shall apply.

Amount appropriated.

4. The Governor in Council may authorize the Minister of Finance to pay out of unappropriated moneys in the Consolidated Revenue Fund such sums of money as may be necessary for all or any of the purposes of this Act, not exceeding in the aggregate the sum of eighteen million dollars exclusive of obligations arising under section nine of this Act.

Administration.

5. The Governor in Council may from time to time place the administration, management, construction and execution of any of the works mentioned in Schedule A to this Act under such Minister or Department of the Government as may be considered most advisable in the public interest.

Tenders.

6. Except as hereinafter provided, the Minister or Department of the Government entrusted with the administration, management and execution of any of the works set forth in Schedule A to this Act, shall invite tenders for the construction and execution of such works, and contracts for all such works and undertakings shall be awarded under the direction of the Governor in Council.

Cases in which tenders may not be required.

7. In the case of work of pressing emergency in which, in the opinion of the Governor in Council, delay would be injurious to the public interest, or in which from the nature of the work it could be more beneficially executed under the direct supervision and control of the officers and employees of the Department in charge of such work, the Governor in Council, on the recommendation of the Minister of such Department, accompanied by a certificate of the Chief or Assistant Chief Engineer or Architect in charge of such work for the said Department, or of the Chief Engineer or Chief Architect of the Department of Public Works, may direct that the work proceed forthwith without inviting tenders:

Proviso.

Provided that in the case of any one work the cost of which is estimated to be less than fifteen thousand dollars, the Minister of the Department in charge of such work may proceed with such work under the direction of such Minister or Department.

Assistants.

8. For the purposes of this Act, the Governor in Council may authorize the Minister charged with the execution of any work under this Act from time to time to employ such architects, engineers and other persons as may be required.

Power to guarantee equipment securities of C.N.R. and C.P.R.

9. (1) The Governor in Council may authorize the guarantee of the principal and interest of securities to be issued by the Canadian National Railway Company to the principal amount of eight million dollars and by the Canadian Pacific Railway Company to the principal amount of seven million dollars, for the purpose of acquisition or betterment or repairs of railway equipment; and the Canadian National Railway Company is hereby authorized to issue such securities for such purpose:

Re-imbursement of interest.

Provided that the Governor in Council may authorize the Minister of Finance to reimburse the said railway companies or either of them the amount of the interest payable in respect of the said securities over a period not exceeding two years, and provided further that the Governor in Council may authorize the Minister of Finance to reimburse the Canadian National Railway Company out of any unappropriated moneys in the Consolidated Revenue Fund of Canada, the amount of any further interest payable on account of any of its securities issued under the authority of this section for the purpose of repairs of railway equipment.

Form, conditions and signature of guarantee.

(2) The guarantee or guarantees shall be in such form and on such terms and conditions as the Governor in Council may determine to be appropriate; and may be signed on behalf of His Majesty by the Minister of Finance, and such signature shall be conclusive evidence for all purposes of the validity of the guarantee.

Agreement or security to indemnify His Majesty.

(3) The Minister of Finance shall, with the approval of the Governor in Council, require each railway company to enter into an agreement with, or to furnish security to, His Majesty to secure and indemnify His Majesty in respect of any guarantee under this section.

Expenditure for purchase of equipment and sale of same to railway companies.

(4) Notwithstanding anything contained in this section, the Governor in Council may, in lieu of authorizing the guarantee of securities to the full amounts hereinbefore provided, authorize the Minister of Finance to expend the sum or sums, being the difference or differences between the amount or amounts of securities which may be guaranteed under this section and the amount or amounts of securities actually guaranteed, for the purchase, on behalf of His Majesty, of railway equipment and to sell or lease the same to either or both of the said railways under agreement whereby the railway company or railway companies shall reimburse His Majesty the full amount of the cost of the said equipment with interest, except in respect of the first and second years covered by the agreement, at a rate

to be fixed by the Governor in Council and such agreement shall provide that security be furnished to secure and indemnify His Majesty in respect of the debt due to His Majesty.

Power to fix percentage of cost applicable to highway crossings.

10. Notwithstanding anything contained in section two hundred and sixty-two of the *Railway Act*, as enacted by chapter forty-three of the statutes of 1928, and amended by chapter fifty-four of the statutes of 1929, the Governor in Council may in the case of any highway crossing of a railway determine the percentage of the cost which shall be payable out of the sum appropriated by this Act to aid actual construction work for the protection, safety and convenience of the public.

Orders in Council laid before House.

11. All orders in council made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof if Parliament is then sitting, and if not, then said orders in council or an abstract thereof disclosing their essential provisions shall be published in the next following issue of the *Canada Gazette* and laid before Parliament in the case of all expenditures the amounts of which are not specifically set forth in Schedule A to this Act within the first fifteen days of the next ensuing session.

Report to Parliament.

12. The Minister of Finance shall make a report to Parliament within the first thirty days of each session during the currency of this Act, containing a statement of all moneys expended under the provisions thereof and the purposes to which they were applied.

SCHEDULE A.

1. Railway Grade Crossings	$ 1,000,000
2. Geological Surveys and investigations in the Northwest Territories and elsewhere in Canada	1,000,000
3. Montreal Harbour Improvement and Deepening	3,500,000
4. Quebec Harbour Improvements and Maintenance	1,250,000
5. Canals—Repairs and Improvements	750,000
6. Western Conservation Works	500,000
7. Tunnel at Western Entrance Toronto Harbour	1,000,000
8. Buildings and Improvements, Department of Agriculture	500,000
9. Harbours and Rivers generally	2,500,000
10. Alterations, Improvements and Additions to Public Buildings and to supplement where necessary, upon the authority of the Governor in Council, specific amounts provided in the Schedule to *The Public Works Construction Act, 1934*	4,000,000
11. INTERIOR DEPARTMENT—To provide for the construction and development of public buildings, camp sites, electric light and telephone systems, highways, bridges, streets, sidewalks, landing fields, air harbours, trails, water and sewer systems, recreational areas, wharves, and river protection works; to provide for the development of historic sites including buildings, repairs and restorations; to provide for the purchase and acquisition of building sites, also to provide for the construction of the Golden-Revelstoke (Big Bend) section of the Trans-Canada Highway	1,500,000
12. Lac Seul Protection Works	175,000
13. Bridge at Ceepee, Saskatchewan	225,000
14. Halifax—Pedestrian subway under C.N.R. tracks, Inglis St	40,000
	$17,940,000

Sixth Session, Seventeenth Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act to amend The Bank Act.

First reading, May 22, 1935.

Mr. COOTE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

97168

6th Session, 17th Parliament, 25 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act to Amend The Bank Act.

1934, c. 24.

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

Unauthorized issue of notes for circulation.

1. Section one hundred and thirty-eight of *The Bank Act*, chapter twenty-four of the statutes of 1934, is repealed.

Explanatory Notes.

1. The section to be repealed reads as follows:—

"**138.** (1) Every person, except a bank to which this Act applies, who issues or reissues, makes, draws or endorses any bill, bond, note, cheque or other instrument, intended to circulate as money, or to be used as a substitute for money, for any amount whatsoever, shall incur a penalty of four hundred dollars. Unauthorized issue of notes for circulation.

(2) If any such instrument is made for the payment of a less sum than twenty dollars, and is payable either in form or in fact to the bearer thereof, or at sight, or on demand, or at less than thirty days thereafter, or is overdue, or is in any way calculated or designed for circulation, or as a substitute for money, the intention to pass the same as money shall be presumed unless such instrument is Intention presumed.

(a) a cheque on some chartered bank paid by the maker directly to his immediate creditor; or Exceptions.

(b) a promissory note, bill of exchange, bond or other undertaking for the payment of money made or delivered by the maker thereof to his immediate creditor; and

(c) not designed to circulate as money or as a substitute for money."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to amend the Weights and Measures Act.

First reading, May 23, 1935.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

98345

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to amend the Weights and Measures Act.

R.S., c. 212

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

1. Paragraph *(c)* of section two of the *Weights and Measures Act*, chapter two hundred and twelve of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

"Inspector".

"*(c)* 'inspector' means an inspector of weights and measures appointed under the provisions of this Act, and includes the director and superintendents of weights and measures, inspectors of weights and measures, and any other officer with the powers, or authorized to perform the duties, of an inspector of weights and measures."

2. Subsection one of section five of the said Act is repealed and the following is substituted therefor:—

Certain standards to be Dominion standards.

"**5.** (1) The bronze bar and the platinum weights more particularly described in the first part of the first schedule to this Act, and deposited at the Department of Trade and Commerce, in the custody of the Minister, as provided in the Act passed in the year one thousand eight hundred and seventy-three, chapter forty-seven, and intituled *An Act respecting Weights and Measures*, shall continue to be the Dominion standards of measure and weight."

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

Local standards.

"**15.** The standards of measure and weight which are lawfully in use by inspectors for the purpose of verification or inspection, and all copies of the departmental standards which are compared and verified with those standards under the direction of the Minister for the purpose of being

Explanatory Notes.

1. This amendment is to alter the definition so as to correspond with the present titles of officers.

2. These standards are now deposited at the Department of Trade and Commerce, instead of the Department of National Revenue.

3. The repealed section provided that the standards be "verified by the Minister". These words have been changed to read "under the direction of the Minister." It is obvious that the Minister could not verify the standards himself; the work must be done under his direction.

used by inspectors under this Act as standards for the verification or inspection of weights and measures, shall be called local standards."

4. The said Act is amended by inserting the following section immediately after section twenty-two thereof:—

"Cord" defined.

"**22A.** The cord shall contain one hundred and twenty-eight (128) cubic feet, being four and seven hundred and forty, nine hundred and ninety-ninths (4 740/999) cubic yards according to the Dominion standard yard."

5. Section twenty-six of the said Act is amended by adding thereto the following as subsection six thereof:—

Fluid ounce.

"(6) The one hundred and sixtieth part of the gallon by volume shall be the fluid ounce."

6. Section thirty-seven of the said Act is repealed and the following is substituted therefor:—

Articles in vessels.

"**37.** Subject to the requirements of any regulation made in accordance with the provisions of this Act nothing in this Act shall prevent the sale, or subject a person to a penalty under this Act for the sale of an article in any vessel, such vessel being included in the sale, when such vessel is not represented as containing any specific quantity in Dominion measures, nor subject a person to a penalty under this Act for the possession of a vessel when it is shown that such vessel is not used or intended for use as a measure."

7. Section forty-one of the said Act is repealed and the following is substituted therefor:—

Director may be appointed.

"**41.** (1) A Director of Weights and Measures, hereinafter called the Director, may be appointed, who shall, under the direction of the Minister, conduct all comparisons, verifications and other operations with reference to local standards of measure and weight, and shall have the general supervision and direction of the work of inspection throughout Canada.

Certificates to be *prima facie* evidence.

(2) A certificate of such comparison and verification signed by the Director shall be *prima facie* evidence that the comparison and verification has been performed as described in such certificate.

Appointment of inspectors and officers.

(3) Inspectors of weights and measures and such other officers as are deemed necessary, may be appointed in the manner authorized by law.

Qualification of inspectors.

(4) No person shall be appointed an inspector or shall act as an inspector until he has been examined and has obtained a certificate in the manner authorized by law that he is qualified to perform the duties of his office.

4. This is a new section to define "the cord".

5. Many containers are now marked in fluid ounces although the fluid ounce has not been included in the Act heretofore as a legal unit.

6. Anticipating a regulation requiring that packages or containers should show the weight of contents and that such regulation may specify the classes of goods to which it shall apply and may be varied in this particular from time to time, it seems desirable that the existing section should be left to cover such field as may remain unaffected by regulation.

7. The amendment corrects the title of the administrative officer in charge of this branch of the work of the Department and limits the departmental comparisons to local standards and also adds a clause making a certificate of verification and comparison signed by the Director prima facie evidence of the facts set out in such certificate. Subsections 4 and 5 are the same as subsections 3 and 4 of the repealed section. The Research Council are now given custody of the primary standards under the Research Council Act, leaving the weights and measures branch of the Department of Trade and Commerce the duties of comparing the local (secondary) and working standards only.

Inspection divisions.

(5) The Governor in Council may divide the whole or any part of Canada into inspection divisions and fix the boundaries of such divisions, and, in the manner authorized by law, may prescribe what and how many officers shall be employed in the several districts."

8. Section forty-eight of the said Act is repealed and the following is substituted therefor:—

Power of inspectors to enter shops, etc.

"**48.** (1) The inspector may, at all reasonable times, without notice, enter any shop, store, warehouse, stall, yard or place whatsoever, within his division, where any commodity is bought, sold, exposed or kept for sale, or where a charge is made for the carriage or conveyance thereof by weight or measure, and

(a) there examine all weights, measures, weighing and measuring machines, and compare them and try the same with the local standards of weight and measure in his possession;

(b) inspect and check any pre-packaged goods or articles for the purpose of ascertaining whether the contents of such packaged goods correctly correspond with the weight and measure offered for sale or marked on the label or container.

No previous notice.

(2) He shall do so from time to time and without previous notice, so as best to ensure compliance with the provisions of this Act and the provisions of any related legislation governing the sale of commodities by weight, measure or count, and the discovery and punishment of any violations thereof.

Inspection of fixed weighing machines.

(3) He shall attend at any reasonable time and place, and when not otherwise engaged in the performance of his duties, for the purpose of inspecting and verifying any fixed and non-portable weighing machine in his division.

Place of inspection.

(4) He may also, subject to regulations made by the Governor in Council in that behalf, at any time when not so engaged as aforesaid, inspect, verify, stamp and certify any weights, measures or weighing machines, at the request of the owner thereof, and at any place in his division."

9. Section fifty-two of the said Act is amended by adding to subsection one thereof the following paragraphs:—

Regulations.

"*(k)* the measurement of wood;

(l) the weight of wrappers or containers of articles sold by weight;

(m) the weight and quantity of contents of and markings upon packages or containers of goods, wares or merchandise at time of sale."

8. This section is amended to extend the powers of inspectors to check-weigh pre-packed goods.

9. The first two lines of section 52 read as follows:—

"**52.** The Governor in Council may, from time to time make regulations concerning . . . ."

This clause is added as complementary to the new section 22A defining "the cord".

Anticipating provision that the wrapper or container may be included in the weight of goods sold from bulk over the counter and weighed in the presence of the customer so long as the wrappers or containers do not exceed reasonable weight, it seems desirable that the weight of such wrapper or container should be the subject from time to time of regulation and this is provided for by the proposed paragraph *(l)*; paragraph *(m)* provides authority for a requirement that packaged goods shall be put up in standard weights, the package to show the weight of contents.

10. Section sixty-three of the said Act is repealed and the following is substituted therefor:—

Penalty for short weights, measure or counts.

"**63.** (1) Notwithstanding any of the provisions of the *Criminal Code* any person who sells, delivers or causes to be sold or delivered anything by weight, measure or number short of the quantity ordered or purchased shall, except as by this section otherwise provided, be guilty of an offence and liable to a fine not exceeding one hundred dollars and not less than fifty dollars for the first offence and to a fine not exceeding two hundred and fifty dollars and not less than one hundred dollars and in default of payment to a term of imprisonment not exceeding six months for every subsequent offence.

Proceedings.

(2) No proceedings shall be taken under the provisions of this section except with the consent in writing of the Minister.

When weight of wrapper or container may be included.

(3) Any person who sells, delivers or causes to be sold or delivered anything by weight where the article is weighed in a wrapper or container in the presence of the purchaser for and at the time of sale, may include in the weight purported to be sold the weight of the wrapper or container if the weight of the wrapper or container does not exceed per pound of the article sold the weight prescribed by regulation under this Act in respect of such wrapper or container."

11. Section sixty-four of the said Act is repealed and the following is substituted therefor:—

False or unjust weights.

"**64.** (1) Every person who uses or has in his possession for use, in trade, any weight, measure, scale, balance, steelyard or weighing machine, which is false or unjust, shall be guilty of an offence and liable

(a) if not a corporation, to a fine not exceeding one hundred dollars and not less than fifty dollars for the first offence, and to a fine not exceeding two hundred and fifty dollars and not less than one hundred dollars and in default of payment to a term of imprisonment not exceeding six months for every subsequent offence and

(b) if a corporation, to a fine not exceeding one thousand dollars and not less than five hundred dollars for the first offence, and to a fine not exceeding five thousand dollars and not less than one thousand dollars for every subsequent offence.

Forfeiture.

(2) Such weight, measure, scale, balance, steelyard or weighing machine shall be forfeited, and shall be forthwith seized by the inspector as being so forfeited; and any contract, bargain, sale or dealing made by using the same shall be void."

10. Subsection (1) of the existing section 63 is altered as to the amount of penalties that may be imposed.

The inserted phrase anticipates provision by subsection (3) of the inclusion in certain cases of the weight of the wrapper or container in the weight of the article sold.

(2) Subsection (2) provides that the consent presently called for by the section shall be in writing.

(3) Subsection (3) is new and is inserted for the purpose of providing that the weight of wrapper or container, within limits, shall be included in the weight of goods sold over the counter to the purchaser and weighed in his presence.

11. This provision increases the penalty that may be imposed.

12. Section sixty-seven of the said Act is repealed and the following is substituted therefor:—

Using unstamped weights, etc.

"**67.** Every trader, manufacturer, carrier, public weigher, gauger, measurer, surveyor or other person, who uses, for any purpose of buying, selling or charging for the carriage of any goods, wares, merchandise, or thing, or of measuring any land, goods, materials or other thing, for the purpose of charging for or ascertaining the amount or price to be paid, or the charge to be made therefor, any weight or measure, or weighing machine which has not been duly inspected and stamped according to this Act, is guilty of an offence against this Act and shall, on conviction, incur a penalty not exceeding fifty dollars and not less than five dollars for each such offence, and such unstamped weight, measure, weighing or measuring machine, so used, may be seized by the inspector for the purpose of prosecution and held under seizure subject to the order of the Minister."

13. Section sixty-nine of the said Act is repealed and the following is substituted therefor:—

Postal scales.

"**69.** (1) Postal scales, when engraved and stamped as such and of a capacity not exceeding four pounds, and not used for trade purposes, may be sold without inspection under such regulations as the Department of Trade and Commerce prescribes.

Confiscation if used for trade purposes.

(2) Any such scale found in use for trade purposes shall be forthwith seized and confiscated by the inspector on view without suit or authority other than this Act."

14. Subsection two of section seventy of the said Act is repealed and the following is substituted therefor:—

Seizure of unlawful weights.

"(2) Such weights, measures or weighing machines may be seized by the inspector for the purposes of prosecution and held under seizure subject to the order of the Minister."

15. The said Act is amended by inserting the following section immediately after section seventy-four thereof:—

Size or capacity of containers, etc., to be in terms of Dominion measure.

"**74A.** No person shall sell or offer for sale any vessel, utensil or container which is represented as of a definite size or capacity in terms of measure unless such size or capacity is in terms of Dominion measure ascertained by this Act or some aliquot multiple or submultiple thereof, and any person who contravenes this provision shall be liable to a penalty not exceeding twenty-five dollars for a first offence and not exceeding fifty dollars for a second or subsequent offence."

12. This section deals with the use of scales, etc., that have not been inspected and stamped. It sometimes happens from mere oversight that scales are not stamped and in the case of a modern scale, confiscation for such an offence is too severe a penalty. This section is amended to permit seizure for purposes of prosecution, final disposal of the scale to be left to the order of the Minister.

13. The only change in subsection 1 is to substitute the Department of Trade and Commerce for the Department of National Revenue. Subsection 2 is changed as these small postal scales are cheap and confiscation is the best remedy when they are found in use for trade purposes.

14. This amendment is to bring the penalty clause in line with the penalties under the proposed section 67.

15. This amendment is designed to prevent the sale and use in Canada of articles such as domestic measuring cups, water bottles, preserving crocks, etc., in foreign wine sizes. For example, the wine five-gallon preserving crock contains only $4\frac{1}{6}$ Imperial gallons. It is sold as a five-gallon crock and competes with and undersells the larger Canadian five-gallon crock.

16. Section seventy-seven of the said Act is repealed and the following is substituted therefor:—

Obstructing inspector.

"**77.** Every person who wilfully obstructs or impedes any inspector in the performance of his duty under this Act, or under any order in council or regulation lawfully made under it, and every person who aids or assists him in so doing shall be liable to a penalty for a first offence of not less than twenty-five dollars and costs, but not exceeding one hundred dollars and costs, and for a second or subsequent offence to a penalty of one hundred dollars and costs or to imprisonment for a period not exceeding six months."

17. Section eighty of the said Act is repealed and the following is substituted therefor:—

Stamping outside of division.

"**80.** Every inspector who, without authority from the Director, knowingly stamps any balance, weight, measure or weighing machine, belonging to any person residing within the limits of any inspection division for which another inspector has been lawfully appointed, shall, on conviction, incur a penalty not exceeding five dollars for every balance, weight, measure or weighing machine so stamped."

16. The Act at present prescribes a penalty of $100.00 for the offence of obstructing an officer. It is felt that this is too severe as there are degrees of obstruction.

17. The areas in which an officer inspects is a matter of administration. For example, Gananoque falls within the Ottawa district. It is much nearer Kingston, which belongs to the Belleville district. It is sometimes more convenient for the Director to send a Kingston man to perform an isolated inspection at Gananoque and it should not be necessary to get the Minister's consent therefor.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to amend the Weights and Measures Act.

AS PASSED BY THE HOUSE OF COMMONS,
29th MAY, 1935.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98347 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to amend the Weights and Measures Act.

R.S., c. 212

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

1. Paragraph *(c)* of section two of the *Weights and Measures Act*, chapter two hundred and twelve of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

"Inspector".

"*(c)* 'inspector' means an inspector of weights and measures appointed under the provisions of this Act, and includes the director and superintendents of weights and measures, inspectors of weights and measures, and any other officer with the powers, or authorized to perform the duties, of an inspector of weights and measures."

2. Subsection one of section five of the said Act is repealed and the following is substituted therefor:—

Certain standards to be Dominion standards.

"**5.** (1) The bronze bar and the platinum weights more particularly described in the first part of the first schedule to this Act, and deposited at the Department of Trade and Commerce, in the custody of the Minister, as provided in the Act passed in the year one thousand eight hundred and seventy-three, chapter forty-seven, and intituled *An Act respecting Weights and Measures*, shall continue to be the Dominion standards of measure and weight."

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

Local standards.

"**15.** The standards of measure and weight which are lawfully in use by inspectors for the purpose of verification or inspection, and all copies of the departmental standards which are compared and verified with those standards under the direction of the Minister for the purpose of being

EXPLANATORY NOTES.

1. This amendment is to alter the definition so as to correspond with the present titles of officers.

2. These standards are now deposited at the Department of Trade and Commerce, instead of the Department of National Revenue.

3. The repealed section provided that the standards be "verified by the Minister". These words have been changed to read "under the direction of the Minister." It is obvious that the Minister could not verify the standards himself; the work must be done under his direction.

used by inspectors under this Act as standards for the verification or inspection of weights and measures, shall be called local standards."

4. The said Act is amended by inserting the following section immediately after section twenty-two thereof:—

"Cord" defined.

"**22A.** The cord shall contain one hundred and twenty-eight (128) cubic feet, being four and seven hundred and forty, nine hundred and ninety-ninths (4 740/999) cubic yards according to the Dominion standard yard."

5. Section twenty-six of the said Act is amended by adding thereto the following as subsection six thereof:—

Fluid ounce.

"(6) The one hundred and sixtieth part of the gallon by volume shall be the fluid ounce."

6. Section thirty-seven of the said Act is repealed and the following is substituted therefor:—

Articles in vessels.

"**37.** Subject to the requirements of any regulation made in accordance with the provisions of this Act nothing in this Act shall prevent the sale, or subject a person to a penalty under this Act for the sale of an article in any vessel, such vessel being included in the sale, when such vessel is not represented as containing any specific quantity in Dominion measures, nor subject a person to a penalty under this Act for the possession of a vessel when it is shown that such vessel is not used or intended for use as a measure."

7. Section forty-one of the said Act is repealed and the following is substituted therefor:—

Director may be appointed.

"**41.** (1) A Director of Weights and Measures, hereinafter called the Director, may be appointed, who shall, under the direction of the Minister, conduct all comparisons, verifications and other operations with reference to local standards of measure and weight, and shall have the general supervision and direction of the work of inspection throughout Canada.

Certificates to be *prima facie* evidence.

(2) A certificate of such comparison and verification signed by the Director shall be *prima facie* evidence that the comparison and verification has been performed as described in such certificate.

Appointment of inspectors and officers.

(3) Inspectors of weights and measures and such other officers as are deemed necessary, may be appointed in the manner authorized by law.

Qualification of inspectors.

(4) No person shall be appointed an inspector or shall act as an inspector until he has been examined and has obtained a certificate in the manner authorized by law that he is qualified to perform the duties of his office.

4. This is a new section to define "the cord".

5. Many containers are now marked in fluid ounces although the fluid ounce has not been included in the Act heretofore as a legal unit.

6. Anticipating a regulation requiring that packages or containers should show the weight of contents and that such regulation may specify the classes of goods to which it shall apply and may be varied in this particular from time to time, it seems desirable that the existing section should be left to cover such field as may remain unaffected by regulation

7. The amendment corrects the title of the administrative officer in charge of this branch of the work of the Department and limits the departmental comparisons to local standards and also adds a clause making a certificate of verification and comparison signed by the Director prima facie evidence of the facts set out in such certificate. Subsections 4 and 5 are the same as subsections 3 and 4 of the repealed section. The Research Council are now given custody of the primary standards under the Research Council Act, leaving the weights and measures branch of the Department of Trade and Commerce the duties of comparing the local (secondary) and working standards only.

Inspection divisions.

(5) The Governor in Council may divide the whole or any part of Canada into inspection divisions and fix the boundaries of such divisions, and, in the manner authorized by law, may prescribe what and how many officers shall be employed in the several districts."

8. Section forty-eight of the said Act is repealed and the following is substituted therefor:—

Power of inspectors to enter shops, etc.

"**48.** (1) The inspector may, at all reasonable times, without notice, enter any shop, store, warehouse, stall, yard or place whatsoever, within his division, where any commodity is bought, sold, exposed or kept for sale, or where a charge is made for the carriage or conveyance thereof by weight or measure, and

(a) there examine all weights, measures, weighing and measuring machines, and compare them and try the same with the local standards of weight and measure in his possession;

(b) inspect and check any pre-packaged goods or articles for the purpose of ascertaining whether the contents of such packaged goods correctly correspond with the weight and measure offered for sale or marked on the label or container.

No previous notice.

(2) He shall do so from time to time and without previous notice, so as best to ensure compliance with the provisions of this Act and the provisions of any related legislation governing the sale of commodities by weight, measure or count, and the discovery and punishment of any violations thereof.

Inspection of fixed weighing machines.

(3) He shall attend at any reasonable time and place, and when not otherwise engaged in the performance of his duties, for the purpose of inspecting and verifying any fixed and non-portable weighing machine in his division.

Place of inspection.

(4) He may also, subject to regulations made by the Governor in Council in that behalf, at any time when not so engaged as aforesaid, inspect, verify, stamp and certify any weights, measures or weighing machines, at the request of the owner thereof, and at any place in his division."

9. Section fifty-two of the said Act is amended by adding to subsection one thereof the following paragraphs:—

Regulations.

"*(k)* the measurement of wood;

(l) the weight of wrappers or containers of articles sold by weight;

(m) the weight and quantity of contents of and markings upon packages or containers of goods, wares or merchandise at time of sale."

8. This section is amended to extend the powers of inspectors to check-weigh pre-packed goods.

9. The first two lines of section 52 read as follows:—

"**52.** The Governor in Council may, from time to time make regulations concerning . . . ."

This clause is added as complementary to the new section 22A defining "the cord".

Anticipating provision that the wrapper or container may be included in the weight of goods sold from bulk over the counter and weighed in the presence of the customer so long as the wrappers or containers do not exceed reasonable weight, it seems desirable that the weight of such wrapper or container should be the subject from time to time of regulation and this is provided for by the proposed paragraph *(l)*; paragraph *(m)* provides authority for a requirement that packaged goods shall be put up in standard weights, the package to show the weight of contents.

10. Section sixty-three of the said Act is repealed and the following is substituted therefor:—

Penalty for short weights, measure or counts.

"**63.** (1) Notwithstanding any of the provisions of the *Criminal Code* any person who sells, delivers or causes to be sold or delivered anything by weight, measure or number short of the quantity ordered or purchased shall, except as by this section otherwise provided, be guilty of an offence and liable to a fine not exceeding one hundred dollars and not less than fifty dollars for the first offence and to a fine not exceeding two hundred and fifty dollars and not less than one hundred dollars and in default of payment to a term of imprisonment not exceeding six months for every subsequent offence.

Proceedings.

(2) No proceedings shall be taken under the provisions of this section except with the consent in writing of the Minister.

When weight of wrapper or container may be included.

(3) Any person who sells, delivers or causes to be sold or delivered anything by weight where the article is weighed in a wrapper or container in the presence of the purchaser for and at the time of sale, may include in the weight purported to be sold the weight of the wrapper or container if the weight of the wrapper or container does not exceed per pound of the article sold the weight prescribed by regulation under this Act in respect of such wrapper or container."

11. Section sixty-four of the said Act is repealed and the following is substituted therefor:—

False or unjust weights.

"**64.** (1) Every person who uses or has in his possession for use, in trade, any weight, measure, scale, balance, steelyard or weighing machine, which is false or unjust, shall be guilty of an offence and liable

(a) if not a corporation, to a fine not exceeding one hundred dollars and not less than fifty dollars for the first offence, and to a fine not exceeding two hundred and fifty dollars and not less than one hundred dollars and in default of payment to a term of imprisonment not exceeding six months for every subsequent offence and

(b) if a corporation, to a fine not exceeding one thousand dollars and not less than five hundred dollars for the first offence, and to a fine not exceeding five thousand dollars and not less than one thousand dollars for every subsequent offence.

Forfeiture.

(2) Such weight, measure, scale, balance, steelyard or weighing machine shall be forfeited, and shall be forthwith seized by the inspector as being so forfeited; and any contract, bargain, sale or dealing made by using the same shall be void."

10. Subsection (1) of the existing section 63 is altered as to the amount of penalties that may be imposed.

The inserted phrase anticipates provision by subsection (3) of the inclusion in certain cases of the weight of the wrapper or container in the weight of the article sold.

(2) Subsection (2) provides that the consent presently called for by the section shall be in writing.

(3) Subsection (3) is new and is inserted for the purpose of providing that the weight of wrapper or container, within limits, shall be included in the weight of goods sold over the counter to the purchaser and weighed in his presence.

11. This provision increases the penalty that may be imposed.

12. Section sixty-seven of the said Act is repealed and the following is substituted therefor:—

Using unstamped weights, etc.

"**67.** Every trader, manufacturer, carrier, public weigher, gauger, measurer, surveyor or other person, who uses, for any purpose of buying, selling or charging for the carriage of any goods, wares, merchandise, or thing, or of measuring any land, goods, materials or other thing, for the purpose of charging for or ascertaining the amount or price to be paid, or the charge to be made therefor, any weight or measure, or weighing machine which has not been duly inspected and stamped according to this Act, is guilty of an offence against this Act and shall, on conviction, incur a penalty not exceeding fifty dollars and not less than five dollars for each such offence, and such unstamped weight, measure, weighing or measuring machine, so used, may be seized by the inspector for the purpose of prosecution and held under seizure subject to the order of the Minister."

13. Section sixty-nine of the said Act is repealed and the following is substituted therefor:—

Postal scales.

"**69.** (1) Postal scales, when engraved and stamped as such and of a capacity not exceeding four pounds, and not used for trade purposes, may be sold without inspection under such regulations as the Department of Trade and Commerce prescribes.

Confiscation if used for trade purposes.

(2) Any such scale found in use for trade purposes shall be forthwith seized and confiscated by the inspector on view without suit or authority other than this Act."

14. Subsection two of section seventy of the said Act is repealed and the following is substituted therefor:—

Seizure of unlawful weights.

"(2) Such weights, measures or weighing machines may be seized by the inspector for the purposes of prosecution and held under seizure subject to the order of the Minister."

15. The said Act is amended by inserting the following section immediately after section seventy-four thereof:—

Size or capacity of containers, etc., to be in terms of Dominion measure.

"**74A.** No person shall sell or offer for sale any vessel, utensil or container which is represented as of a definite size or capacity in terms of measure unless such size or capacity is in terms of Dominion measure ascertained by this Act or some aliquot multiple or submultiple thereof, and any person who contravenes this provision shall be liable to a penalty not exceeding twenty-five dollars for a first offence and not exceeding fifty dollars for a second or subsequent offence."

12. This section deals with the use of scales, etc., that have not been inspected and stamped. It sometimes happens from mere oversight that scales are not stamped and in the case of a modern scale, confiscation for such an offence is too severe a penalty. This section is amended to permit seizure for purposes of prosecution, final disposal of the scale to be left to the order of the Minister.

13. The only change in subsection 1 is to substitute the Department of Trade and Commerce for the Department of National Revenue. Subsection 2 is changed as these small postal scales are cheap and confiscation is the best remedy when they are found in use for trade purposes.

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15. This amendment is designed to prevent the sale and use in Canada of articles such as domestic measuring cups, water bottles, preserving crocks, etc., in foreign wine sizes. For example, the wine five-gallon preserving crock contains only $4\frac{1}{8}$ Imperial gallons. It is sold as a five-gallon crock and competes with and undersells the larger Canadian five-gallon crock.

16. Section seventy-seven of the said Act is repealed and the following is substituted therefor:—

Obstructing inspector.

177. Every person who wilfully obstructs or impedes any inspector in the perfor ance of his duty under this Act, or under any order in council or regulation lawfully made under it, and every person who aids or assists him in so doing shall be liable to a penalty for a first offence of not less than twenty-five dollars and costs, but not exceeding one hundred dollars and costs, and for a second or subsequent offence to a penalty of one hundred dollars and costs or to imprisonment for a period not exceeding six months."

17. Section eighty of the said Act is repealed and the following is substituted therefor:—

Stamping outside of division.

"**80.** Every inspector who, without authority from the Director, knowingly stamps any balance, weight, measure or weighing machine, belonging to any person residing within the limits of any inspection division for which another inspector has been lawfully appointed, shall, on conviction, incur a penalty not exceeding five dollars for every balance, weight, measure or weighing machine so stamped."

18. The said Act is amended by inserting the following section immediately after section eighty-one thereof:—

Penalty where no express penalty is provided.

"**81**A. Any person who acts in contravention of any provision of this Act or any regulation made thereunder for which no express penalty is provided shall be guilty of an offence and liable to a fine not less than ten dollars and not more than twenty-five dollars for the first offence, and not less than twenty-five dollars and not more than one hundred dollars for a second offence, or to imprisonment for a period not exceeding six months."

16. The Act at present prescribes a penalty of $100.00 for the offence of obstructing an officer. It is felt that this is too severe as there are degrees of obstruction.

17. The areas in which an officer inspects is a matter of administration. For example, Gananoque falls within the Ottawa district. It is much nearer Kingston, which belongs to the Belleville district. It is sometimes more convenient for the Director to send a Kingston man to perform an isolated inspection at Gananoque and it should not be necessary to get the Minister's consent therefor.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Industrial Disputes Investigation Act.

First reading, May 23, 1935.

The MINISTER OF LABOUR.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98419 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Industrial Disputes Investigation Act.

R.S., c. 112.

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

1. Section sixty-five of the *Industrial Disputes Investigation Act*, chapter one hundred and twelve of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Minister may in certain cases, with or without application, order a Board or recommend an inquiry.

"**65.** Where in any industry subject to the legislative jurisdiction of the Parliament of Canada, (whether or not it be an industry to which other provisions of this Act apply) any strike or lockout has occurred, or seems to the Minister to be imminent, or complaint has been made to the Minister that intimidation has been practised or other discriminatory action taken either by employers or employees, and in the public interest or for any other reason it seems to the Minister expedient, the Minister, on the application of any municipality interested, or of the mayor, reeve or head officer or acting head officer thereof, or of his own motion with or without application of either of the parties to the dispute, strike, lockout or complaint whether it involves one or more employers or employees in the employ of one or more employers, may establish a Board under this Act in respect of the dispute, strike, lockout or complaint or may in any such case, if it seems to him expedient, either with or without an application from any interested party, recommend to the Governor in Council the appointment of such person or persons as a commissioner or commissioners under the provisions of the *Inquiries Act* to inquire into the dispute, strike, lockout or complaint or into any matters or circumstances connected therewith."

Inquiries Act, R.S., c. 99.

Explanatory Notes.

1. The section to be repealed reads as follows:—

"**65.** Where in any industry any strike or lockout has occurred, or seems to the Minister to be imminent, and in the public interest or for any other reason it seems to the Minister expedient, the Minister, on the application of any municipality interested, or of the mayor, reeve, or other head officer or acting head officer thereof, or of his own motion, may, without application of either of the parties to the dispute, strike, or lockout, whether it involves one or more employers or employees in the employ of one or more employers, establish a Board under this Act in respect of any dispute, or strike or lockout, or may in any such case, if it seems to him expedient, either with or without an application from any interested party, recommend to the Governor in Council the appointment of some person or persons as commissioner or commissioners under the provisions of the Inquiries Act to inquire into the dispute, strike or lockout, or into any matters or circumstances connected therewith."

The proposed changes are indicated by the underlined words in the text of the Bill.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Industrial Disputes Investigation Act.

AS PASSED BY THE HOUSE OF COMMONS, 29th MAY, 1935.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98421 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Industrial Disputes Investigation Act.

R.S., c. 112.

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

1. Section sixty-five of the *Industrial Disputes Investigation Act*, chapter one hundred and twelve of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Minister may in certain cases, with or without application, order a Board or recommend an inquiry.

"**65.** Where in any industry subject to the legislative jurisdiction of the Parliament of Canada, (whether or not it be an industry to which other provisions of this Act apply) any strike or lockout has occurred, or seems to the Minister to be imminent, or complaint has been made to the Minister that intimidation has been practised or other discriminatory action taken either by employers or employees, and in the public interest or for any other reason it seems to the Minister expedient, the Minister, on the application of any municipality interested, or of the mayor, reeve or head officer or acting head officer thereof, or of his own motion with or without application of either of the parties to the dispute, strike, lockout or complaint whether it involves one or more employers or employees in the employ of one or more employers, may establish a Board under this Act in respect of the dispute, strike, lockout or complaint or may in any such case, if it seems to him expedient, either with or without an application from any interested party, recommend to the Governor in Council the appointment of some person or persons as a commissioner or commissioners under the provisions of the *Inquiries Act* to inquire into the dispute, strike, lockout or complaint or into any matters or circumstances connected therewith."

Inquiries Act, R.S., c. 99.

Explanatory Notes.

1. The section to be repealed reads as follows:—

"**65.** Where in any industry any strike or lockout has occurred, or seems to the Minister to be imminent, and in the public interest or for any other reason it seems to the Minister expedient, the Minister, on the application of any municipality interested, or of the mayor, reeve, or other head officer or acting head officer thereof, or of his own motion, may, without application of either of the parties to the dispute, strike, or lockout, whether it involves one or more employers or employees in the employ of one or more employers, establish a Board under this Act in respect of any dispute, or strike or lockout, or may in any such case, if it seems to him expedient, either with or without an application from any interested party, recommend to the Governor in Council the appointment of some person or persons as commissioner or commissioners under the provisions of the Inquiries Act to inquire into the dispute, strike or lockout, or into any matters or circumstances connected therewith."

The proposed changes are indicated by the underlined words in the text of the Bill.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to amend the Live Stock and Live Stock Products Act.

First reading, May 23, 1935.

The MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98424 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to amend the Live Stock and Live Stock Products Act.

R.S., c. 120; 1928, c. 33; 1934, c. 20.

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

Definitions.

1. Paragraphs *(ee)* and *(eee)* of section two of the *Live Stock and Live Stock Products Act*, chapter one hundred and twenty of the Revised Statutes of Canada, 1927, as enacted by chapter twenty of the statutes of 1934, are repealed and the following is substituted therefor as paragraph *(ee)*:—

"Export."

"*(ee)* (i) 'export' means export out of Canada or out of any province to any other province thereof;

"Exporter."

(ii) 'exporter' means the owner of live stock or live stock products exported;

"Exporting agent."

(iii) 'exporting agent' means any person other than the owner thereof who on behalf of the owner exports any live stock or live stock products."

2. Section two of the said Act is amended

(a) by inserting therein immediately after paragraph *(j)* as paragraph *(jj)* the following:—

"Packer's yard."

"*(jj)* 'Packer's yard' means any enclosed place owned, controlled or operated by any person engaged in the business of slaughtering to the number of two thousand in any three consecutive months or of five thousand in any year animals fit for food and packing and preparing their meats for market or by his agent and used in connection with receiving, holding or weighing live stock for slaughter or for marketing or for shipment for slaughter.";

(b) by adding to the said section as paragraph *(n)* thereof the following:—

"Trucker."

"*(n)* 'Trucker' means an operator of a public commercial vehicle."

Explanatory Notes.

1. The present definition of "live stock products" includes "meat for export."

Paragraphs *(ee)* and *(eee)* as enacted by chapter 20 of the statutes of 1934 respectively read as follows:—

"*(ee)* 'exporter' means the owner of live stock or live stock products shipped out of Canada;

(eee) 'exporting agent' means any person other than the owner thereof who on behalf of the owner ships out of Canada any live stock or live stock products."

(i) It is proposed to define "export" as specifically including interprovincial shipment in order as far as possible to include meat within the regulatory power and so to give effect to the recommendation in clause 11 of division 2 on page xxii of the Report.

(ii) and (iii) It is desirable that these definitions should be amended as far as necessary to conform with the definition of "export."

2. *(a)* This is a definition of that class of premises the operation of which, with stockyards, it is sought to bring within regulation.

(b) Section 3 of chapter 20 of the statutes of 1934 defined "public commercial vehicle" as—

"any vehicle or trailer operated on a public highway for hire or gain for the transportation of live stock and/or live stock products."

The adoption of the definition now proposed will afford a convenient term for use in regulations with reference to the operator of such a vehicle.

Regulations.

3. Paragraph *(q1)* of section four of the said Act, as enacted by chapter thirty-three of the statutes of 1928, is repealed and the following is substituted therefor as paragraph *(qq)*:—

Beef for consumption within province.

"*(qq)* for voluntary application only, specifications and standards for beef for consumption within the province in which the same is slaughtered and also the conditions under which brand applied to such beef by the trade and relating to such standards may be recognized and protected."

Regulations.

4. Paragraphs *(a)*, *(b)* and *(d)* of section four of the said Act are repealed and the following paragraphs are substituted therefor respectively:—

"*(a)* the manner in which stockyards and packers' yards are to be constructed, equipped, maintained and operated;

(b) the manner in which complaints against the operation, maintenance or management of stockyards or packers' yards shall be made and investigated;

(d) the manner in and purpose for which live stock and live stock products graded in accordance with the regulations under this Act shall be sold, offered for sale or displayed for sale and what shall be the size and kind of packages containing live stock products and how such packages shall be branded, marked or labelled."

3. Paragraph *(q1)* as enacted by chapter 33 of the statutes of 1928, reads as follows:—

"*(q1)* For voluntary application only, specifications and standards for beef for domestic consumption and also the conditions under which brand applied to beef by the trade and relating to such standards may be recognized and protected."

It seems desirable that if "export" is specifically to include interprovincial trade for the purposes of this statute the word "domestic" should give place to a correspondingly more specific limitation of the beef to which the provision is to apply.

4. Paragraphs *(a)* and *(b)* are merely extended to include "packers' yards" as defined with stockyards within the scope of regulation pursuant to recommendation of the Royal Commission on Price Spreads as appearing in clause 1 of division 2 of Chapter 6 on page xxi of the Report;

Paragraph *(d)* is altered to enlarge the regulatory power in order to meet the requirement of clause 9 of said division 2 on page xxii of the Report.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to amend the Live Stock and Live Stock Products Act.

AS PASSED BY THE HOUSE OF COMMONS, 7th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98426 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

An Act to amend the Live Stock and Live Stock Products Act.

R.S., c. 120; 1928, c. 33; 1934, c. 20.

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

Definitions.

1. Paragraphs *(ee)* and *(eee)* of section two of the *Live Stock and Live Stock Products Act*, chapter one hundred and twenty of the Revised Statutes of Canada, 1927, as enacted by chapter twenty of the statutes of 1934, are repealed and the following is substituted therefor as paragraph *(ee)*:—

"Export." "*(ee)* (i) 'export' means export out of Canada or out of any province to any other province thereof;

"Exporter." (ii) 'exporter' means the owner of live stock or live stock products exported;

"Exporting agent." (iii) 'exporting agent' means any person other than the owner thereof who on behalf of the owner exports any live stock or live stock products."

2. Section two of the said Act is amended

(a) by inserting therein immediately after paragraph *(j)* as paragraph *(jj)* the following:—

"Packer's yard." "*(jj)* 'Packer's yard' means any enclosed place owned, controlled or operated by any person engaged in the business of slaughtering to the number of two thousand in any three consecutive months or of five thousand in any year animals fit for food and packing and preparing their meats for market or by his agent and used in connection with receiving, holding or weighing live stock for slaughter or for marketing or for shipment for slaughter.";

(b) by adding to the said section as paragraph *(n)* thereof the following:—

"Trucker." "*(n)* 'Trucker' means an operator of a public commercial vehicle."

Explanatory Notes.

1. The present definition of "live stock products" includes "meat for export."

Paragraphs *(ee)* and *(eee)* as enacted by chapter 20 of the statutes of 1934 respectively read as follows:—

"*(ee)* 'exporter' means the owner of live stock or live stock products shipped out of Canada;

(eee) 'exporting agent' means any person other than the owner thereof who on behalf of the owner ships out of Canada any live stock or live stock products."

(i) It is proposed to define "export" as specifically including interprovincial shipment in order as far as possible to include meat within the regulatory power and so to give effect to the recommendation in clause 11 of division 2 on page xxii of the Report.

(ii) and (iii) It is desirable that these definitions should be amended as far as necessary to conform with the definition of "export."

2. *(a)* This is a definition of that class of premises the operation of which, with stockyards, it is sought to bring within regulation.

(b) Section 3 of chapter 20 of the statutes of 1934 defined "public commercial vehicle" as—

"any vehicle or trailer operated on a public highway for hire or gain for the transportation of live stock and/or live stock products."

The adoption of the definition now proposed will afford a convenient term for use in regulations with reference to the operator of such a vehicle.

Regulations.

3. Paragraph *(q1)* of section four of the said Act, as enacted by chapter thirty-three of the statutes of 1928, is repealed and the following is substituted therefor as paragraph *(qq)*:—

Beef for consumption within province.

"*(qq)* for voluntary application only, specifications and standards for beef for consumption within the province in which the same is slaughtered and also the conditions under which brand applied to such beef by the trade and relating to such standards may be recognized and protected."

Regulations.

4. Paragraphs *(a)*, *(b)* and *(d)* of section four of the said Act are repealed and the following paragraphs are substituted therefor respectively:—

"*(a)* the manner in which stockyards and packers' yards are to be constructed, equipped, maintained and operated;

(b) the manner in which complaints against the operation, maintenance or management of stockyards or packers' yards shall be made and investigated;

(d) the manner in and purpose for which live stock and live stock products graded in accordance with the regulations under this Act shall be sold, offered for sale or displayed for sale and what shall be the size and kind of packages containing live stock products and how such packages shall be branded, marked or labelled."

3. Paragraph *(q1)* as enacted by chapter 33 of the statutes of 1928, reads as follows:—

"*(q1)* For voluntary application only, specifications and standards for beef for domestic consumption and also the conditions under which brand applied to beef by the trade and relating to such standards may be recognized and protected."

It seems desirable that if "export" is specifically to include interprovincial trade for the purposes of this statute the word "domestic" should give place to a correspondingly more specific limitation of the beef to which the provision is to apply.

4. Paragraphs *(a)* and *(b)* are merely extended to include "packers' yards" as defined with stockyards within the scope of regulation pursuant to recommendation of the Royal Commission on Price Spreads as appearing in clause 1 of division 2 of Chapter 6 on page xxi of the Report;

Paragraph *(d)* is altered to enlarge the regulatory power in order to meet the requirement of clause 9 of said division 2 on page xxii of the Report.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act to amend the Criminal Code.

First reading, May 23, 1935.

THE MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98259 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act to amend the Criminal Code.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 53; 1934, cc. 11, 47.

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

1. Section two hundred and thirty-five of the *Criminal Code*, chapter thirty-six, Revised Statutes of Canada, 1927, is amended by inserting after subsection two thereof the following subsection:—

Minister may make regulations.

"(2a) The Minister of Agriculture may make regulations with respect to the carrying out of the provisions of subsection two of this section, and may, by such regulations, impose such penalties, not exceeding in any one case five hundred dollars, for any violation of any such regulations, as he deems necessary for ensuring the observance of the same."

2. Subsection four of section two hundred and eighty-five of the said Act, as enacted by section six of chapter eleven of the statutes of 1930, is amended by adding at the end thereof the following:—

Sections 1035 and 1081 not to apply.

"And the provisions of section ten hundred and thirty-five, in so far as it authorizes the imposition of a fine in lieu of any punishment otherwise authorized, and of section ten hundred and eighty-one of this Act shall not apply in the case of a conviction for an offence under this subsection."

3. The said Act is further amended by inserting after section four hundred and five, the following section:—

Making untrue or misleading statements to procure passport.

"**405A.** Everyone is guilty of an indictable offence and liable to two years imprisonment or to a fine of five hundred dollars, or both such imprisonment and fine, who makes a statement, whether in writing or verbally, which is to his knowledge untrue or misleading, for the purpose of procuring a passport or a visa thereof or an endorsement thereon, whether for himself or any other person."

Explanatory Notes.

1. The object of this amendment is to authorize the Minister of Agriculture to make regulations in order to facilitate the operation of subsection two of section two hundred and thirty-five, and to enable him to carry out more satisfactorily the provisions thereof with respect to the control of the pari-mutuel system of betting.

2. The object of this amendment is to make it compulsory to impose imprisonment on a conviction for driving a motor vehicle while intoxicated or under the influence of a narcotic. The subsection as it stands at present has been held to be subject to the provisions of sections ten hundred and thirty-five and ten hundred and eighty-one which provide for fine in lieu of imprisonment and suspended sentence, respectively.

3. The object of this amendment is to make it a specific offence under the Criminal Code to obtain a passport through fraud. At present, proceedings would have to be taken under the common law on a charge of conspiracy in order to convict a person who assists in procuring a passport by means of furnishing untrue or misleading information.

4. (1) The two provisos of subsection two of section four hundred and six of the said Act, as enacted by section five of chapter twenty-eight of the statutes of 1931, are repealed, and the following is substituted therefor:—

Proviso.

"Provided that any person publishing any such advertisement accepted in good faith in the ordinary course of his business shall not be subject to the provisions of this subsection."

(2) Section four hundred and six is further amended by inserting after subsection two thereof the following subsection:—

Publication of statement not based on proper test.

"(3) *(a)* Every person who publishes, or causes to be published, any advertisement containing any statement or guarantee of the performance, efficacy or length of life of any product for the purpose of either directly or indirectly promoting the sale or disposal of such product and which statement or guarantee is not based upon an adequate and proper test, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars or to six months imprisonment, or to both fine and imprisonment: Provided that any person publishing any such advertisement accepted in good faith in the ordinary course of his business shall not be subject to the provisions of this subsection;

Adequate and proper test.

(b) Without excluding any other adequate and proper test, a test by The Honorary Advisory Council for Scientific and Industrial Research or any other public department shall be considered an adequate and proper test for the purposes of this subsection, but no reference shall be made in any such advertisement to the fact that a test has been made by such Council or other public department;

Burden of proof.

(c) On any prosecution under this subsection, the burden of proof that an adequate and proper test has been made shall lie on the defendant."

5. The said Act is further amended by inserting after section four hundred and fifteen, the following section:—

Penalty.

"**415A.** Everyone is guilty of an indictable offence and liable to two years imprisonment or to a fine not exceeding five thousand dollars, or to both imprisonment and fine who, knowingly:—

Minimum wages.

(a) employs a person at a rate of wage less than the minimum wage rate fixed by law or any competent public authority;

Minimum hours.

(b) permits an employee to work beyond the maximum hours fixed by law or any competent public authority;

False records.

(c) falsifies any employment record required to be kept by law or any competent public authority;

Time clock.

(d) punches a time clock with intent to deceive;

4. The object of the first amendment is to substitute the word "person" where underlined for the word "newspaper," and to strike out the second proviso in accordance with the recommendation of the Royal Commission on Price Spreads as set out in its report at page 246. The provisos read as follows:—

"Provided that any newspaper publishing any such advertisement accepted in good faith in the ordinary course of its business shall not be subject to the provisions of this subsection: Provided further, that in any prosecution under this subsection the case may be dismissed if it be established to the satisfaction of the Court upon proper evidence that the accused acted in good faith."

The object of the second amendment is to make it an offence to include in any advertisement a statement or guarantee of the performance, efficacy or length of life of any product without such statement or guarantee being based upon a proper test.

This amendment is also in accordance with the recommendation of the Royal Commission on Price Spreads as set out in its report at page 247.

5. The object of this amendment is to make certain fraudulent practices offences within the criminal law in accordance with the recommendation of the Royal Commission on Price Spreads, as recommended in its report at page 135.

Wages.

(e) puts the wages of more than one employee in the same envelope with intent to evade the provisions of any minimum wage law;

Deduction from wages.

(f) makes any deduction from any employee's wages for any purpose not warranted by law unless such deduction has been approved first by a competent public authority;

Children.

(g) emp oys any child or minor person contrary to law;

Similar acts.

(h) does any other similar act contrary to law or the rules or regulations of any competent public authority."

6. The said Act is further amended by inserting after section four hundred and ninety-eight, the following section:—

Discrimination in trade.

"**498A.** (1) Every person engaged in trade or commerce or industry is guilty of an indictable offence and liable to a penalty not exceeding one thousand dollars or to one month's imprisonment, or, if a corporation, to a penalty not exceeding five thousand dollars, who

(a) is a party or privy to, or knowingly assists in, any transaction of sale which discriminates against competitors of the purchaser in that any discount, rebate or allowance is granted to the purchaser over and above any discount, rebate or allowance granted to the aforesaid competitors in respect of a sale of goods of a similar quality and quantity;

Lower prices in particular area.

(b) engages in a policy of selling goods in any area of Canada at prices lower than those exacted by such seller elsewhere in Canada, for the purpose of destroying competition or eliminating a competitor in such part of Canada;

Lower prices to destroy competition.

(c) engages in a policy of selling goods at prices unreasonably low for the purpose of destroying competition or eliminating a competitor."

7. The first four lines of section five hundred and forty-two of the said Act, as enacted by section eleven of chapter eleven of the statutes of 1930, are repealed and the following are substituted therefor:—

Penalty.

"**542.** Everyone is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding five hundred dollars and not less than five dollars or to imprisonment, with or without hard labour, for a term not exceeding one year and not less than one month, or to both, who".

8. Subsection two of section seven hundred and seventy-seven of the said Act is repealed, and the following is substituted therefor:—

Cities of not less than 25,000 people.

"(2) In the provinces of Ontario, Quebec and Nova Scotia, the jurisdiction of a magistrate who is one of those

6. The object of this amendment is to make it an offence to grant discriminatory discounts or rebates or to engage in territorial price discrimination and predatory price-cutting. See report of Royal Commission on Price Spreads, page two hundred and seventy.

7. The object of this amendment is to provide a minimum fine or term of imprisonment in the case of conviction for an offence under the section which relates to cruelty to animals.

The four lines to be repealed are as follows:—

"**542.** Every one is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding five hundred dollars, or to one year's imprisonment with or without hard labour, or to both, who"

8. The object of this amendment is to limit the application of the subsection to the provinces of Ontario, Quebec and Nova Scotia, as the magistrates in the other provinces have the required authority under paragraph *(c)* of subsection one of section seven hundred and seventy-seven, and as the section now stands, subsection two is inconsistent with paragraph *(c)* of subsection one.

The only change in the subsection is the addition thereto of the words underlined. This amendment is made at the request of the Attorneys-General of the provinces of British Columbia, Alberta, Saskatchewan and Manitoba.

mentioned in section seven hundred and seventy-four is absolute and does not depend on the consent of the person charged to be tried by such magistrate in cities having a population of not less than 25,000 according to the last decennial or other census taken under the authority of an Act of the Parliament of Canada where the offence is one of those mentioned in paragraph *(a)* of section seven hundred and seventy-three."

9. Section nine hundred and seventy of the said Act, as amended by section twenty-six of chapter eleven of the statutes of 1930, is repealed, and the following is substituted therefor:—

Mentally ill person imprisoned.

"**970.** (1) The Lieutenant-Governor, upon evidence satisfactory to him that any person imprisoned in any prison other than a penitentiary for an offence, or imprisoned in safe custody charged with an offence, or imprisoned for not finding bail for good behaviour, or to keep the peace, is insane, mentally ill, or mentally deficient, may order the removal of such person to a place of safe keeping; and such person shall remain there, or in such other place of safe keeping as the Lieutenant-Governor from time to time orders, until his complete or partial recovery is certified to the satisfaction of the Lieutenant Governor, who may then order such person back to imprisonment, if then liable thereto, or otherwise to be discharged; provided that where such person is confined in a mental hospital or other provincial institution, he shall, if and when he is not liable to be returned to imprisonment, be subject to the direction of the provincial Minister of Health, or such other person as the Lieutenant-Governor in Council may designate, who may make such orders or directions in respect of such insane person as he may deem proper.

Disposition when not liable to return to imprisonment.

Mentally ill person in reformatory.

(2) Without limiting in any way the application of the provisions contained in the next preceding subsection of this section, the Lieutenant-Governor upon evidence satisfactory to him that a person imprisoned in a reformatory prison, reformatory school or industrial school, is feeble minded, mentally ill or mentally deficient, may order the removal of such person to a place of safe keeping; and the person so removed shall remain there or in such other place of safe keeping as the Lieutenant-Governor may from time to time order, until his complete or partial recovery is certified to the satisfaction of the Lieutenant-Governor who may then order the person back to imprisonment, if he is then liable thereto, or if otherwise, that he be discharged: Provided that where such person is confined in a mental hospital or other provincial institution he shall, if and when he is not liable to be returned to imprisonment, be subject to the direction of the provincial Minister of Health, or such other person as the Lieutenant-Governor in Council may designate, who may make such orders or directions in respect of such insane person as he may deem proper."

Disposition when not liable to return to reformatory.

9. The object of this amendment is to permit a perons who is under sentence of imprisonment but who is confined in a mental hospital to be dealt with after the expiration of his sentence by the provincial Minister of Health, as will be noted by the provisos at the end of each subsection. This amendment is suggested by the Minister of Health for Ontario. The present section reads as follows:—

"**970.** The lieutenant governor, upon such evidence of the insanity of any person imprisoned in any prison other than a penitentiary for an offence, or imprisoned for safe custody charged with an offence, or imprisoned for not finding bail for good behaviour or to keep the peace, as the lieutenant governor considers sufficient, may order the removal of such insane person to a place of safe keeping; and such person shall remain there, or in such other place of safe keeping as the lieutenant governor from time to time orders, until his complete or partial recovery is certified to the satisfaction of the lieutenant governor, who may then order such insane person back to imprisonment, if then liable thereto, or otherwise to be discharged.

(2) Without limiting in any way the application of the provisions contained in the next preceding subsection of this section, the lieutenant governor, upon evidence satisfactory to him that a person imprisoned in a reformatory prison, reformatory school or industrial school, is feeble minded or mentally deficient, may order the removal of such person to a place of safe keeping; and the person so removed shall remain there or in such other place of safe keeping as the lieutenant governor may from time to time order, until his complete or partial recovery is certified to the satisfaction of the lieutenant governor who may then order the person back to imprisonment, if he is then liable thereto, or if otherwise that he be discharged."

10. Subsection two of section ten hundred and twenty-three is repealed, and the following substituted therefor:—

Appeal to Supreme Court by Attorney General.

"(2) The Attorney General of the Province may appeal to the Supreme Court of Canada from the judgment of any court of appeal setting aside a conviction or dismissing an appeal against a judgment or verdict of acquittal in respect of an indictable offence on an appeal taken under section ten hundred and thirteen on any question of law on which there has been dissent in the Court of Appeal.

Notice to be given.

(3) No such appeal can be taken unless notice thereof in writing has been served upon the Attorney General, or upon the person whose conviction has been set aside or his solicitor, or upon the respondent or his solicitor, in an appeal to the Court of Appeal taken by an Attorney General against a judgment or verdict of acquittal in respect of an indictable offence, as the case may be, within fifteen days after the affirmance or setting aside of the conviction or the dismissal of the appeal, as the case may be, or such other time as may be allowed by the Supreme Court of Canada or a judge thereof."

11. Subsection three of section ten hundred and twenty-five of the said Act, as enacted by section fifteen of chapter twenty-eight of the statutes of 1931, is repealed, and the following substituted therefor:—

Appeal where acquittal is set aside.

"(3) Any person whose acquittal has been set aside may appeal to the Supreme Court of Canada against the setting aside of such acquittal on any ground of appeal which involves a question of law alone; and any person who was tried jointly with such acquitted person, and whose conviction was sustained by the Court of Appeal, may appeal to the Supreme Court of Canada against the sustaining of such conviction, on similar grounds."

12. Section ten hundred and forty-four of the said Act is amended by adding as a new subsection immediately after subsection two thereof the following:—

Also fees for justices, etc.

"(2a) Such magistrate may also include in the amount to be paid the fees, for the appropriate items, as mentioned in the tariff set out in section seven hundred and seventy of this Act."

10. The object of this amendment which was suggested by the Attorney-General of British Columbia is to give to the Crown the right to appeal to the Supreme Court of Canada on questions of law where there has been dissent in the Court of Appeal. At present, the Crown only has the right of such an appeal if the judgment appealed from conflicts with the judgment of any other Court of Appeal in a like case. The accused has the right of such an appeal. The present section reads as follows:—

"**1023.** Any person convicted of an indictable offence whose conviction has been affirmed on an appeal taken under section ten hundred and thirteen may appeal to the Supreme Court of Canada against the affirmance of such conviction on any question of law on which there has been dissent in the Court of Appeal.

(2) No such appeal can be taken unless notice of appeal in writing has been served on the Attorney General within fifteen days after affirmance or such further time as may be allowed by the Supreme Court of Canada or a judge thereof."

11. The object of this amendment is to specifically limit the ground of appeal, in the case of an acquittal which has been set aside, to the Supreme Court of Canada, to one of law alone, so as to conform to the provisions of subsection four of section ten hundred and thirteen of the Criminal Code, as enacted by section twenty-eight of chapter eleven of the statutes of 1930, which provisions similarly limit the ground of appeal, in the case of an appeal from an acquittal, in the first instance. The only changes are the additions of the words underlined.

12. The object of this amendment is to permit a magistrate under Part XVI of the Code, on a conviction for an indictable offence, to allow similar fees for justices, constables, witnesses and interpreters as is allowed under Part XV of the Code on a summary conviction. This amendment is made at the request of the Attorneys-General of Alberta and Saskatchewan.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act to amend the Criminal Code.

AS PASSED BY THE HOUSE OF COMMONS, 20th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98261 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act to amend the Criminal Code.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 53; 1934, cc. 11, 47.

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

1. The first two provisoes of subsection two of section two hundred and thirty-five of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927 (beginning at line twenty and ending at line twenty-nine of the said subsection), as enacted by section one of chapter eleven of the Statutes of 1934, are repealed, and the following are substituted therefor:—

Race meetings.

"Provided that as to race meetings at which there are running races, no such race meeting continues for more than fourteen consecutive days on days on which such racing may be lawfully carried on, and that there be not more than seven such races on any of such days, unless one be a steeplechase or a hurdle race, in which event there may be eight races; and provided that no such association holds, and that on any one track there be not held, in any one calendar year more than one race meeting, at which there are running races, of more than seven and not exceeding fourteen such days, or two such race meetings having an interval of at least twenty days between them of not more than seven such days each."

2. Section two hundred and thirty-five of the said Act is amended by inserting after subsection two thereof the following subsection:—

Minister may make regulations.

"(2a) The Minister of Agriculture may make regulations with respect to the carrying out of the provisions of subsection two of this section, and may, by such regulations, impose such penalties, not exceeding in any one case five hundred dollars, for any violation of any such regulations, as he deems necessary for ensuring the observance of the same."

Explanatory Notes.

1. The provisoes to be repealed and re-enacted read as follows:—

"Provided that as to race-meetings at which there are running races no such race-meeting continues for more than fourteen days of continuous racing on days on which such racing may be lawfully carried on, and that there be not more than seven races on any such day; and provided that no such association holds, and that on any one race track there be not held, in any one calendar year, more than two race-meetings of seven days each at which there are running races and that there is an interval of at least twenty days between meetings."

2. The object of this amendment is to authorize the Minister of Agriculture to make regulations in order to facilitate the operation of subsection two of section two hundred and thirty-five, and to enable him to carry out more satisfactorily the provisions thereof with respect to the control of the pari-mutuel system of betting.

3. Subsection four of section two hundred and eighty-five of the said Act, as enacted by section six of chapter eleven of the statutes of 1930, is amended by adding at the end thereof the following:—

Sections 1035 and 1081 not to apply.

"And the provisions of section ten hundred and thirty-five, in so far as it authorizes the imposition of a fine in lieu of any punishment otherwise authorized, and of section ten hundred and eighty-one of this Act shall not apply in the case of a conviction for an offence under this subsection."

4. The said Act is further amended by inserting after section four hundred and five, the following section:—

Making untrue or misleading statements to procure passport.

"**405A.** Everyone is guilty of an indictable offence and liable to two years imprisonment or to a fine of five hundred dollars, or both such imprisonment and fine, who makes a statement, whether in writing or verbally, which is to his knowledge untrue or misleading, for the purpose of procuring a passport or a visa thereof or an endorsement thereon, whether for himself or any other person."

5. (1) The two provisoes of subsection two of section four hundred and six of the said Act, as enacted by section five of chapter twenty-eight of the statutes of 1931, are repealed, and the following is substituted therefor:—

Proviso.

"Provided that any person publishing any such advertisement accepted in good faith in the ordinary course of his business shall not be subject to the provisions of this subsection."

(2) Section four hundred and six is further amended by inserting after subsection two thereof the following subsection:—

Publication of statement not based on proper test.

"(3) *(a)* Every person who publishes, or causes to be published, any advertisement containing any statement or guarantee of the performance, efficacy or length of life of any product for the purpose of either directly or indirectly promoting the sale or disposal of such product and which statement or guarantee is not based upon an adequate and proper test, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars or to six months imprisonment, or to both fine and imprisonment: Provided that any person publishing any such advertisement accepted in good faith in the ordinary course of his business shall not be subject to the provisions of this subsection;

Adequate and proper test.

(b) Without excluding any other adequate and proper test, a test by The Honorary Advisory Council for Scientific and Industrial Research or any other public department shall be considered an adequate and proper

3. The object of this amendment is to make it compulsory to impose imprisonment on a conviction for driving a motor vehicle while intoxicated or under the influence of a narcotic. The subsection as it stands at present has been held to be subject to the provisions of sections ten hundred and thirty-five and ten hundred and eighty-one which provide for fine in lieu of imprisonment and suspended sentence, respectively.

4. The object of this amendment is to make it a specific offence under the Criminal Code to obtain a passport through fraud. At present, proceedings would have to be taken under the common law on a charge of conspiracy in order to convict a person who assists in procuring a passport by means of furnishing untrue or misleading information.

5. The object of the first amendment is to substitute the word "person" where underlined for the word "newspaper," and to strike out the second proviso in accordance with the recommendation of the Royal Commission on Price Spreads as set out in its report at page 246. The provisos read as follows:—

"Provided that any newspaper publishing any such advertisement accepted in good faith in the ordinary course of its business shall not be subject to the provisions of this subsection: Provided further, that in any prosecution under this subsection the case may be dismissed if it be established to the satisfaction of the Court upon proper evidence that the accused acted in good faith."

The object of the second amendment is to make it an offence to include in any advertisement a statement or guarantee of the performance, efficacy or length of life of any product without such statement or guarantee being based upon a proper test.

This amendment is also in accordance with the recommendation of the Royal Commission on Price Spreads as set out in its report at page 247.

test for the purposes of this subsection, but no reference shall be made in any such advertisement to the fact that a test has been made by such Council or other public department;

Burden of proof.

(c) On any prosecution under this subsection, the burden of proof that an adequate and proper test has been made shall lie on the defendant."

Coming into force.

(3) This section shall not come into force until the first day of January, 1936.

6. The said Act is further amended by inserting after section four hundred and fifteen, the following section:—

Penalty.

"**415A.** Everyone is guilty of an indictable offence and liable to two years imprisonment or to a fine not exceeding five thousand dollars, or to both imprisonment and fine who, knowingly:—

Minimum wages.

(a) employs a person at a rate of wage less than the minimum wage rate fixed by law or any competent public authority;

Minimum hours.

(b) permits an employee to work beyond the maximum hours fixed by law or any competent public authority;

False records

(c) falsifies any employment record required to be kept by law or any competent public authority;

Time clock.

(d) punches a time clock with intent to deceive;

Wages.

(e) puts the wages of more than one employee in the same envelope with intent to evade the provisions of any minimum wage law;

Deduction from wages.

(f) makes any deduction from any employee's wages for any purpose not warranted by law unless such deduction has been approved first by a competent public authority;

Children.

(g) employs any child or minor person contrary to law;

Similar acts.

(h) does any other similar act contrary to law or the rules or regulations of any competent public authority."

Dealers in second-hand goods.

7. Subsection four of section four hundred and thirty-one of the said Act is amended by striking out in lines six and seven thereof, the words "trade mark duly registered or other mark or name" and substituting therefor the words "mark, brand, trade mark duly registered, name or initials."

6. The object of this amendment is to make certain fraudulent practices offences within the criminal law in accordance with the recommendation of the Royal Commission on Price Spreads, as recommended in its report at page 135.

7. The object of this amendment is to clarify the meaning of the subsection. The words "other mark" have been given a restrictive meaning, by the courts, to the effect that they must have the same characteristics as a trade mark duly registered.

The present subsection reads as follows:—

"4. Every one who, being a dealer in second-hand goods of any kind, trades or traffics in or has in his possession for sale any boom or other chains, lines or shackles for the use of rafting, storing, fastening or towing lumber or logs, and who purchases, trades or traffics in any boom or other chain, line or shackle which has upon it the trade mark duly registered or other mark or name of any person, without the written consent of such person, or who, without such consent, has in his possession any such boom chains or other description of chains, lines or shackles for the purpose of sale or traffic, is guilty of an offence, and shall be liable on summary conviction to a penalty of twenty-five dollars or imprisonment for any term not exceeding thirty days for a first offence, and of fifty dollars or imprisonment for sixty days for any subsequent offence."

8. The said Act is further amended by inserting after section four hundred and ninety-eight, the following section:—

Discrimination in trade.

"**498A.** (1) Every person engaged in trade or commerce or industry is guilty of an indictable offence and liable to a penalty not exceeding one thousand dollars or to one month's imprisonment, or, if a corporation, to a penalty not exceeding five thousand dollars, who

(a) is a party or privy to, or assists in, any transaction of sale which discriminates, to his knowledge, against competitors of the purchaser in that any discount, rebate or allowance is granted to the purchaser over and above any discount, rebate or allowance available at the time of such transaction to the aforesaid competitors in respect of a sale of goods of like quality and quantity;

Exceptions.

The provisions of this paragraph shall not, however, prevent a co-operative society returning to producers or consumers, or a co-operative wholesale society returning to its constituent retail members, the whole or any part of the net surplus made in its trading operations in proportion to purchases made from or sales to the society;

Lower prices in particular area.

(b) engages in a policy of selling goods in any area of Canada at prices lower than those exacted by such seller elsewhere in Canada, for the purpose of destroying competition or eliminating a competitor in such part of Canada;

Lower prices to destroy competition.

(c) engages in a policy of selling goods at prices unreasonably low for the purpose of destroying competition or eliminating a competitor."

9. The first four lines of section five hundred and forty-two of the said Act, as enacted by section eleven of chapter eleven of the statutes of 1930, are repealed and the following are substituted therefor:—

Penalty.

"**542.** Everyone is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding five hundred dollars and not less than five dollars or to imprisonment, with or without hard labour, for a term not exceeding one year and not less than one month, or to both, who".

10. Subsection two of section seven hundred and forty-nine of the said Act is repealed, and the following is substituted therefor:—

Saskatchewan, Alberta, Northwest and Yukon no jury.

"(2) In the case of the provinces of Saskatchewan and Alberta, and of the Northwest Territories and the Yukon Territory, the judge or stipendiary magistrate hearing any such appeal shall sit without a jury; and such sitting in the Northwest Territories and the Yukon Territory shall be

8. The object of this amendment is to make it an offence to grant discriminatory discounts or rebates or to engage in territorial price discrimination and predatory price-cutting. See report of Royal Commission on Price Spreads, page two hundred and seventy.

9. The object of this amendment is to provide a minimum fine or term of imprisonment in the case of conviction for an offence under the section which relates to cruelty to animals.

The four lines to be repealed are as follows:—

"**542.** Every one is guilty of an offence and liable, on summary conviction before two justices, to a penalty not exceeding five hundred dollars, or to one year's imprisonment with or without hard labour, or to both, who"

10. The subsection to be repealed and re-enacted reads as follows:—

"(2) In the case of the provinces of Saskatchewan and Alberta, and of the Northwest Territories and the Yukon Territory, the judge or stipendiary magistrate hearing any such appeal shall sit without a jury at the place where the cause of the information or complaint arose, or at the nearest place thereto where a court is appointed to be held."

held at the place where the cause of the information or complaint arose, or at the nearest place thereto where a court is appointed to be held."

11. Subsection two of section seven hundred and seventy-seven of the said Act is repealed, and the following is substituted therefor:—

Cities of not less than 25,000 people.

"(2) In the provinces of Ontario, Quebec and Nova Scotia, the jurisdiction of a magistrate who is one of those mentioned in section seven hundred and seventy-four is absolute and does not depend on the consent of the person charged to be tried by such magistrate in cities having a population of not less than 25,000 according to the last decennial or other census taken under the authority of an Act of the Parliament of Canada where the offence is one of those mentioned in paragraph *(a)* of section seven hundred and seventy-three."

12. Section nine hundred and twenty-seven of the said Act is amended by adding at the end thereof the following subsection:—

Six jurors in Saskatchewan and Manitoba.

"(6) Notwithstanding the provisions of subsections four and five of this section, in the provinces of Saskatchewan and Manitoba six jurors only shall be sworn."

13. Subsection one of section nine hundred and twenty-nine of the said Act is repealed, and the following is substituted therefor:—

Who shall be the jury.

"(1) The twelve men, or in the provinces of Saskatchewan or Manitoba the six men, who in manner aforesaid are ultimately drawn and sworn shall be the jury to try the issues of the indictment, and the names of the men so drawn and sworn shall be kept apart by themselves until such jury give in their verdict or until they are discharged; and then the names shall be returned to the box there to be kept with the other names remaining at that time undrawn, and so *toties quoties* as long as any issue remains to be tried."

Return of names to the box.

11. The object of this amendment is to limit the application of the subsection to the provinces of Ontario, Quebec and Nova Scotia, as the magistrates in the other provinces have the required authority under paragraph *(c)* of subsection one of section seven hundred and seventy-seven, and as the section now stands, subsection two is inconsistent with paragraph *(c)* of subsection one.

The only change in the subsection is the addition thereto of the words underlined. This amendment is made at the request of the Attorneys-General of the provinces of British Columbia, Alberta, Saskatchewan and Manitoba.

12. In the province of Manitoba, pursuant to the Manitoba Act, only six jurors are sworn, in both civil and criminal cases, and the province of Saskatchewan is arranging at present to swear only six jurors in civil cases, and has requested that the same procedure be followed in criminal cases.

13. The subsection to be repealed and re-enacted reads as follows:—

"The twelve men who in manner aforesaid are ultimately drawn and sworn shall be the jury to try the issues on the indictment, and the names of the men so drawn and sworn shall be kept apart by themselves until such jury give in their verdict or until they are discharged; and then the names shall be returned to the box, there to be kept with the other names remaining at that time withdrawn, and so *toties quoties* as long as any issue remains to be tried."

14. Section nine hundred and seventy of the said Act, as amended by section twenty-six of chapter eleven of the statutes of 1930, is repealed, and the following is substituted therefor:—

Mentally ill person imprisoned.

"**970.** (1) The Lieutenant-Governor, upon evidence satisfactory to him that any person imprisoned in any prison other than a penitentiary for an offence, or imprisoned in safe custody charged with an offence, or imprisoned for not finding bail for good behaviour, or to keep the peace, is insane, mentally ill, or mentally deficient, may order the removal of such person to a place of safe keeping; and such person shall remain there, or in such other place of safe keeping as the Lieutenant-Governor from time to time orders, until his complete or partial recovery is certified to the satisfaction of the Lieutenant Governor, who may then order such person back to imprisonment, if then liable thereto, or otherwise to be discharged; provided that where such person is confined in a mental hospital or other provincial institution, he shall, if and when he is not liable to be returned to imprisonment, be subject to the direction of the provincial Minister of Health, or such other person as the Lieutenant-Governor in Council may designate, who may make such orders or directions in respect of such insane person as he may deem proper.

Disposition when not liable to return to imprisonment.

Mentally ill person in reformatory.

(2) Without limiting in any way the application of the provisions contained in the next preceding subsection of this section, the Lieutenant-Governor upon evidence satisfactory to him that a person imprisoned in a reformatory prison, reformatory school or industrial school, is feeble minded, mentally ill or mentally deficient, may order the removal of such person to a place of safe keeping; and the person so removed shall remain there or in such other place of safe keeping as the Lieutenant-Governor may from time to time order, until his complete or partial recovery is certified to the satisfaction of the Lieutenant-Governor who may then order the person back to imprisonment, if he is then liable thereto, or if otherwise, that he be discharged: Provided that where such person is confined in a mental hospital or other provincial institution he shall, if and when he is not liable to be returned to imprisonment, be subject to the direction of the provincial Minister of Health, or such other person as the Lieutenant-Governor in Council may designate, who may make such orders or directions in respect of such insane person as he may deem proper."

Disposition when not liable to return to reformatory.

14. The object of this amendment is to permit a person who is under sentence of imprisonment but who is confined in a mental hospital to be dealt with after the expiration of his sentence by the provincial Minister of Health, as will be noted by the provisos at the end of each subsection. This amendment is suggested by the Minister of Health for Ontario. The present section reads as follows:—

"**970.** The lieutenant governor, upon such evidence of the insanity of any person imprisoned in any prison other than a penitentiary for an offence, or imprisoned for safe custody charged with an offence, or imprisoned for not finding bail for good behaviour or to keep the peace, as the lieutenant governor considers sufficient, may order the removal of such insane person to a place of safe keeping; and such person shall remain there, or in such other place of safe keeping as the lieutenant governor from time to time orders, until his complete or partial recovery is certified to the satisfaction of the lieutenant governor, who may then order such insane person back to imprisonment, if then liable thereto, or otherwise to be discharged.

(2) Without limiting in any way the application of the provisions contained in the next preceding subsection of this section, the lieutenant governor, upon evidence satisfactory to him that a person imprisoned in a reformatory prison, reformatory school or industrial school, is feeble minded or mentally deficient, may order the removal of such person to a place of safe keeping; and the person so removed shall remain there or in such other place of safe keeping as the lieutenant governor may from time to time order, until his complete or partial recovery is certified to the satisfaction of the lieutenant governor who may then order the person back to imprisonment, if he is then liable thereto, or if otherwise that he be discharged."

15. Subsection two of section ten hundred and twenty-three is repealed, and the following substituted therefor:—

Appeal to Supreme Court by Attorney General.

"(2) The Attorney General of the province may appeal to the Supreme Court of Canada from the judgment of any court of appeal setting aside a conviction or dismissing an appeal against a judgment or verdict of acquittal in respect of an indictable offence on an appeal taken under section ten hundred and thirteen on any question of law on which there has been dissent in the Court of Appeal.

Notice to be given.

(3) No such appeal can be taken unless notice thereof in writing has been served upon the Attorney General, or upon the person whose conviction has been set aside or his solicitor, or upon the respondent or his solicitor, in an appeal to the Court of Appeal taken by an Attorney General against a judgment or verdict of acquittal in respect of an indictable offence, as the case may be, within fifteen days after the affirmance or setting aside of the conviction or the dismissal of the appeal, as the case may be, or such other time as may be allowed by the Supreme Court of Canada or a judge thereof."

16. Subsection three of section ten hundred and twenty-five of the said Act, as enacted by section fifteen of chapter twenty-eight of the statutes of 1931, is repealed, and the following substituted therefor:—

Appeal where acquittal is set aside.

"(3) Any person whose acquittal has been set aside may appeal to the Supreme Court of Canada against the setting aside of such acquittal on any ground of appeal which involves a question of law alone; and any person who was tried jointly with such acquitted person, and whose conviction was sustained by the Court of Appeal, may appeal to the Supreme Court of Canada against the sustaining of such conviction, on similar grounds."

17. Section ten hundred and forty-four of the said Act is amended by adding as a new subsection immediately after subsection two thereof the following:—

Also fees for justices, etc.

"(2a) Such magistrate may also include in the amount to be paid the fees, for the appropriate items, as mentioned in the tariff set out in section seven hundred and seventy of this Act."

15. The object of this amendment which was suggested by the Attorney-General of British Columbia is to give to the Crown the right to appeal to the Supreme Court of Canada on questions of law where there has been dissent in the Court of Appeal. At present, the Crown only has the right of such an appeal if the judgment appealed from conflicts with the judgment of any other Court of Appeal in a like case. The accused has the right of such an appeal. The present section reads as follows:—

"**1023.** Any person convicted of an indictable offence whose conviction has been affirmed on an appeal taken under section ten hundred and thirteen may appeal to the Supreme Court of Canada against the affirmance of such conviction on any question of law on which there has been dissent in the Court of Appeal.

(2) No such appeal can be taken unless notice of appeal in writing has been served on the Attorney General within fifteen days after affirmance or such further time as may be allowed by the Supreme Court of Canada or a judge thereof."

16. The object of this amendment is to specifically limit the ground of appeal, in the case of an acquittal which has been set aside, to the Supreme Court of Canada, to one of law alone, so as to conform to the provisions of subsection four of section ten hundred and thirteen of the Criminal Code, as enacted by section twenty-eight of chapter eleven of the statutes of 1930, which provisions similarly limit the ground of appeal, in the case of an appeal from an acquittal, in the first instance. The only changes are the additions of the words underlined.

17. The object of this amendment is to permit a magistrate under Part XVI of the Code, on a conviction for an indictable offence, to allow similar fees for justices, constables, witnesses and interpreters as is allowed under Part XV of the Code on a summary conviction. This amendment is made at the request of the Attorneys-General of Alberta and Saskatchewan.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

An Act to amend the Interpretation Act.

First reading, May 27, 1935.

The MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98328 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

An Act to amend the Interpretation Act.

R.S., c. 1; 1931, c. 36; 1935, c. 6.

HIS 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 twenty of the *Interpretation Act*, chapter one of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Effect of revision or consolidation.

"*(b)* any reference in any unrepealed Act or in any rule, order or regulation made thereunder to such repealed Act or enactment, shall, as regards any subsequent transaction, matter or thing, be held and construed to be a reference to the provisions of the substituted Act or enactment relating to the same subject-matter as such repealed Act or enactment; and, if there is no provision in the substituted Act or enactment relating to the same subject-matter, the repealed Act or enactment shall stand good, and be read and construed as unrepealed in so far, and in so far only, as is necessary to support, maintain or give effect to such unrepealed Act, or such rule, order or regulation made thereunder."

EXPLANATORY NOTE.

The purpose of this amendment is to correct a typographical error which appears in the present section 20 *(b)* of the Interpretation Act, Chapter 1, of the Revised Statutes of Canada 1927.

At present the section reads:—

"*(b)* any reference to any unrepealed Act . . . . etc."

whereas it should read:—

"*(b)* any reference in any unrepealed Act . . . . etc."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

An Act to amend the Interpretation Act.

AS PASSED BY THE HOUSE OF COMMONS,
6th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98330
1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

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Explanatory Note.

The purpose of this amendment is to correct a typographical error which appears in the present section 20 *(b)* of the Interpretation Act, Chapter 1, of the Revised Statutes of Canada 1927.

At present the section reads:—

"*(b)* any reference to any unrepealed Act . . . . etc."

whereas it should read:—

"*(b)* any reference in any unrepealed Act . . . . etc."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act respecting Fair Wages and Hours of Labour in relation to Public Works and Contracts.

First reading, May 28, 1935.

The MINISTER OF LABOUR.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98428 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act respecting Fair Wages and Hours of Labour in relation to Public Works and Contracts.

1930, c. 20.

HIS 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 Fair Wages and Hours of Labour Act, 1935.*

"Fair wages".

2. In this Act, unless the context otherwise requires,

"Fair wages" means such wages as are generally accepted as current from time to time for competent workmen in the district in which the work is being performed for the character or class of work in which such workmen are respectively engaged; but shall in all cases be such wages as are fair and reasonable.

"Minister".

"Minister" means the Minister of Labour.

Government contracts for work subject to certain conditions.

3. (1) Every contract made hereafter with the Government of Canada for construction, remodelling, repair or demolition of any work shall be subject to the following conditions respecting wages and hours:—

Fair wages.

(a) All persons in the employ of the contractor, subcontractor, or any other person doing or contracting to do the whole or any part of the work contemplated by the contract shall be paid fair wages;

Eight hour day.

(b) The working hours of persons while so employed shall not exceed eight hours per day nor forty-four hours per week except in such special cases as the Governor in Council may otherwise provide, or except in cases of emergency as may be approved by the Minister.

Exception.

(2) The provisions of this section shall not apply to the purchase of materials, supplies or equipment, for use in the work contemplated, under any contract of sale and purchase.

Workmen employed by the Government.

4. The wages and hours of all workmen employed by the Government of Canada on such works as are described in section three, and who are excluded from the operation of the *Civil Service Act*, shall be those set forth in paragraphs *(a)* and *(b)* of section three.

Agreements for works involving Dominion aid.

5. (1) Whenever the grant or payment of any public moneys of Canada is authorized or made by way of contribution, subsidy, loan, advance or guarantee, for or in aid of the construction, remodelling, repair or demolition of any work, otherwise than for the Government of Canada, the party intended to receive such grant or payment (whether the Government of any province or any municipal or other body or any person or agency whatever) shall, unless the grant or payment is by statutory authority or by agreement with the Government of Canada excepted from the operation of this section, be required to enter into an agreement with the Government of Canada in which there shall be set forth the terms and conditions upon which such grant or payment is to be made.

Conditions to be stipulated.

(2) In every such agreement, there shall be inserted stipulations, in such form and terms as the Governor in Council may approve, designed to secure, so far as may be practicable, the observance, in the execution of the work contemplated, of the following conditions respecting fair wages and hours of work, that is to say, the condition respecting fair wages set forth in paragraph *(a)* of subsection one of section three of this Act and the condition that the working hours of persons employed in the execution of the work shall not exceed eight hours per day except in such special cases as the Governor in Council may otherwise provide or except in cases of emergency which may be approved by the Minister.

Exception.

(3) The provisions of this section shall not apply to the purchase of materials, supplies or equipment, for use in the work contemplated, in any contract of sale and purchase.

Regulations.

6. (1) The Governor in Council, on the recommendation of the Minister, may make regulations with regard to wages and hours of work herein provided for, except by section five of this Act and in relation to any agreement subject thereto, and without limiting the generality of the foregoing, save as aforesaid, may provide by regulation for,—

(a) the method of determining what are fair wages and the preparation and use of schedules of rates relating thereto;

(b) rates of wages for overtime;

(c) classifications of employment or work;

(d) the publication and posting of wage schedules;

(e) payment of wages to employees in case of default by the contractor or other party charged with such

payment and recovery thereof from such contractor or other party;

(f) the keeping of proper books and records and the examination of the same by Government officers;

(g) the furnishing of such detailed information and evidence as may be deemed necessary to ensure payment of fair wages and the observance of hours of labour in accordance with the provisions of this Act;

(h) persons who may be employed in the execution of contracts referred to in this Act;

(i) the subletting of contracts;

(j) the penalties to be imposed for breaches of the provisions of this Act or regulations made hereunder;

(k) generally for the due enforcement of the provisions of the Act and regulations.

Force and effect of regulations.

(2) All regulations made under this Act shall fifteen days after the date of the first publication thereof in the *Canada Gazette* have the same force and effect as if they had been included herein.

Repeal.

7. *The Fair Wages and Eight Hour Day Act, 1930,* is repealed.

Date of coming into force.

8. This Act shall come into force on the first day of May, 1936, but shall not apply to any contract with the Government of Canada existing at the said date, nor to any contracts, agreements or works thereafter made or undertaken which are by order of the Governor in Council declared to be excepted from the operation of the provisions of this Act.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act respecting Fair Wages and Hours of Labour in relation to Public Works and Contracts.

AS PASSED BY THE HOUSE OF COMMONS, 10th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98430 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act respecting Fair Wages and Hours of Labour in relation to Public Works and Contracts.

1930, c. 20.

HIS 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 Fair Wages and Hours of Labour Act, 1935.*

"Fair wages".

2. In this Act, unless the context otherwise requires, "Fair wages" means such wages as are generally accepted as current for competent workmen in the district in which the work is being performed for the character or class of work in which such workmen are respectively engaged; but shall in all cases be such wages as are fair and reasonable.

"Minister".

"Minister" means the Minister of Labour.

Government contracts for work subject to certain conditions.

3. (1) Every contract made hereafter with the Government of Canada for construction, remodelling, repair or demolition of any work shall be subject to the following conditions respecting wages and hours:—

Fair wages.

(a) All persons in the employ of the contractor, subcontractor, or any other person doing or contracting to do the whole or any part of the work contemplated by the contract shall be paid fair wages;

Eight hour day.

(b) The working hours of persons while so employed shall not exceed eight hours per day nor forty-four hours per week except in such special cases as the Governor in Council may otherwise provide, or except in cases of emergency as may be approved by the Minister.

Exception.

(2) The provisions of this section shall not apply to the purchase of materials, supplies or equipment, for use in the work contemplated, under any contract of sale and purchase.

Workmen employed by the Government.

4. The wages and hours of all workmen employed by the Government of Canada on such works as are described in section three, and who are excluded from the operation of the *Civil Service Act*, shall be those set forth in paragraphs *(a)* and *(b)* of section three.

Agreements for works involving Dominion aid.

5. (1) Whenever the grant or payment of any public moneys of Canada is authorized or made by way of contribution, subsidy, loan, advance or guarantee, for or in aid of the construction, remodelling, repair or demolition of any work, otherwise than for the Government of Canada, the party intended to receive such grant or payment (whether the Government of any province or any municipal or other body or any person or agency whatever) shall, unless the grant or payment is by statutory authority or by agreement with the Government of Canada excepted from the operation of this section, be required to enter into an agreement with the Government of Canada in which there shall be set forth the terms and conditions upon which such grant or payment is to be made.

Conditions to be stipulated.

(2) In every such agreement, there shall be inserted stipulations, in such form and terms as the Governor in Council may approve, designed to secure, so far as may be practicable, the observance, in the execution of the work contemplated, of the following conditions respecting fair wages and hours of work, that is to say, the condition respecting fair wages set forth in paragraph *(a)* of subsection one of section three of this Act and the condition that the working hours of persons employed in the execution of the work shall not exceed eight hours per day nor forty-four hours per week except in such special cases as the Governor in Council may otherwise provide or except in cases of emergency which may be approved by the Minister.

Exception.

(3) The provisions of this section shall not apply to the purchase of materials, supplies or equipment, for use in the work contemplated, in any contract of sale and purchase.

Regulations.

6. (1) The Governor in Council, on the recommendation of the Minister, may make regulations with regard to wages and hours of work herein provided for, except by section five of this Act and in relation to any agreement subject thereto, and without limiting the generality of the foregoing, save as aforesaid, may provide by regulation for,—

(a) the method of determining what are fair wages and the preparation and use of schedules of rates relating thereto;

(b) rates of wages for overtime;

(c) classifications of employment or work;

(d) the publication and posting of wage schedules;

(e) payment of wages to employees in case of default by the contractor or other party charged with such

payment and recovery thereof from such contractor or other party;

(f) the keeping of proper books and records and the examination of the same by Government officers;

(g) the furnishing of such detailed information and evidence as may be deemed necessary to ensure payment of fair wages and the observance of hours of labour in accordance with the provisions of this Act;

(h) persons who may be employed in the execution of contracts referred to in this Act;

(i) the subletting of contracts;

(j) the penalties to be imposed for breaches of the provisions of this Act or regulations made hereunder;

(k) generally for the due enforcement of the provisions of the Act and regulations.

Force and effect of regulations.

(2) All regulations made under this Act shall fifteen days after the date of the first publication thereof in the *Canada Gazette* have the same force and effect as if they had been included herein.

Repeal.

7. *The Fair Wages and Eight Hour Day Act, 1930,* is repealed.

Date of coming into force.

8. This Act shall come into force on the first day of May, 1936, but shall not apply to any contract with the Government of Canada existing at the said date, nor to any contracts, agreements or works thereafter made or undertaken which are by order of the Governor in Council declared to be excepted from the operation of the provisions of this Act.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act to amend the Combines Investigation Act.

First reading, May 31, 1935.

THE MINISTER OF LABOUR.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98676 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act to amend the Combines Investigation Act.

R.S., c. 26.

HIS 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 Combines Investigation Act Amendment Act, 1935.*

Definitions.

2. Section two of the *Combines Investigation Act*, chapter twenty-six of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

"**2.** In this Act, unless the context otherwise requires,

"Combine".

(1) 'Combine' means a combination of two or more persons by way of actual or tacit contract, agreement or arrangement having or designed to have the effect of

(a) limiting facilities for transporting, producing, manufacturing, supplying, storing or dealing, or

(b) preventing, limiting or lessening manufacture or production, or

(c) fixing a common price or a resale price, or a common rental, or a common cost of storage or transportation, or

(d) enhancing the price, rental or cost of article, rental, storage or transportation, or

(e) preventing or lessening competition in, or substantially controlling within any particular area or district or generally, production, manufacture, purchase, barter, sale, storage, transportation, insurance or supply, or

(f) otherwise restraining or injuring trade or commerce.

or a merger, trust or monopoly, which combination, merger, trust or monopoly has operated or is likely to operate to the detriment or against the interest of the public, whether consumers, producers or others."

"Commission".

"(2) 'Commission' means the Dominion Trade and Industry Commission established under *The Dominion Trade and Industry Commission Act, 1935.*"

EXPLANATORY NOTES.

2. The section to be repealed reads:—

"**2.** In this Act, unless the context otherwise requires,

(1) combines which have operated or are likely to operate to the detriment or against the interest of the public, whether consumers, producers or others, and which

(a) are mergers, trusts or monopolies, so called; or

(b) result from the purchase, lease, or other acquisition by any person of any control over or interest in the whole or part of the business of any other person; or

(c) result from any actual or tacit contract, agreement, arrangement, or combination which has or is designed to have the effect of

(i) limiting facilities for transporting, producing, manufacturing, supplying, storing or dealing, or

(ii) preventing, limiting or lessening manufacture or production, or

(iii) fixing a common price or a resale price, or a common rental, or a common cost of storage or transportation, or

(iv) enhancing the price, rental or cost of article, rental, storage or transportation, or

(v) preventing or lessening competition in, or substantially controlling within any particular area or district or generally, production, manufacture, purchase, barter, sale, storage, transportation, insurance or supply, or

(vi) otherwise restraining or injuring trade or commerce,

are described by the word "combine";

(2) "commissioner" means a commissioner appointed by the Governor in Council as hereinafter provided;

"Corporation".

"(3) 'Corporation' includes 'Company'."

"Merger, trust or monopoly".

"(4) 'Merger, trust or monopoly' means and includes any combination resulting from the purchase, lease or other acquisition by any person of any control over or interest in the whole or part of the business of any other person; or any person or combination of persons engaged in industry or commerce who, in any particular area or district or generally in Canada, dominate or control any class of business; or any person or combination of persons possessing or exercising within any particular area or district or generally, the sole right or power of manufacturing, producing, transporting, purchasing, supplying, storing or dealing in any commodity which may be the subject of trade or commerce.

"Minister".

"(5) 'Minister' means the President of the King's Privy Council for Canada."

Sections 5-9 repealed.

3. Sections five, six, seven, eight and nine of the said Act are repealed.

(3) "corporation" includes company;

(4) "Minister" means the minister charged for the time being by order of the Governor in Council with the administration of this Act;

(5) "Registrar" means the registrar appointed by the Governor in Council as hereinafter provided."

3. Sections 5 to 9 to be repealed read:—

"**5.** The Governor in Council may by Order in Council name a minister of the Crown to be charged with the general administration of this Act, and the Minister so named shall be so charged accordingly.

"**6.** The Governor in Council shall appoint a registrar who is a British subject, to be known as the Registrar of the Combines Investigation Act.

2. The office of registrar may be held either separately or in conjunction with any other office in the public service, and in the latter case the Registrar may, if the Governor in Council thinks fit, be appointed not by name but by reference to such other office, whereupon the person who, for the time being, holds such office or performs its duties shall by virtue thereof be the Registrar.

3. The Governor in Council may, from time to time, appoint one or more persons who are British subjects to be commissioners under this Act.

4. The Minister may employ such temporary, technical and special assistants as may be required to meet the special conditions that may arise in carrying out the provisions of this Act.

"**7.** The Civil Service Act and other Acts relating to the Civil Service, in so far as applicable, shall, except as otherwise provided in the last preceding section, apply to all permanent employees under this Act.

"**8.** The Minister may establish at any place or places in Canada such office or offices as are required for the discharge of the duties of the Registrar and of any commissioner under this Act, and may provide therefor the necessary accommodation, stationery and equipment.

REMUNERATION AND EXPENSES.

"**9.** The remuneration and expenses of the Registrar and of any commissioner appointed under the authority of this Act, and of the temporary, technical and special assistants employed by the Minister, as well as the fees and expenses allowed to any counsel instructed by the Minister of Justice under this Act, shall be paid out of such appropriations as are provided by Parliament to provide the cost of administering this Act.

2. Any person employed by the Minister to render any temporary, technical and special assistance shall be paid for his services and expenses such sum as the Governor in Council may determine."

4. Section ten of the said Act is repealed and the following is substituted therefor:—

Duties of Commission.

"**10.** It shall be the duty of the Commission

(a) to receive and register, and, subject to the provisions of this Act, to deal with applications for investigation of alleged combines;

(b) to conduct such correspondence with the applicants and all other persons as may be necessary;

(c) to call for such returns and to make such inquiries as it may consider to be necessary in order that it may thoroughly examine into the matter brought to its attention by any application for an investigation;

(d) to make reports from time to time to the Minister;

(e) to keep a register in which shall be entered the particulars of all applications, inquiries, reports and recommendations, and safely to keep all applications, records of inquiries, correspondence, returns, reports, recommendations, evidence and documents relating to applications and proceedings conducted by the Commission and when so required to transmit all or any of such to the Minister;

(f) to supply to any persons on request information as to this Act or any regulations thereunder;

(g) generally to do all such things and take all such proceedings as may be required in the performance of its duties under this Act or under any regulations made hereunder."

5. Subsection one of section eleven of the said Act is repealed and the following is substituted therefor:—

Application to Commission for investigation.

"**11.** (1) Any six persons, British subjects, resident in Canada, of the full age of twenty-one years, who are of the opinion that a combine exists, or is being formed, may apply in writing to the Commission for an investigation of such alleged combine, and shall place before the Commission the evidence on which such opinion is based."

6. Section twelve of the said Act is repealed and the following is substituted therefor:—

Commission shall cause enquiry to be made.

"**12.** The Commission shall on application made under the last preceding section or on its own motion whenever it has reason to believe that a combine exists or is being formed, cause an inquiry to be made into all such matters, whether of fact or of law, with respect to the said alleged combine as it shall consider necessary to enquire into with the view of determining whether a combine exists or is being formed."

4. Section 10 to be repealed and re-enacted reads as follows:—

"**10.** It shall be the duty of the Registrar

(a) to receive and register, and subject to the provisions of this Act, to deal with applications for investigation of alleged combines;

(b) to bring at once to the Minister's attention every such application;

(c) to conduct such correspondence with the applicants and all other persons as may be necessary;

(d) to call for such returns and to make such inquiries as the Registrar may consider to be necessary, in order that he may thoroughly examine into the matter brought to his attention by any application for an investigation;

(e) to make reports from time to time to the Minister;

(f) to conduct such correspondence with commissioners as may be necessary, and to receive and file all reports and recommendations of commissioners;

(g) to keep a register in which shall be entered the particulars of all applications, inquiries, reports and recommendations, and safely to keep all applications, records of inquiries, correspondence, returns, reports, recommendations, evidence and documents relating to applications and proceedings conducted by the Registrar or any commissioner, and when so required to transmit all or any of such to the Minister;

(h) to supply to any parties on request information as to this Act or any regulations thereunder;

(i) generally to do all such things and take all such proceedings as may be required in the performance of his duties under this Act or under any regulations made hereunder."

5. In the subsection to be repealed and re-enacted, "the Commission" is substituted for "the Registrar".

6. The section to be repealed reads:—

"**12.** Whenever such application shall be made to the Registrar, or whenever the Registrar shall have reason to believe that a combine exists or is being formed, or whenever so directed by the Minister, the Registrar shall cause an inquiry to be made into all such matters, whether or fact or of law, with respect to the said alleged combine as he shall consider necessary to enquire into with the view of determining whether a combine exists or is being formed."

7. Section thirteen of the said Act is repealed and the following is substituted therefor:—

Commission to decide whether further enquiry shall be made.

"**13.** (1) If, after such preliminary inquiry as the Commission deems the circumstances warrant, the Commission is of the opinion that the application is frivolous or vexatious, or does not justify further inquiry, the Commission may decide that no further inquiry is justified and shall inform the applicant of the decision giving the grounds thereof.

(2) In case the Commission decides that further inquiry shall not be made it shall notify the applicants of its decision giving the grounds thereof.

(3) The decision of the Commission shall be final and conclusive and shall not be subject to appeal or review."

8. Section fourteen of the said Act is repealed and the following is substituted therefor:—

Commission may require written returns and full disclosure.

"**14.** The Commission may at any time in the course of an inquiry, by notice in writing, require any person, and in the case of a corporation any officer of such corporation, to make and render unto the Commission, within a time stated in such notice, or from time to time, a written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the notice required, and such person or officer shall make and render unto the Commission, precisely as required a written return under oath or affirmation showing in detail the information required; and, without restricting the generality of the foregoing, the Commission may require a full disclosure of all contracts or agreements which the person, named in the notice, may have at any time entered into with any other person, touching or concerning the business of the said person so named in the notice."

Section 15 repealed.

9. Section fifteen of the said Act is repealed.

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

Commission to have power to make investigations.

"**16.** The Commission shall have authority to investigate the business, or any part thereof, of any person who is or is believed to be a member of any combine or a party or privy thereto, and to authorize a representative on its behalf to enter and examine the premises, books, papers and records of such person."

7. The section to be repealed reads:—

"**13.** If, after such inquiry as he deems the circumstances warrant, the Registrar is of the opinion that the application is frivolous or vexatious, or does not justify further inquiry, he shall make a report in writing to the Minister setting out the application, the statement or statements, the inquiry made and the information obtained, and his conclusions; and the Minister shall thereupon decide whether further inquiry shall or shall not be made, and shall give instructions accordingly.

(2) In case the Minister decides that further inquiry shall not be made, he shall notify the applicant of his decision, giving the grounds thereof.

(3) The decision of the Minister shall be final and conclusive, and shall not be subject to appeal or review."

8. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar".

9. The section to be repealed reads:—

"**15.** If, after the receipt by the Registrar of any return made in purported compliance with this Act, the Registrar or the Minister shall consider that circumstances so justify, or if after a return under this Act has been required, none is made, or none is made within a time set in the notice requiring such return, or within such further time as the Registrar or the Minister may upon special application allow, the Registrar shall have power to investigate the business, and enter and examine the premises, books, papers and records of and in the possession of the person making or failing to make such return."

10. The section to be repealed reads:—

"**16.** Every commissioner shall have authority to investigate the business, or any part thereof, of any person who is or is believed to be a member of any combine or a party or privy thereto, or who is named in the Order in Council appointing the commissioner, and to enter and examine the premises, books, papers and records of such person.

(2) The exercise of any of the powers herein conferred on commissioners shall not be held to limit or qualify the

ers by this Act conferred upon the Registrar."

11. Section seventeen of the said Act is repealed and the following is substituted therefor:—

Access to premises and records.

"**17.** Every person who is in possession or control of any such business, premises, books, papers or records as are referred to in the last preceding section shall give and afford to the Commission admission and access thereto whenever and as often as demanded."

12. Section eighteen of the said Act is repealed and the following is substituted therefor:—

Provisions of *Inquiries Act* applicable.

"**18.** All provisions of the *Inquiries Act* not repugnant to the provisions of this Act shall apply to any inquiry or investigation under this Act, and the Commission shall have all the powers of a commissioner appointed under the *Inquiries Act*, including the powers which are thereby authorized to be conferred by the commission issued in the case, except in so far as any such powers may be inconsistent with the provisions of this Act."

13. Section twenty of the said Act is repealed and the following is substituted therefor:—

Commission may inspect and copy books, etc.

"**20.** All books, papers, records or things produced before the Commission, whether voluntarily or in pursuance of an order, may be inspected by the Commission and also by such persons as the Commission allows, and copies thereof may be made by or at the instance of the Commission."

Section 21 repealed.

14. Section twenty-one of the said Act is repealed.

15. Section twenty-two of the said Act is repealed and the following is substituted therefor:—

Powers of Commission as to witnesses, evidence under oath and production of papers.

"**22.** (1) The Commission may order that any person resident or present in Canada be examined upon oath before, or make production of books, papers, records or articles to, the Commission or before or to any other person named for the purpose by the order of the Commission and may make such orders as seem to the Commission to be proper for securing the attendance of such witness and his examination, and the production by him of books, papers, records or articles, and the use of evidence so obtained, and may otherwise exercise, for the enforcement of such orders or punishment for disobedience thereof, all powers that are

11. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar".

12. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar and every commissioner".

13. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or the commissioner" or for "the Minister or commissioner."

14. The section to be repealed reads:—

"**21.** The Minister may employ competent persons to examine books, papers or records, and to advise the Registrar or any commissioner, upon any technical or other matter material to the investigation, but the information obtained therefrom shall not, except in so far as the Minister deems it expedient, be made public, and such parts of the books, papers or records as in the opinion of the Registrar are not material to the investigation may be sealed up."

15. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar and every commissioner." In paragraph (4) "the Commission" is substituted for "the Minister."

exercised by any superior court in Canada for the enforcement of subpoenas to witnesses or punishment of disobedience thereof.

Persons competent to give evidence.

(2) Any person summoned before the Commission shall be competent and may be compelled to give evidence as a witness.

Expenses of witnesses.

(3) Every person who is summoned and duly attends as a witness shall be entitled to an allowance for attendance and travelling expenses according to the scale in force with respect to witnesses in civil suits in the superior courts of the province in which the inquiry is being conducted.

Taking evidence in foreign country.

(4) The Commission may issue commissions to take evidence in a foreign country, and may make all proper orders for the purpose and for the return and use of the evidence so obtained.

Signature to orders, etc.

(5) Orders to witnesses and all other orders, process or proceedings shall be signed by a commissioner."

16. Section twenty-three of the said Act is repealed and the following is substituted therefor:—

Evidence upon affidavit or written information.

"**23.** (1) The Commission may accept or require evidence upon affidavit or written affirmation, in every case in which it seems to it proper to do so.

Administration of oaths in each province.

(2) The Commission and all persons authorized to administer oaths to be used in any of the superior courts of any province may administer oaths in such province to be used in applications, matters or proceedings before the Commission.

Oaths in Supreme or Exchequer Court.

(3) All persons authorized to administer oaths within or out of Canada, in or concerning any proceeding had or to be had in the Supreme Court of Canada or in the Exchequer Court of Canada, may administer oaths in or concerning any application, matter or proceeding before the Commission."

17. Section twenty-four of the said Act is repealed and the following is substituted therefor:—

No person excused from giving evidence on ground it may incriminate him.

"**24.** No person shall be excused from attending and giving evidence and producing books, papers, or records, in obedience to the order of the Commission, on the ground that the oral evidence or documents required of him may tend to criminate him or subject him to any proceeding or penalty, but no such oral evidence so given shall be used or receivable against such person in any criminal proceedings thereafter instituted against him, other than a prosecution for perjury in giving evidence upon such investigation, inquiry, cause or proceeding."

Section 25 repealed.

18. Section twenty-five of the said Act is repealed.

16. In the section to be repealed and re-enacted, "the Commission" is substituted for the "Registrar and every commissioner."

17. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or commissioner."

18. The section to be repealed reads as follows:—

"**25.** The proceedings before the Registrar and every Commissioner shall be conducted in private, but the Minister may order that any portion of the proceedings shall be conducted in public."

19. Section twenty-six of the said Act is repealed and the following is substituted therefor:—

Counsel may be instructed to conduct investigation.

"**26.** Whenever in the opinion of the Commission, the public interest so requires, the Commission may apply to the Minister of Justice to instruct counsel to conduct the investigation before the Commission and upon such application the Minister of Justice may instruct counsel accordingly."

20. Section twenty-seven of the said Act is repealed and the following is substituted therefor:—

Reports by the Commission.

"**27.** The Commission at the conclusion of every investigation which they conduct shall make a report in writing and without delay transmit it to the Minister."

Section 28 repealed.

21. Section twenty-eight of the said Act is repealed.

22. Subsection one of section thirty-one of the said Act is repealed and the following is substituted therefor:—

Procedure when in opinion of Commission an offence has been committed.

"**31.** (1) Whenever in the opinion of the Commission an offence has been committed against any of the provisions of this Act, the Commission may remit to the attorney general of any province within which such alleged offence shall have been committed, for such action as such attorney general may be pleased to institute because of the conditions appearing,

(a) any return or returns which may have been made or rendered pursuant to this Act and are in the possession of the Commission and relevant to such alleged offence; and

(b) the evidence taken on any investigation by the Commission, and the report of the Commission."

23. Subsection one of section thirty-three of the said Act is repealed and the following is substituted therefor:—

Contempt of Commission.

"**33.** (1) If in any proceedings before the Commission or any commissioner any person wilfully insults the Commission, or wilfully interrupts the proceedings, or is guilty in any other manner of any wilful contempt in the face of the Commission, the Commission may direct any constable to take the person offending into custody and remove him from the precincts and presence of the Commission, to be detained in custody until the conclusion of the day's sitting."

19. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Minister" or for "the Registrar or any commissioner."

20. The section to be repealed reads:—

"**27.** The Registrar at the conclusion of every investigation which he conducts shall make a report in writing which he shall sign and without delay transmit to the Minister.

2. Every commissioner who conducts an investigation shall at the conclusion thereof make a report in writing which he shall sign and transmit to the Registrar, together with the evidence taken at the investigation, certified by the commissioner, and any documents and papers remaining in the custody of the commissioner; and the Registrar shall without delay transmit the report to the Minister.

3. The Minister may call for an interim report at any time, and it shall be the duty of the Registrar or commissioner, as the case may be, whenever thereunto required by the Minister, to render an interim report setting out fully the action taken, evidence obtained and conclusions reached at the date thereof."

21. The section to be repealed reads:—

"**28.** Any report of a commissioner, other than an interim report, shall within fifteen days after its receipt by the Minister be made public, unless the commissioner is of the opinion that the public interest would be better served by withholding publication and so states in the report itself, in which case the Minister may exercise his discretion as to the publicity to be given to the report in whole or in part.

2. The Minister may publish and supply copies of any report in such manner and upon such terms as to him seems most desirable."

22. In the subsection to be repealed and re-enacted, "the Commission" is substituted for "the Minister" and for "the Registrar or commissioner."

23. In the subsection to be repealed and re-enacted, "the Commission" is substituted for "the Registrar" or for "the Registrar or commissioner."

24. Section thirty-four of the said Act is repealed and the following is substituted therefor:—

Failure to attend and give evidence.

"**34.** If any person, who has been duly served with an order, issued by the Commission requiring him to attend or to produce any books, papers, records or articles before the Commission, and to whom at the time of service payment or tender has been made of his reasonable travelling expenses according to the scale in force with respect to witnesses in civil suits in the Superior Courts of the province in which the enquiry is being conducted, fails to attend and give evidence, or to produce any book, paper, record or thing as required by the said order, he shall, unless he shows that there was good and sufficient cause for such failure, be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding six months and a fine not exceeding one thousand dollars, or to both such fine and imprisonment."

Penalty.

25. Section thirty-five of the said Act is repealed and the following substituted therefor:—

"**35.** Any person, and, in the case of a corporation, any officer of the corporation, who refuses, neglects or fails

Neglect or failure to furnish written returns and information required.

(a) to obey or comply with any notice in writing whereby the Commission, pursuant to the authority of this Act, requires such person or officer to make and render to it within the time stated in the notice, or from time to time, any written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the notice lawfully required, or to show in the return the information so required in detail, precisely as by the notice required, in so far as the information or details are within the knowledge or possession of or available to the person or officer so notified; or

(b) to include in any such return, if thereunto required by the Commission, and if the person or officer notified has knowledge or means of ascertaining the facts, a full disclosure of all contracts or agreements which the person named in the notice may have at any time entered into with any other person touching or concerning the business of the former;

Penalty.

shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment."

24. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or commissioner."

25. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar."

26. Section thirty-six of the said Act is repealed and the following is substituted therefor—

Refusal to give admission to premises and access to books, etc.

"**36.** Any person who, being in possession or control of the business, premises, books, papers or records of

(a) any person who has made a return, or failed to make a return when thereunto required, under the authority of this Act; or

(b) any person who is, or in respect of whom there are reasonable grounds for the belief that he is, a member of any combine or a party or privy thereto,

Penalty.

refuses, neglects or fails to give and afford to the Commission admission and access to the aforesaid premises, books, papers or records whenever and as often as demanded by the Commission, shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both such fine and imprisonment."

Section 41 repealed.

27. Section forty-one of the said Act is repealed.

26. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or any commissioner," and the words "and who is named in an order in council appointing a commissioner under this Act" are struck out after the words "privy thereto" at the end of paragraph *(b)*.

27. The section to be repealed reads:—

"**41.** The Minister shall lay before Parliament, within the first fifteen days of the then next session, an annual report of the proceedings under this Act."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act to amend the Combines Investigation Act.

AS PASSED BY THE HOUSE OF COMMONS,
20th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98678 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act to amend the Combines Investigation Act.

R.S., c. 26.

HIS 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 Combines Investigation Act Amendment Act, 1935.*

Definitions.

2. Section two of the *Combines Investigation Act*, chapter twenty-six of the Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor:—

"**2.** In this Act, unless the context otherwise requires,

"Combine".

(1) 'Combine' means a combination of two or more persons by way of actual or tacit contract, agreement or arrangement having or designed to have the effect of

(a) limiting facilities for transporting, producing, manufacturing, supplying, storing or dealing, or

(b) preventing, limiting or lessening manufacture or production, or

(c) fixing a common price or a resale price, or a common rental, or a common cost of storage or transportation, or

(d) enhancing the price, rental or cost of article, rental, storage or transportation, or

(e) preventing or lessening competition in, or substantially controlling within any particular area or district or generally, production, manufacture, purchase, barter, sale, storage, transportation, insurance or supply, or

(f) otherwise restraining or injuring trade or commerce.

or a merger, trust or monopoly, which combination, merger, trust or monopoly has operated or is likely to operate to the detriment or against the interest of the public, whether consumers, producers or others."

"Commission".

"(2) 'Commission' means the Dominion Trade and Industry Commission established under *The Dominion Trade and Industry Commission Act, 1935.*"

Explanatory Notes.

2. The section to be repealed reads:—

"**2.** In this Act, unless the context otherwise requires,

(1) combines which have operated or are likely to operate to the detriment or against the interest of the public, whether consumers, producers or others, and which

(a) are mergers, trusts or monopolies, so called; or

(b) result from the purchase, lease, or other acquisition by any person of any control over or interest in the whole or part of the business of any other person; or

(c) result from any actual or tacit contract, agreement, arrangement, or combination which has or is designed to have the effect of

(i) limiting facilities for transporting, producing, manufacturing, supplying, storing or dealing, or

(ii) preventing, limiting or lessening manufacture or production, or

(iii) fixing a common price or a resale price, or a common rental, or a common cost of storage or transportation, or

(iv) enhancing the price, rental or cost of article, rental, storage or transportation, or

(v) preventing or lessening competition in, or substantially controlling within any particular area or district or generally, production, manufacture, purchase, barter, sale, storage, transportation, insurance or supply, or

(vi) otherwise restraining or injuring trade or commerce,

are described by the word "combine";

(2) "commissioner" means a commissioner appointed by the Governor in Council as hereinafter provided;

"Corporation".

"(3) 'Corporation' includes 'Company'."

"Merger, trust or monopoly".

"(4) 'Merger, trust or monopoly' means and includes any combination resulting from the purchase, lease or other acquisition by any person of any control over or interest in the whole or part of the business of any other person; or any person or combination of persons engaged in industry or commerce who, in any particular area or district or generally in Canada, control any class of business; or any person or combination of persons possessing or exercising within any particular area or district or generally, the sole right or power of manufacturing, producing, transporting, purchasing, supplying, storing or dealing in any commodity which may be the subject of trade or commerce.

"Minister".

"(5) 'Minister' means the President of the King's Privy Council for Canada."

Sections 5-9 repealed.

3. Sections five, six, seven, eight and nine of the said Act are reqealed.

(3) "corporation" includes company;

(4) "Minister" means the minister charged for the time being by order of the Governor in Council with the administration of this Act;

(5) "Registrar" means the registrar appointed by the Governor in Council as hereinafter provided."

3. Sections 5 to 9 to be repealed read:—

"**5.** The Governor in Council may by Order in Council name a minister of the Crown to be charged with the general administration of this Act, and the Minister so named shall be so charged accordingly.

"**6.** The Governor in Council shall appoint a registrar who is a British subject, to be known as the Registrar of the Combines Investigation Act.

2. The office of registrar may be held either separately or in conjunction with any other office in the public service, and in the latter case the Registrar may, if the Governor in Council thinks fit, be appointed not by name but by reference to such other office, whereupon the person who, for the time being, holds such office or performs its duties shall by virtue thereof be the Registrar.

3. The Governor in Council may, from time to time, appoint one or more persons who are British subjects to be commissioners under this Act.

4. The Minister may employ such temporary, technical and special assistants as may be required to meet the special conditions that may arise in carrying out the provisions of this Act.

"**7.** The Civil Service Act and other Acts relating to the Civil Service, in so far as applicable, shall, except as otherwise provided in the last preceding section, apply to all permanent employees under this Act.

"**8.** The Minister may establish at any place or places in Canada such office or offices as are required for the discharge of the duties of the Registrar and of any commissioner under this Act, and may provide therefor the necessary accommodation, stationery and equipment.

REMUNERATION AND EXPENSES.

"**9.** The remuneration and expenses of the Registrar and of any commissioner appointed under the authority of this Act, and of the temporary, technical and special assistants employed by the Minister, as well as the fees and expenses allowed to any counsel instructed by the Minister of Justice under this Act, shall be paid out of such appropriations as are provided by Parliament to provide the cost of administering this Act.

2. Any person employed by the Minister to render any temporary, technical and special assistance shall be paid for his services and expenses such sum as the Governor in Council may determine."

4. Section ten of the said Act is repealed and the following is substituted therefor:—

Duties of Commission.

"**10.** It shall be the duty of the Commission

(a) to receive and register, and, subject to the provisions of this Act, to deal with applications for investigation of alleged combines;

(b) to conduct such correspondence with the applicants and all other persons as may be necessary;

(c) to call for such returns and to make such inquiries as it may consider to be necessary in order that it may thoroughly examine into the matter brought to its attention by any application for an investigation;

(d) to make reports from time to time to the Minister;

(e) to keep a register in which shall be entered the particulars of all applications, inquiries, reports and recommendations, and safely to keep all applications, records of inquiries, correspondence, returns, reports, recommendations, evidence and documents relating to applications and proceedings conducted by the Commission and when so required to transmit all or any of such to the Minister;

(f) to supply to any persons on request information as to this Act or any regulations thereunder;

(g) generally to do all such things and take all such proceedings as may be required in the performance of its duties under this Act or under any regulations made hereunder."

5. Subsection one of section eleven of the said Act is repealed and the following is substituted therefor:—

Application to Commission for investigation.

"**11.** (1) Any six persons, British subjects, resident in Canada, of the full age of twenty-one years, who are of the opinion that a combine exists, or is being formed, may apply in writing to the Commission for an investigation of such alleged combine, and shall place before the Commission the evidence on which such opinion is based."

6. Section twelve of the said Act is repealed and the following is substituted therefor:—

Commission shall cause enquiry to be made.

"**12.** The Commission shall on application made under the last preceding section or on its own motion whenever it has reason to believe that a combine exists or is being formed, cause an inquiry to be made into all such matters, whether of fact or of law, with respect to the said alleged combine as it shall consider necessary to enquire into with the view of determining whether a combine exists or is being formed."

4. Section 10 to be repealed and re-enacted reads as follows:—

"**10.** It shall be the duty of the Registrar

(a) to receive and register, and subject to the provisions of this Act, to deal with applications for investigation of alleged combines;

(b) to bring at once to the Minister's attention every such application;

(c) to conduct such correspondence with the applicants and all other persons as may be necessary;

(d) to call for such returns and to make such inquiries as the Registrar may consider to be necessary, in order that he may thoroughly examine into the matter brought to his attention by any application for an investigation;

(e) to make reports from time to time to the Minister;

(f) to conduct such correspondence with commissioners as may be necessary, and to receive and file all reports and recommendations of commissioners;

(g) to keep a register in which shall be entered the particulars of all applications, inquiries, reports and recommendations, and safely to keep all applications, records of inquiries, correspondence, returns, reports, recommendations, evidence and documents relating to applications and proceedings conducted by the Registrar or any commissioner, and when so required to transmit all or any of such to the Minister;

(h) to supply to any parties on request information as to this Act or any regulations thereunder;

(i) generally to do all such things and take all such proceedings as may be required in the performance of his duties under this Act or under any regulations made hereunder."

5. In the subsection to be repealed and re-enacted, "the Commission" is substituted for "the Registrar".

6. The section to be repealed reads:—

"**12.** Whenever such application shall be made to the Registrar, or whenever the Registrar shall have reason to believe that a combine exists or is being formed, or whenever so directed by the Minister, the Registrar shall cause an inquiry to be made into all such matters, whether or fact or of law, with respect to the said alleged combine as he shall consider necessary to enquire into with the view of determining whether a combine exists or is being formed."

7. Section thirteen of the said Act is repealed and the following is substituted therefor:—

Commission to decide whether further enquiry shall be made.

"**13.** (1) If, after such preliminary inquiry as the Commission deems the circumstances warrant, the Commission is of the opinion that the application is frivolous or vexatious, or does not justify further inquiry, the Commission may decide that no further inquiry is justified and shall inform the applicant of the decision giving the grounds thereof.

(2) In case the Commission decides that further inquiry shall not be made it shall notify the applicants of its decision giving the grounds thereof.

(3) The decision of the Commission shall be final and conclusive and shall not be subject to appeal or review."

8. Section fourteen of the said Act is repealed and the following is substituted therefor:—

Commission may require written returns and full disclosure.

"**14.** The Commission may at any time in the course of an inquiry, by notice in writing, require any person, and in the case of a corporation any officer of such corporation, to make and render unto the Commission, within a time stated in such notice, or from time to time, a written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the notice required, and such person or officer shall make and render unto the Commission, precisely as required a written return under oath or affirmation showing in detail the information required; and, without restricting the generality of the foregoing, the Commission may require a full disclosure of all contracts or agreements which the person, named in the notice, may have at any time entered into with any other person, touching or concerning the business of the said person so named in the notice."

Section 15 repealed.

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

Commissioner may investigate matters relating to agreement.

"**15.** On the application of any person to the Commission to recommend the approval of an agreement or proposed agreement for the control and regulation of prices and production pursuant to the provisions of *The Dominion Trade and Industry Commission Act, 1935*, the Commission shall have authority to investigate all matters relating to such agreement or proposed agreement as in the case of any other investigation under this Act, and all the provisions of this Act shall *mutatis mutandis* apply as in the case of any other investigation under this Act."

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

Commission to have power to make investigations.

"**16.** The Commission shall have authority to investigate the business, or any part thereof, of any person who is or is believed to be a member of any combine or a party or

7. The section to be repealed reads:—

"**13.** If, after such inquiry as he deems the circumstances warrant, the Registrar is of the opinion that the application is frivolous or vexatious, or does not justify further inquiry, he shall make a report in writing to the Minister setting out the application, the statement or statements, the inquiry made and the information obtained, and his conclusions; and the Minister shall thereupon decide whether further inquiry shall or shall not be made, and shall give instructions accordingly.

(2) In case the Minister decides that further inquiry shall not be made, he shall notify the applicant of his decision, giving the grounds thereof.

(3) The decision of the Minister shall be final and conclusive, and shall not be subject to appeal or review."

8. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar".

9. The section to be repealed reads:—

"**15.** If, after the receipt by the Registrar of any return made in purported compliance with this Act, the Registrar or the Minister shall consider that circumstances so justify, or if after a return under this Act has been required, none is made, or none is made within a time set in the notice requiring such return, or within such further time as the Registrar or the Minister may upon special application allow, the Registrar shall have power to investigate the business, and enter and examine the premises, books, papers and records of and in the possession of the person making or failing to make such return."

10. The section to be repealed reads:—

"**16.** Every commissioner shall have authority to investigate the business, or any part thereof, of any person who is or is believed to be a member of any combine or a party or privy thereto, or who is named in the Order in Council appointing the commissioner, and to enter and examine the premises, books, papers and records of such person.

(2) The exercise of any of the powers herein conferred on commissioners shall not be held to limit or qualify the powers by this Act conferred upon the Registrar."

privy thereto, and to authorize a representative on its behalf to enter and examine the premises, books, papers and records of such person."

Access to premises and records.

11. Section seventeen of the said Act is repealed and the following is substituted therefor:—

"**17.** Every person who is in possession or control of any such business, premises, books, papers or records as are referred to in the last preceding section shall give and afford to the Commission admission and access thereto whenever and as often as demanded."

Provisions of *Inquiries Act* applicable.

12. Section eighteen of the said Act is repealed and the following is substituted therefor:—

"**18.** All provisions of the *Inquiries Act* not repugnant to the provisions of this Act shall apply to any inquiry or investigation under this Act, and the Commission shall have all the powers of a commissioner appointed under the *Inquiries Act*, except in so far as any such powers may be inconsistent with the provisions of this Act."

13. Section twenty of the said Act is repealed and the following is substituted therefor:—

Commission may inspect and copy books, etc.

"**20.** All books, papers, records or things produced before the Commission, whether voluntarily or in pursuance of an order, may be inspected by the Commission and also by such persons as the Commission allows, and copies thereof may be made by or at the instance of the Commission."

Section 21 repealed.

14. Section twenty-one of the said Act is repealed.

15. Section twenty-two of the said Act is repealed and the following is substituted therefor:—

Powers of Commission as to witnesses, evidence under oath and production of papers.

"**22.** (1) The Commission may order that any person resident or present in Canada be examined upon oath before, or make production of books, papers, records or articles to, the Commission or before or to any other person named for the purpose by the order of the Commission and may make such orders as seem to the Commission to be proper for securing the attendance of such witness and his examination, and the production by him of books, papers, records or articles, and the use of evidence so obtained, and may otherwise exercise, for the enforcement of such orders or punishment for disobedience thereof, all powers that are

11. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar".

12. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar and every commissioner".

13. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or the commissioner" or for "the Minister or commissioner."

14. The section to be repealed reads:—

"**21.** The Minister may employ competent persons to examine books, papers or records, and to advise the Registrar or any commissioner, upon any technical or other matter material to the investigation, but the information obtained therefrom shall not, except in so far as the Minister deems it expedient, be made public, and such parts of the books, papers or records as in the opinion of the Registrar are not material to the investigation may be sealed up."

15. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar and every commissioner." In paragraph (4) "the Commission" is substituted for "the Minister."

exercised by any superior court in Canada for the enforcement of subpoenas to witnesses or punishment of disobedience thereof.

Persons competent to give evidence.

(2) Any person summoned before the Commission shall be competent and may be compelled to give evidence as a witness.

Expenses of witnesses.

(3) Every person who is summoned and duly attends as a witness shall be entitled to an allowance for attendance and travelling expenses according to the scale in force with respect to witnesses in civil suits in the superior courts of the province in which the inquiry is being conducted.

Taking evidence in foreign country.

(4) The Commission may issue commissions to take evidence in a foreign country, and may make all proper orders for the purpose and for the return and use of the evidence so obtained.

Signature to orders, etc.

(5) Orders to witnesses and all other orders, process or proceedings shall be signed by a commissioner."

16. Section twenty-three of the said Act is repealed and the following is substituted therefor:—

Evidence upon affidavit or written information.

"**23.** (1) The Commission may accept or require evidence upon affidavit or written affirmation, in every case in which it seems to it proper to do so.

Administration of oaths in each province.

(2) The Commission and all persons authorized to administer oaths to be used in any of the superior courts of any province may administer oaths in such province to be used in applications, matters or proceedings before the Commission.

Oaths in Supreme or Exchequer Court.

(3) All persons authorized to administer oaths within or out of Canada, in or concerning any proceeding had or to be had in the Supreme Court of Canada or in the Exchequer Court of Canada, may administer oaths in or concerning any application, matter or proceeding before the Commission."

17. Section twenty-four of the said Act is repealed and the following is substituted therefor:—

No person excused from giving evidence on ground it may incriminate him.

"**24.** No person shall be excused from attending and giving evidence and producing books, papers, or records, in obedience to the order of the Commission, on the ground that the oral evidence or documents required of him may tend to criminate him or subject him to any proceeding or penalty, but no such oral evidence so given shall be used or receivable against such person in any criminal proceedings thereafter instituted against him, other than a prosecution for perjury in giving evidence upon such investigation, inquiry, cause or proceeding."

Section 25 repealed.

18. Section twenty-five of the said Act is repealed.

16. In the section to be repealed and re-enacted, "the Commission" is substituted for the "Registrar and every commissioner."

17. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or commissioner."

18. The section to be repealed reads as follows:—

"**25.** The proceedings before the Registrar and every Commissioner shall be conducted in private, but the Minister may order that any portion of the proceedings shall be conducted in public."

19. Section twenty-six of the said Act is repealed and the following is substituted therefor:—

Counsel may be instructed to conduct investigation.

"**26.** Whenever in the opinion of the Commission, the public interest so requires, the Commission may apply to the Minister of Justice to instruct counsel to conduct the investigation before the Commission and upon such application the Minister of Justice may instruct counsel accordingly."

20. Section twenty-seven of the said Act is repealed and the following is substituted therefor:—

Reports by the Commission.

"**27.** The Commission at the conclusion of every investigation which they conduct shall make a report in writing and without delay transmit it to the Minister."

Section 28 repealed.

21. Section twenty-eight of the said Act is repealed.

22. Subsection one of section thirty-one of the said Act is repealed and the following is substituted therefor:—

Procedure when in opinion of Commission an offence has been committed.

"**31.** (1) Whenever in the opinion of the Commission an offence has been committed against any of the provisions of this Act, the Commission may remit to the attorney general of any province within which such alleged offence shall have been committed, for such action as such attorney general may be pleased to institute because of the conditions appearing,

(a) any return or returns which may have been made or rendered pursuant to this Act and are in the possession of the Commission and relevant to such alleged offence; and

(b) the evidence taken on any investigation by the Commission, and the report of the Commission."

23. Subsection one of section thirty-three of the said Act is repealed and the following is substituted therefor:—

Contempt of Commission.

"**33.** (1) If in any proceedings before the Commission or any commissioner any person wilfully insults the Commission, or wilfully interrupts the proceedings, or is guilty in any other manner of any wilful contempt in the face of the Commission, the Commission may direct any constable to take the person offending into custody and remove him from the precincts and presence of the Commission, to be detained in custody until the conclusion of the day's sitting."

19. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Minister" or for "the Registrar or any commissioner."

20. The section to be repealed reads:—

"**27.** The Registrar at the conclusion of every investigation which he conducts shall make a report in writing which he shall sign and without delay transmit to the Minister.

2. Every commissioner who conducts an investigation shall at the conclusion thereof make a report in writing which he shall sign and transmit to the Registrar, together with the evidence taken at the investigation, certified by the commissioner, and any documents and papers remaining in the custody of the commissioner; and the Registrar shall without delay transmit the report to the Minister.

3. The Minister may call for an interim report at any time, and it shall be the duty of the Registrar or commissioner, as the case may be, whenever thereunto required by the Minister, to render an interim report setting out fully the action taken, evidence obtained and conclusions reached at the date thereof."

21. The section to be repealed reads:—

"**28.** Any report of a commissioner, other than an interim report, shall within fifteen days after its receipt by the Minister be made public, unless the commissioner is of the opinion that the public interest would be better served by withholding publication and so states in the report itself, in which case the Minister may exercise his discretion as to the publicity to be given to the report in whole or in part.

2. The Minister may publish and supply copies of any report in such manner and upon such terms as to him seems most desirable."

22. In the subsection to be repealed and re-enacted, "the Commission" is substituted for "the Minister" and for "the Registrar or commissioner."

23. In the subsection to be repealed and re-enacted, "the Commission" is substituted for "the Registrar" or for "the Registrar or commissioner."

24. Section thirty-four of the said Act is repealed and the following is substituted therefor:—

Failure to attend and give evidence.

"**34.** If any person, who has been duly served with an order, issued by the Commission requiring him to attend or to produce any books, papers, records or articles before the Commission, and to whom at the time of service payment or tender has been made of his reasonable travelling expenses according to the scale in force with respect to witnesses in civil suits in the Superior Courts of the province in which the enquiry is being conducted, fails to attend and give evidence, or to produce any book, paper, record or thing as required by the said order, he shall, unless he shows that there was good and sufficient cause for such failure, be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding six months and a fine not exceeding one thousand dollars, or to both such fine and imprisonment."

Penalty.

25. Section thirty-five of the said Act is repealed and the following substituted therefor:—

"**35.** Any person, and, in the case of a corporation, any officer of the corporation, who refuses, neglects or fails

Neglect or failure to furnish written returns and information required.

(a) to obey or comply with any notice in writing whereby the Commission, pursuant to the authority of this Act, requires such person or officer to make and render to it within the time stated in the notice, or from time to time, any written return under oath or affirmation showing in detail such information with respect to the business of the person named in the notice as is by the notice lawfully required, or to show in the return the information so required in detail, precisely as by the notice required, in so far as the information or details are within the knowledge or possession of or available to the person or officer so notified; or

(b) to include in any such return, if thereunto required by the Commission, and if the person or officer notified has knowledge or means of ascertaining the facts, a full disclosure of all contracts or agreements which the person named in the notice may have at any time entered into with any other person touching or concerning the business of the former;

Penalty.

shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment."

24. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or commissioner."

25. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar."

26. Section thirty-six of the said Act is repealed and the following is substituted therefor—

Refusal to give admission to premises and access to books, etc.

"**36.** Any person who, being in possession or control of the business, premises, books, papers or records of

(a) any person who has made a return, or failed to make a return when thereunto required, under the authority of this Act; or

(b) any person who is, or in respect of whom there are reasonable grounds for the belief that he is, a member of any combine or a party or privy thereto,

Penalty.

refuses, neglects or fails to give and afford to the Commission admission and access to the aforesaid premises, books, papers or records whenever and as often as demanded by the Commission, shall be guilty of an offence and liable upon indictment or upon summary conviction to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both such fine and imprisonment."

Section 41 repealed.

27. Section forty-one of the said Act is repealed.

When Act comes into force.

28. This Act shall not come into force before the first day of October, 1935.

26. In the section to be repealed and re-enacted, "the Commission" is substituted for "the Registrar or any commissioner," and the words "and who is named in an order in council appointing a commissioner under this Act" are struck out after the words "privy thereto" at the end of paragraph *(b)*.

27. The section to be repealed reads:—

"**41.** The Minister shall lay before Parliament, within the first fifteen days of the then next session, an annual report of the proceedings under this Act."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act to amend the Income War Tax Act.

First reading, May 31, 1935.

THE MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96987 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

R.S., c. 97; 1928, cc. 12, 30; 1930, c. 24; 1931, c. 35; 1932, cc. 43, 44; 1932-33, cc.14, 15, 41; 1934, cc. 19, 55.

An Act to amend the Income War Tax Act.

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

1. The First Schedule of the *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, as enacted by section one of chapter forty-one of the statutes of 1932-33, is amended by inserting therein immediately after paragraph A of the said Schedule the following paragraph:—

Additional rates of tax on investment income. Surtax.

"AA. Rates of tax applicable to all persons other than corporations and joint stock companies, in respect of 'investment income' as provided for in this Act.

On investment income included in any income exceeding		$5,000	but not exceeding		$10,000—	2%
On investment income included in any income exceeding		$10,000	but not exceeding		$14,000—	3%
On income exceeding		$14,000	"	"	$20,000—	3%
"	"	$20,000	"	"	$30,000—	4%
"	"	$30,000	"	"	$50,000—	5%
"	"	$50,000	"	"	$75,000—	6%
"	"	$75,000	"	"	$100,000—	7%
"	"	$100,000	"	"	$150,000—	8%
"	"	$150,000	"	"	$200,000—	9%
"	"	$200,000				—10%

2. Paragraphs C and D of the First Schedule of the said Act are repealed and the following are substituted therefor:—

Company rate of tax.

"C. Rate of tax applicable to corporations and joint stock companies except as next hereinafter provided.

On the income of the company

thirteen and one-half per centum.

Explanatory Notes.

Section 1. This is a new schedule of rates of tax imposed on "Investment Income".

Section 2. Paragraph (C)—The only change is from twelve and one-half per centum to thirteen and one-half per centum.

Rate on consolidated corporation incomes.

D. Rate of tax applicable to corporations and joint stock companies which file a return consolidating their profit or loss with that of their subsidiaries as provided for by subsection three of section thirty-five. *On the consolidated income of such company and its subsidiaries*

fifteen per centum."

3. Section two of the said Act is amended by adding thereto the following paragraphs:—

Earned income.

"*(m)* 'earned income' means salary, wages, fees, bonuses, pensions, superannuation allowances, retiring allowances, gratuities, honoraria, and the income from any office or employment of profit held by any person, and any income derived by a person in the carrying on or exercise by such person of a trade, vocation or calling, either alone or, in the case of a partnership, as a partner actively engaged in the conduct of the business thereof, and includes indemnities or other remuneration paid to members of Dominion, Provincial or territorial legislative bodies or municipal councils, but shall not include income derived by way of royalties, or any income, irrespective of the source or combination of sources from which it may be derived, in excess of fourteen thousand dollars;

Investment income.

(n) 'investment income' includes any income not defined herein as 'earned income' and also any amount deemed by this Act to be a dividend and any income from whatever sources derived in excess of fourteen thousand dollars;

Income bond or income debenture.

(o) 'income bond' or 'income debenture' means a bond or debenture, the interest or dividend on which is payable only when the debtor company has made a profit before taking into account the interest or dividend obligation on such bond or debenture."

4. Paragraph *(e)* of subsection one of section four of the said Act is repealed and the following is substituted therefor:—

Charitable institutions.

"*(e)* The income of any religious, charitable, agricultural and educational institution, board of trade and chamber of commerce, no part of the income of which inures to the personal profit of, or is paid or payable to any proprietor thereof or shareholder therein;"

Paragraph (D)—The only change is from thirteen and one-half per centum to fifteen per centum.

SECTION 3. *(m)* and *(n)*—These are new definitions made necessary in order to distinguish between earned income and investment income in determining the investment income which is subject to the new rates of tax set forth in section one of this Bill.

(o)—This defines an income bond or income debenture for the purposes of the Act.

SECTION 4. This paragraph comes under the general provisions of section four which provides that,—

"The following incomes shall not be liable to taxation hereunder:—"

Paragraph *(e)* of subsection one of section four which is being repealed reads as follows:—

"*(e)* The income of any religious, charitable, agricultural and educational institutions, boards of trade and chambers of commerce."

The new paragraph is an expansion of the definition which limits the exemption to purely charitable or public bodies.

5. Section five of the said Act is amended by adding thereto the following subsection:—

Alternative exemptions from surtax.

"(4) The following income shall not be liable to the additional rates of tax on investment income, namely,—

(a) all income up to five thousand dollars; or

(b) 'earned income' up to but not exceeding fourteen thousand dollars; or

(c) income equal in amount to the sum of the exemption and allowances for dependents to which the individual is actually entitled under the provisions of paragraphs *(c)*, *(d)*, *(e)* and *(i)* of subsection one and of subsection two of this section;

whichever affords the greatest exemption to which the taxpayer is entitled."

6. Subsection one of section six of the said Act is amended by adding thereto the following paragraphs:—

Expenses payable to controlling company abroad.

"*(i)* Any sums charged by any company or organization outside of Canada to a Canadian company, branch or organization, in respect of management fees or services or for the right to use patents, processes or formulae presently known or yet to be discovered, or in connection with the letting or leasing of anything used in Canada, irrespective of whether a price or charge is agreed upon or otherwise; but only if the company or organization to which such sums are payable, or the company in Canada, is controlled directly or indirectly by any company or group of companies or persons within or without Canada, which are affiliated one with the other by the holding of shares or by agreements or otherwise; provided that a portion of any such charges may be allowed as a deduction if the Minister is satisfied that such charges are reasonable for services actually rendered or for the use of anything actually used in Canada.

Losses sustained abroad.

"*(j)* Net losses sustained in the 1934 or any subsequent taxation period in the United Kingdom of Great Britain and Northern Ireland or any of the British Dominions other than Canada or any British possession or dependency, or in any foreign country, after the taxpayer has in respect of any such period once elected to claim, and has received, reciprocal tax relief under this Act for taxes paid to any such country in

SECTION 5. This provides for a certain exemption from the additional rates of tax on investment income, namely

(a) all income up to five thousand dollars, irrespective of whether such income falls wholly within the definition of investment income or otherwise; or

(b) earned income as defined in section three of this Bill up to fourteen thousand dollars; or

(c) income equal in amount to the two thousand or one thousand dollar exemption to which a married or single person is entitled, plus the four hundred dollar allowance in respect of each child, and a maximum of four hundred dollars in respect of each dependent parent, grandparent, brother or sister.

SECTION 6. *(i)* This is to prevent, as a deduction from Canadian profits, payments abroad to parent or controlling organizations which are not subject to Canadian tax. The payments are not usually determined as between strangers but on a determination as between a parent or subsidiary company, association or organization closely allied one with the other.

The proviso gives the Minister power to allow sums paid which are reasonable for services actually rendered.

(j) The amendment is designed to remedy the condition whereby Canada bears the burden in times of loss and receives no tax in times of profit.

respect of profits earned therein: Provided, however, that the provisions of this paragraph shall not apply to companies incorporated in Canada and carrying on any class of insurance business other than life insurance for which such companies are registered or licenced under the laws of the Dominion of Canada or any province thereof.

Dividends on income bonds or income debentures.

"*(k)* The distribution of earnings by any corporation to holders of its income bonds or income debentures.

Proviso.

Provided, however, in cases where such income bonds or income debentures have been issued since 1930, in consequence of an adjustment of previously existing bonds or debentures bearing an unconditional fixed rate of interest, which adjustment, to the satisfaction of the Minister, was occasioned by financial difficulties of the debtor corporation or its predecessor and was intended to afford some relief to the said debtor corporation, then the provisions of this paragraph shall not apply.

Exception.

Provided further that the provisions of this paragraph shall not apply in determining the income of 'personal corporations' taxable against their shareholders."

7. Section six of the said Act is further amended by adding thereto the following subsections:—

Limitation of earned income in certain cases.

"(3) For the purpose of determining earned income the Minister may reduce the amount of any salary, wages, fees, bonuses, gratuities or honoraria, which, in his opinion, are not commensurate with the services actually rendered, and the amount of such reduction shall be treated for the purposes of this Act as investment income. The decision of the Minister on any question arising under this subsection shall be final and conclusive.

Apportionment of expense between earned and investment income.

(4). Where an expense is common both to earned income and investment income the Minister shall determine the extent to which the expense may be applicable to either class of income. The determination of the Minister hereunder shall be final and conclusive.

8. Section nine of the said Act is amended by adding thereto the following subsection:—

Application of the appropriate rate on investment income.

"(3) The total income of each taxpayer other than a corporation or a joint stock company shall be compiled by having the earned income form the base, above which shall be placed the investment income, and according thereto the appropriate additional rates of tax on investment income as provided by paragraph AA of the first Schedule of this Act shall be applied."

9. Subsection two of section nine B of the said Act as enacted by section nine of chapter forty-one of the statutes of 1932-33 and as amended by section five of chapter

(k) The amendment will put disbursements by a company in respect of income bonds or debentures, which disbursements are paid out of profits, in the same category as dividends paid to shareholders, as dividends are only paid after profits have been earned and are not allowed as an expense in determining the company's income liable to tax.

However, exception is made in the case of enforced reorganizations where the bondholders have agreed to forego their rights under the original contract with the company and accept over a period of years interest payable having regard to the profits which the company might earn during a period of business depression.

The second proviso is to avoid double taxation.

SECTION 7. 3.—This section is to prevent evasion of the surtax.

4—In many cases expenses are common both to earned and investment income. In such cases the extent to which the expense may be applicable to either class of income will be determined by the facts and dealt with accordingly.

SECTION 8. For example—

Earned income.....	$11,000
Investment income.....	4,000

Surtax 3% on $4,000—not 2%.

SECTION 9. Heretofore such payments were subject to a twelve and one-half per cent deduction at the source, which deduction was subject to final adjustment as and

fifty-five of the statutes of 1934, is amended by adding thereto the following paragraph:—

Payments in respect of certain copyrights and copyrighted works.

"*(e)* All payments received directly or indirectly from Canadian debtors in respect of

(i) any copyright, used in Canada, relating to books, music, articles in periodicals, newspaper syndicated articles, pictures, comics and other newspaper or periodical features, and

(ii) any rights in and to the use of any copyrighted work subsequently produced or reproduced in Canada by way of the spoken word, print or mechanical sound on or from paper, composition, films or mechanical devices of any description.

The tax payable by virtue of this paragraph shall be deducted by the Canadian debtor from the amount paid or credited to such non-resident at the time of payment or crediting and shall be remitted to the Receiver General of Canada."

10. Subsection eleven of section nine B of the said Act as enacted by section six of chapter fifty-five of the statutes of 1934 is amended by adding thereto the following proviso:—

Proviso against evasion.

"Provided further that such non-resident company is not a company incorporated since the 1st April, 1933; but this proviso shall not apply if the Minister is satisfied that such incorporation was not made for the purpose of evading the tax imposed under subsection two of this section."

11. Section twelve of the said Act is amended by adding thereto the following subsection:—

Payments on income bonds or income debentures.

"(2) For the purposes of this Act any annual amount received in respect of an income bond or income debenture shall be deemed to be a dividend."

12. Section twenty-seven of the said Act as amended by section thirteen of chapter fifty-five of the statutes of 1934 is further amended by adding thereto the following subsection:—

Exception from twelve and one-half per cent deduction.

"(7) The provisions of this section shall not apply to any non-resident person whose income by way of royalties or rentals received from Canadian sources for anything used or sold in Canada is subject to the five per cent tax imposed under paragraph *(e)* of subsection two of section 9B of this Act."

13. Subsection three of section thirty-five of the said Act as enacted by section thirteen of chapter forty-one of the statutes of 1932-33 is hereby repealed and the following is substituted therefor:—

when the non-resident filed a definitive return of his total income from Canadian sources and his Canadian income tax was determined on a net profit basis.

In practice this has been found inexpedient, not only from the point of view of revenue and administration, but, as advised, more particularly from the point of view of the Canadian copyright user, and also the non-resident recipient receiving royalties from different parts of Canada and being required to account through an income tax return.

Under the amendment, five per cent will be deducted and retained by the Treasury in respect to the whole copyright field and no definitive return will be required from the non-resident.

SECTION 10. This amendment is to prevent an evasion of the five per cent tax on dividends going to non-residents inasmuch as exemption from the tax was provided in the case of dividends being paid by a Canadian subsidiary company to a non-resident parent company.

SECTION 11. As explained under section six *(k)* of this Bill, amounts received by an income bond or income debenture-holder are paid out of profits and should be treated in the same way as dividends received by a shareholder which also are paid out of profits.

SECTION 12. This provision is necessary by reason of the new five per cent tax imposed under section nine of this Bill.

SECTION 13. This section merely clarifies the section presently existing in the Act and the regulations made thereunder.

Consolidated returns of income of corporations.

"(3) A company which owns or controls all of the capital stock (less directors' qualifying shares) of subsidiary companies which carry on the same general class of business and have fiscal periods substantially coincident with the owning or controlling company may, in respect of all such companies which carry on business in Canada, elect, before the commencement of the earliest fiscal period of any of the constituent companies in respect of which consolidation is desired and in such manner as may be prescribed by regulations hereunder, to file a return in which its profit or loss is consolidated with that of all of its subsidiary companies carrying on business in Canada, in which case the rate of tax provided by paragraph D of the First Schedule of this Act shall apply."

14. The said Act is amended by adding thereto the following Part:

"PART XII

GIFT TAX PROVISIONS.

Tax on gifts.

"**88.** (1) Save as herein otherwise provided, there shall be assessed and paid upon the transfer in any year by any individual residing or ordinarily resident in Canada of any property (whether situate within or outside of Canada) transferred by way of gift or donation a tax payable by such individual at the rate applicable in respect of the aggregate value of all the property so transferred during the year by such individual under the following schedule:

Rates

On gifts up to and including		$25,000			2%
On gifts exceeding		$25,000	but not exceeding	$50,000—	3%
"	"	$50,000	" "	$100,000—	4%
"	"	$100,000	" "	$200,000—	5%
"	"	$200,000	" "	$300,000—	6%
"	"	$300,000	" "	$400,000—	7%
"	"	$400,000	" "	$500,000—	8%
"	"	$500,000	"	$1,000,000—	9%
"	"	$1,000,000			—10%

Application of tax.

(2) The tax so imposed shall apply whether the transfer is in trust or otherwise, or direct or indirect, or whether the property is real or personal, tangible or intangible, and shall extend to gifts made by personal corporations.

Date payable.

(3) The tax shall be payable to the Receiver General of Canada at the time the gift or donation is made; and if not so paid the tax shall bear interest at the rate of ten per centum per annum from the date payable.

Donor and donee personally liable for tax.

(4) If the donor fails to pay the tax as hereinbefore provided, the donor and the donee shall be jointly and severally liable for the tax imposed by this section.

SECTION 14. The Gift Tax is occasioned by reason of the increased rates made applicable to investment income. The Gift Tax will ensure that the Treasury will receive from the donor approximately the same amount of money now as would be received under the Income Tax law out of the income from the gift over a period of time.

Assessment.

(5) The Minister may at any time assess the donor or the donee or both for the amount of the tax payable under this section. The payment of one such assessment shall discharge the joint obligation.

Application of provisions of Act.

(6) The provisions of sections forty-one to forty-seven, both inclusive; fifty-four to seventy-six, both inclusive; and seventy-nine to eighty-two, both inclusive, of this Act shall be applicable, *mutatis mutandis*, in respect of the tax imposed by this section.

Determination of value of gifts, etc.

(7) The Minister shall have power to determine

(a) that any transfer of property on the basis of a *quid pro quo* is nevertheless a gift, if, in his opinion, the values of the properties passing are disproportionate one to the other;

(b) the value of any gift or donation of property.

Exemptions from tax.

(8) The provisions of this section shall not apply to the following:—

(a) gifts or donations made by any individual the aggregate value of which in any year does not exceed four thousand dollars;

(b) gifts or donations taking effect upon death by way of bequest or devise; and any property passing to any person upon an intestacy;

(c) gifts or donations to a charitable organization or educational institution in Canada, operated exclusively as such and not operated for the benefit or private gain or profit of any person, member or shareholder thereof;

(d) gifts or donations made to the Dominion of Canada or any Province or political subdivision thereof;

(e) gifts or donations which are not recognized for income tax purposes under the provisions of section thirty-two of this Act, as amended by section sixteen of chapter fifty-five of the statutes of 1934.

Minors.

(9) *(a)* Gifts made after the thirty-first day of December, 1934, to a minor eighteen years of age or under shall be subject to the provisions of this section when such minor attains the age of nineteen years; provided this subsection shall not apply in respect of a gift made to a minor under thirteen years of age.

(b) The donor at the time of the making of the gift to a minor between twelve and nineteen years of age must supply a bond securing the payment of the tax. If the donor fails to supply a bond satisfactory to the Minister for the payment of the tax, then notwithstanding any other provision contained in the Act, except subsection one of section thirty-two, the gift tax shall be payable as provided in subsection three of this section."

Interest on increase of tax.

15. The increase of tax imposed by section two of this Act in respect of any fiscal period ending in 1934 shall bear interest from the thirtieth day of April, 1935.

Date effective, periods affected.

16. Sections one, two, three, four, five, six, seven, eight, ten, eleven, twelve and thirteen of this Act shall be applicable to income of the 1934 taxation period and fiscal periods ending therein and of all subsequent periods.

Gift tax effective first January, 1935.

17. The provisions of section fourteen of this Act shall be deemed to have come into force on the first day of January, 1935.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act to amend the Income War Tax Act.

AS PASSED BY THE HOUSE OF COMMONS, 5th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96989 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

R.S., c. 97; 1928, cc. 12, 30; 1930, c. 24; 1931, c. 35; 1932, cc. 43, 44; 1932-33, cc.14, 15, 41; 1934, cc. 19, 55.

An Act to amend the Income War Tax Act.

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

1. The First Schedule of the *Income War Tax Act*, chapter ninety-seven of the Revised Statutes of Canada, 1927, as enacted by section one of chapter forty-one of the statutes of 1932-33, is amended by inserting therein immediately after paragraph A of the said Schedule the following paragraph:—

Additional rates of tax on investment income. Surtax.

"AA. Rates of tax applicable to all persons other than corporations and joint stock companies, in respect of 'investment income' as provided for in this Act.

On investment income included in any income exceeding		$5,000	but not exceeding	$10,000—	2%
On investment income included in any income exceeding		$10,000	but not exceeding	$14,000—	3%
On income exceeding		$14,000	" "	$20,000—	3%
"	"	$20,000	" "	$30,000—	4%
"	"	$30,000	" "	$50,000—	5%
"	"	$50,000	" "	$75,000—	6%
"	"	$75,000	" "	$100,000—	7%
"	"	$100,000	" "	$150,000—	8%
"	"	$150,000	" "	$200,000—	9%
"	"	$200,000			—10%

2. Paragraphs C and D of the First Schedule of the said Act are repealed and the following are substituted therefor:—

Company rate of tax.

"C. Rate of tax applicable to corporations and joint stock companies except as next hereinafter provided.

On the income of the company

thirteen and one-half per centum.

Explanatory Notes.

Section 1. This is a new schedule of rates of tax imposed on "Investment Income".

Section 2. Paragraph (C)—The only change is from twelve and one-half per centum to thirteen and one-half per centum.

Rate on consolidated corporation incomes.

D. Rate of tax applicable to corporations and joint stock companies which file a return consolidating their profit or loss with that of their subsidiaries as provided for by subsection three of section thirty-five.
On the consolidated income of such company and its subsidiaries

fifteen per centum."

3. Section two of the said Act is amended by adding thereto the following paragraphs:—

Earned income.

"*(m)* 'earned income' means salary, wages, fees, bonuses, pensions, superannuation allowances, retiring allowances, gratuities, honoraria, and the income from any office or employment of profit held by any person, and any income derived by a person in the carrying on or exercise by such person of a trade, vocation or calling, either alone or, in the case of a partnership, as a partner actively engaged in the conduct of the business thereof, and includes indemnities or other remuneration paid to members of Dominion, Provincial or territorial legislative bodies or municipal councils, but shall not include income derived by way of royalties, or any income, irrespective of the source or combination of sources from which it may be derived, in excess of fourteen thousand dollars;

Investment income.

(n) 'investment income' includes any income not defined herein as 'earned income' and also any amount deemed by this Act to be a dividend and any income from whatever sources derived in excess of fourteen thousand dollars;

Income bond or income debenture.

(o) 'income bond' or 'income debenture' means a bond or debenture, the interest or dividend on which is payable only when the debtor company has made a profit before taking into account the interest or dividend obligation on such bond or debenture."

4. Paragraph *(e)* of subsection one of section four of the said Act is repealed and the following is substituted therefor:—

Charitable institutions.

"*(e)* The income of any religious, charitable, agricultural and educational institution, board of trade and chamber of commerce, no part of the income of which inures to the personal profit of, or is paid or payable to any proprietor thereof or shareholder therein;"

Paragraph (D)—The only change is from thirteen and one-half per centum to fifteen per centum.

SECTION 3. *(m)* and *(n)*—These are new definitions made necessary in order to distinguish between earned income and investment income in determining the investment income which is subject to the new rates of tax set forth in section one of this Bill.

(o)—This defines an income bond or income debenture for the purposes of the Act.

SECTION 4. This paragraph comes under the general provisions of section four which provides that,—

"The following incomes shall not be liable to taxation hereunder:—"

Paragraph *(e)* of subsection one of section four which is being repealed reads as follows:—

"*(e)* The income of any religious, charitable, agricultural and educational institutions, boards of trade and chambers of commerce."

The new paragraph is an expansion of the definition which limits the exemption to purely charitable or public bodies.

5. Section five of the said Act is amended by adding thereto the following subsection:—

Alternative exemptions from surtax.

"(4) The following income shall not be liable to the additional rates of tax on investment income, namely,—

(a) all income up to five thousand dollars; or

(b) 'earned income' up to but not exceeding fourteen thousand dollars; or

(c) income equal in amount to the sum of the exemption and allowances for dependents to which the individual is actually entitled under the provisions of paragraphs *(c)*, *(d)*, *(e)* and *(i)* of subsection one and of subsection two of this section;

whichever affords the greatest exemption to which the taxpayer is entitled."

6. Subsection one of section six of the said Act is amended by adding thereto the following paragraphs:—

Expenses payable to controlling company abroad.

"*(i)* Any sums charged by any company or organization outside of Canada to a Canadian company, branch or organization, in respect of management fees or services or for the right to use patents, processes or formulae presently known or yet to be discovered, or in connection with the letting or leasing of anything used in Canada, irrespective of whether a price or charge is agreed upon or otherwise; but only if the company or organization to which such sums are payable, or the company in Canada, is controlled directly or indirectly by any company or group of companies or persons within or without Canada, which are affiliated one with the other by the holding of shares or by agreements or otherwise; provided that a portion of any such charges may be allowed as a deduction if the Minister is satisfied that such charges are reasonable for services actually rendered or for the use of anything actually used in Canada.

Losses sustained abroad.

"*(j)* Net losses sustained in the 1934 or any subsequent taxation period in the United Kingdom of Great Britain and Northern Ireland or any of the British Dominions other than Canada or any British possession or dependency, or in any foreign country, after the taxpayer has in respect of any such period once elected to claim, and has received, reciprocal tax relief under this Act for taxes paid to any such country in

SECTION 5. This provides for a certain exemption from the additional rates of tax on investment income, namely

(a) all income up to five thousand dollars, irrespective of whether such income falls wholly within the definition of investment income or otherwise; or

(b) earned income as defined in section three of this Bill up to fourteen thousand dollars; or

(c) income equal in amount to the two thousand or one thousand dollar exemption to which a married or single person is entitled, plus the four hundred dollar allowance in respect of each child, and a maximum of four hundred dollars in respect of each dependent parent, grandparent, brother or sister.

SECTION 6. *(i)* This is to prevent, as a deduction from Canadian profits, payments abroad to parent or controlling organizations which are not subject to Canadian tax. The payments are not usually determined as between strangers but on a determination as between a parent or subsidiary company, association or organization closely allied one with the other.

The proviso gives the Minister power to allow sums paid which are reasonable for services actually rendered.

(j) The amendment is designed to remedy the condition whereby Canada bears the burden in times of loss and receives no tax in times of profit.

respect of profits earned therein: Provided, however, that the provisions of this paragraph shall not apply to companies incorporated in Canada and carrying on any class of insurance business other than life insurance for which such companies are registered or licenced under the laws of the Dominion of Canada or any province thereof.

Dividends on income bonds or income debentures.

"*(k)* The distribution of earnings by any corporation to holders of its income bonds or income debentures.

Proviso.

Provided, however, in cases where such income bonds or income debentures have been issued or the income provisions thereof have been adopted since 1930, in consequence of an adjustment of previously existing bonds or debentures bearing an unconditional fixed rate of interest, which adjustment, to the satisfaction of the Minister, was occasioned by financial difficulties of the debtor corporation or its predecessor and was intended to afford some relief to the said debtor corporation or its predecessor, then the provisions of this paragraph shall not apply.

Exception.

Provided further that the provisions of this paragraph shall not apply in determining the income of 'personal corporations' taxable against their shareholders."

7. Section six of the said Act is further amended by adding thereto the following subsections:—

Limitation of earned income in certain cases.

"(3) For the purpose of determining earned income the Minister may reduce the amount of any salary, wages, fees, bonuses, gratuities or honoraria, which, in his opinion, are not commensurate with the services actually rendered, and the amount of such reduction shall be treated for the purposes of this Act as investment income. The decision of the Minister on any question arising under this subsection shall be final and conclusive.

Apportionment of expense between earned and investment income.

(4). Where an expense is common both to earned income and investment income the Minister shall determine the extent to which the expense may be applicable to either class of income. The determination of the Minister hereunder shall be final and conclusive.

8. Section nine of the said Act is amended by adding thereto the following subsection:—

Application of the appropriate rate on investment income.

"(3) The total income of each taxpayer other than a corporation or a joint stock company shall be compiled by having the earned income form the base, above which shall be placed the investment income, and according thereto the appropriate additional rates of tax on investment income as provided by paragraph AA of the first Schedule of this Act shall be applied."

9. Subsection two of section nine B of the said Act as enacted by section nine of chapter forty-one of the statutes of 1932-33 and as amended by section five of chapter

(k) The amendment will put disbursements by a company in respect of income bonds or debentures, which disbursements are paid out of profits, in the same category as dividends paid to shareholders, as dividends are only paid after profits have been earned and are not allowed as an expense in determining the company's income liable to tax.

However, exception is made in the case of enforced reorganizations where the bondholders have agreed to forego their rights under the original contract with the company and accept over a period of years interest payable having regard to the profits which the company might earn during a period of business depression.

The second proviso is to avoid double taxation.

SECTION 7. 3.—This section is to prevent evasion of the surtax.

4—In many cases expenses are common both to earned and investment income. In such cases the extent to which the expense may be applicable to either class of income will be determined by the facts and dealt with accordingly.

SECTION 8. For example—

Earned income.....	$11,000
Investment income.....	4,000

Surtax 3% on $4,000—not 2%.

SECTION 9. Heretofore such payments were subject to a twelve and one-half per cent deduction at the source, which deduction was subject to final adjustment as and

fifty-five of the statutes of 1934, is amended by adding thereto the following paragraph:—

Payments in respect of certain copyrights and copyrighted works.

"*(e)* All payments received directly or indirectly from Canadian debtors in respect of

(i) any copyright, used in Canada, relating to books, music, articles in periodicals, newspaper syndicated articles, pictures, comics and other newspaper or periodical features, and

(ii) any rights in and to the use of any copyrighted work subsequently produced or reproduced in Canada by way of the spoken word, print or mechanical sound on or from paper, composition, films or mechanical devices of any description.

The tax payable by virtue of this paragraph shall be deducted by the Canadian debtor from the amount paid or credited to such non-resident at the time of payment or crediting and shall be remitted to the Receiver General of Canada."

10. Subsection eleven of section nine B of the said Act as enacted by section six of chapter fifty-five of the statutes of 1934 is amended by adding thereto the following proviso:—

Proviso against evasion.

"Provided further that such non-resident company is not a company incorporated since the 1st April, 1933; but this proviso shall not apply if the Minister is satisfied that such incorporation was not made for the purpose of evading the tax imposed under subsection two of this section."

11. Section twelve of the said Act is amended by adding thereto the following subsection:—

Payments on income bonds or income debentures.

"(2) For the purposes of this Act any annual amount received in respect of an income bond or income debenture shall be deemed to be a dividend."

12. Section twenty-seven of the said Act as amended by section thirteen of chapter fifty-five of the statutes of 1934 is further amended by adding thereto the following subsection:—

Exception from twelve and one-half per cent deduction.

"(7) The provisions of this section shall not apply to any non-resident person whose income by way of royalties or rentals received from Canadian sources for anything used or sold in Canada is subject to the five per cent tax imposed under paragraph *(e)* of subsection two of section 9B of this Act."

13. Subsection three of section thirty-five of the said Act as enacted by section thirteen of chapter forty-one of the statutes of 1932-33 is hereby repealed and the following is substituted therefor:—

when the non-resident filed a definitive return of his total income from Canadian sources and his Canadian income tax was determined on a net profit basis.

In practice this has been found inexpedient, not only from the point of view of revenue and administration, but, as advised, more particularly from the point of view of the Canadian copyright user, and also the non-resident recipient receiving royalties from different parts of Canada and being required to account through an income tax return.

Under the amendment, five per cent will be deducted and retained by the Treasury in respect to the whole copyright field and no definitive return will be required from the non-resident.

SECTION 10. This amendment is to prevent an evasion of the five per cent tax on dividends going to non-residents inasmuch as exemption from the tax was provided in the case of dividends being paid by a Canadian subsidiary company to a non-resident parent company.

SECTION 11. As explained under section six *(k)* of this Bill, amounts received by an income bond or income debenture-holder are paid out of profits and should be treated in the same way as dividends received by a shareholder which also are paid out of profits.

SECTION 12. This provision is necessary by reason of the new five per cent tax imposed under section nine of this Bill.

SECTION 13. This section merely clarifies the section presently existing in the Act and the regulations made thereunder.

Consolidated returns of income of corporations.

"(3) A company which owns or controls all of the capital stock (less directors' qualifying shares) of subsidiary companies which carry on the same general class of business and have fiscal periods substantially coincident with the owning or controlling company may, in respect of all such companies which carry on business in Canada, elect, before the commencement of the earliest fiscal period of any of the constituent companies in respect of which consolidation is desired and in such manner as may be prescribed by regulations hereunder, to file a return in which its profit or loss is consolidated with that of all of its subsidiary companies carrying on business in Canada, in which case the rate of tax provided by paragraph D of the First Schedule of this Act shall apply."

14. The said Act is amended by adding thereto the following Part:

"PART XII

GIFT TAX PROVISIONS.

Tax on gifts.

"**88.** (1) Save as herein otherwise provided, there shall be assessed and paid upon the transfer in any year by any individual residing or ordinarily resident in Canada of any property (whether situate within or outside of Canada) transferred by way of gift or donation a tax payable by such individual at the rate applicable in respect of the aggregate value of all the property so transferred during the year by such individual under the following schedule:

Rates.

On gifts up to and including		$25,000			2%
On gifts exceeding		$25,000	but not exceeding	$50,000—	3%
"	"	$50,000	" "	$100,000—	4%
"	"	$100,000	" "	$200,000—	5%
"	"	$200,000	" "	$300,000—	6%
"	"	$300,000	" "	$400,000—	7%
"	"	$400,000	" "	$500,000—	8%
"	"	$500,000	"	$1,000,000—	9%
"	"	$1,000,000			—10%

Application of tax.

(2) The tax so imposed shall apply whether the transfer is in trust or otherwise, or direct or indirect, or whether the property is real or personal, tangible or intangible, and shall extend to gifts made by personal corporations.

Date payable.

(3) The tax shall be payable to the Receiver General of Canada at the time the gift or donation is made; and if not so paid the tax shall bear interest at the rate of ten per centum per annum from the date payable.

Donor and donee personally liable for tax.

(4) If the donor fails to pay the tax as hereinbefore provided, the donor and the donee shall be jointly and severally liable for the tax imposed by this section.

SECTION 14. The Gift Tax is occasioned by reason of the increased rates made applicable to investment income. The Gift Tax will ensure that the Treasury will receive from the donor approximately the same amount of money now as would be received under the Income Tax law out of the income from the gift over a period of time.

Assessment.

(5) The Minister may at any time assess the donor or the donee or both for the amount of the tax payable under this section. The payment of one such assessment shall discharge the joint obligation.

Application of provisions of Act.

(6) The provisions of sections forty-one to forty-seven, both inclusive; fifty-four to seventy-six, both inclusive; and seventy-nine to eighty-two, both inclusive, of this Act shall be applicable, *mutatis mutandis*, in respect of the tax imposed by this section.

Determination of value of gifts, etc.

(7) The Minister shall have power to determine

(a) that any transfer of property on the basis of a *quid pro quo* is nevertheless a gift, if, in his opinion, the values of the properties passing are disproportionate one to the other;

(b) the value of any gift or donation of property.

Exemptions from tax.

(8) The provisions of this section shall not apply to the following:—

(a) gifts or donations made by any individual the aggregate value of which in any year does not exceed four thousand dollars;

(b) gifts or donations taking effect upon death by way of bequest or devise; and any property passing to any person upon an intestacy;

(c) gifts or donations to a charitable organization or educational institution in Canada, operated exclusively as such and not operated for the benefit or private gain or profit of any person, member or shareholder thereof;

(d) gifts or donations made to the Dominion of Canada or any Province or political subdivision thereof;

(e) gifts or donations which are not recognized for income tax purposes under the provisions of section thirty-two of this Act, as amended by section sixteen of chapter fifty-five of the statutes of 1934.

Minors.

(9) *(a)* Gifts made after the thirty-first day of December, 1934, to a minor eighteen years of age or under shall be subject to the provisions of this section when such minor attains the age of nineteen years; provided this subsection shall not apply in respect of a gift made to a minor under thirteen years of age.

(b) The donor at the time of the making of the gift to a minor between twelve and nineteen years of age must supply a bond securing the payment of the tax. If the donor fails to supply a bond satisfactory to the Minister for the payment of the tax, then notwithstanding any other provision contained in the Act, except subsection one of section thirty-two, the gift tax shall be payable as provided in subsection three of this section."

Interest on increase of tax.

15. The increase of tax imposed by section two of this Act in respect of any fiscal period ending in 1934 shall bear interest from the thirtieth day of April, 1935.

Date effective, periods affected.

16. Sections one, two, three, four, five, six, seven, eight, ten, eleven, twelve and thirteen of this Act shall be applicable to income of the 1934 taxation period and fiscal periods ending therein and of all subsequent periods.

Gift tax effective first January, 1935.

17. The provisions of section fourteen of this Act shall be deemed to have come into force on the first day of January, 1935.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act to amend the Special War Revenue Act.

First reading, May 31, 1935.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96203 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act to amend the Special War Revenue Act.

R.S., c. 179; 1928, c. 50; 1929, c. 57; 1930, c. 43; 1931, c. 54; 1932, c. 54; 1932-33, c. 50; 1934, c. 42.

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

Valuation if goods not sold.

1. The *Special War Revenue Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is amended by repealing subsection two of section eighty-seven thereof, as enacted by section twelve of chapter fifty-four of the statutes of 1931.

2. Section eighty-eight of the said Act is amended by repealing subsection two thereof, as enacted by section twelve of chapter fifty-four of the statutes of 1932, and subsection three thereof, as enacted by section ten of chapter forty-two of the statutes of 1934, and substituting for the two said subsections the following subsection:—

Excise tax on duty paid value modified.

"(2) The tax imposed by this section shall not apply to the articles enumerated in Schedule V to this Act, nor to any goods imported into Canada which are entitled to entry under the British Preferential Tariff or under trade agreements between Canada and other British countries."

3. Section one hundred and four of the said Act is amended by adding thereto the following paragraph as paragraph *(e)* of the said section:—

Taxes to apply to universities.

"*(e)* Any University established by or under the authority of the legislature or the Lieutenant Governor in Council of any province."

Explanatory Notes.

1. Section 12 of chapter 54 of the statutes of 1931 to be repealed reads as follows:—

"**12.** Section eighty-seven of the said Act is amended by adding thereto the following subsection:—

(2) Whenever goods are manufactured or produced in Canada and used by the manufacturer or producer thereof and not sold, or are given away or distributed by the manufacturer or producer thereof without consideration, the Minister may determine the value for the tax under this Act and all such transactions shall, for the purposes of this Act, be deemed to be sales, and the time when such goods are used or taken into consumption by the manu;acturer or producer thereof, or distritributed or given away by the manufacturer or producer thereof, shall be deemed to be the time of delivery."

The repeal of this section has the effect of exempting Canadian manufacturers from paying the sales tax on samples which they distribute gratuitously.

2. Section 88 imposes an excise tax of three per cent on duty paid value. Subsection (2) as enacted by 1932, c. 54, reads as follows:—

"(2) The tax imposed by this section shall not apply to the articles enumerated in Schedule V of this Act."

Subsection (3) as enacted by 1934, c. 42, reads as fol: lows:—

"(3) The said tax shall be at the rate of one and one-half per cent on all goods imported into Canada, entitled to entry under the British Preferential Tariff or under trade agreements between Canada and other British countries."

This is to provide for exemption from the special excise tax of one and one-half per cent of goods imported from Empire countries.

3. The proposed section is to make clear that the sales and other taxes are to apply to certain Universities.

4. Section one hundred and five of the said Act is amended by repealing subsection one thereof and substituting therefor the following subsection:—

Refund of taxes.

"**105.** (1) A refund of the amount of taxes paid under Parts X, XI, XII and XIII of this Act may be granted to a manufacturer, producer, wholesaler, jobber or other dealer on goods sold to His Majesty in the right of the government of any province of Canada, if the said goods are purchased by His Majesty, for any purpose other than purposes of resale or for the use of any railway, commission, board or public utility which is operated by or under the authority of the Legislature or the Lieutenant Governor in Council of any province, or of any university established by or under the authority of the Legislature or the Lieutenant Governor in Council of any province."

5. Section one hundred and eight of the said Act, as amended by section twenty-one of chapter fifty of the statutes of 1932-33, is further amended by adding thereto the following subsection as subsection six thereof:—

Collection of tax from third party.

"(6) *(a)* When the Minister has knowledge or suspects that any person is or is about to become indebted to a licensee he may, by registered letter, demand of such person that the moneys otherwise payable to the licensee be in whole or in part paid over to the Receiver General of Canada on account of said licensee's liability under the provisions of this Act.

Receipt of Minister.

(b) The receipt of the Minister therefor shall constitute a good and sufficient discharge of the liability of such person to said licensee to the extent of the amount referred to in the receipt.

Personal liability.

(c) Any person discharging any liability to a licensee after receipt of the registered letter referred to shall be personally liable to the Receiver General of Canada to the extent of the liability discharged as between him and the licensee or to the extent of the liability of the licensee for taxes and penalties, whichever is the lesser amount."

Schedule I amended.

6. Schedule I to the said Act, as amended by section twenty-six of chapter fifty of the statutes of 1932-33, is amended as follows:—

(1) Paragraph (iii) of section one of the said Schedule is repealed and the following is substituted therefor:—

"(iii) when such automobiles are produced or manufactured in Canada, if at least fifty per cent of the cost of producing the finished automobile has been incurred in Canada, such fifty per cent not to include duties or excise taxes paid upon imported materials."

4. This subsection is to make it clear that refunds are not to be granted in the case of sales to certain Universities. The changes are indicated by the underlined words in the text of the Bill.

5. The proposed 108 (6), is the same as section 72 of the Income War Tax Act, R.S., c. 97.

6. Paragraph (iii) of section one is amended to except duties or excise taxes paid upon imported materials. Section (2) is added to provide for the tax on lighters.

(2) The following section is added to the said Schedule:—

"4. Devices, commonly or commercially known as lighters, which produce sparks, flame or heat, n.o.p. 20%

Such devices when combined with pencils, cigarette or other cases, on the combined value..... 10%"

"Provided that in either case the tax hereby imposed shall not be less than ten cents in respect of each such device."

Schedule III amended.

7. Schedule III to the said Act, as enacted by section eighteen of chapter forty-two of the statutes of 1934, is amended by adding thereto the following words:—

"grain or seed cleaning machines; pit props and packwood for use exclusively in mines; casein; wood shavings and sawdust."

Schedule IV amended.

8. Schedule IV to the said Act, as enacted by section twenty-nine of chapter fifty of the statutes of 1932-33, is amended by adding thereto the following words:—

"All articles manufactured or produced by the labour of the deaf and dumb in institutions in Canada established for their care, or under the control or direction of such institutions."

Schedule V amended.

9. Schedule V to the said Act, as enacted by section nineteen of chapter forty-two of the statutes of 1934, is amended by adding thereto the words "goods enumerated in Customs Tariff Item 692."

When sections come into force.

10. (1) Sections one, two, six, except the proviso to section four of Schedule I, as enacted by subsection two, and sections seven, eight and nine of this Act shall be deemed to have come into force on the twenty-third day of March, 1935, and to have applied to all goods mentioned therein, imported or taken out of warehouse for consumption on and after that day, and to have applied to goods previously imported for consumption, for which no entry for consumption was made before that day.

(2) The proviso to section four of Schedule I to the said Act, as enacted by subsection two of section six of this Act shall be deemed to have come into force on the first day of June, 1935.

Rights and obligations not affected by expiration of Part XV.

11. The said Act is amended by inserting the following section immediately after section one hundred and twenty thereof, as enacted by section fifteen of chapter forty-two of the statutes of 1934:—

"**120A.** Notwithstanding the expiration on the thirty-first day of May, one thousand nine hundred and thirty-five of Part XV of the *Special War Revenue Act*, as enacted by section sixteen of chapter forty-two of the statutes of

7. To add these goods to the list of exemptions from the consumption or sales tax.

8. To provide that goods produced by these institutions shall be subject to only three per cent sales tax instead of six per cent.

9. The Customs Tariff Item in question reads:—

"Coins, cabinets of; collections of medals and collections of postage stamps; medals of gold, silver or copper, and other metallic articles actually bestowed as trophies or prizes and received and accepted as honorary distinctions; and cups or other metallic prizes (not usual merchantable commodities), won in *bona fide* competitions;"

This section is designed to exempt these goods from the special excise tax on importations.

1934, any privilege, obligation, liability, penalty, forfeiture or punishment acquired, accrued, accruing or incurred under the said Part, shall not be affected by such expiration, and any investigation, legal proceeding or remedy in respect of any such matter may be instituted, continued or enforced as well after as before the date of such expiration."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act to amend the Special War Revenue Act.

AS PASSED BY THE HOUSE OF COMMONS,
6th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96205 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act to amend the Special War Revenue Act.

R.S., c. 179; 1928, c. 50; 1929, c. 57; 1930, c. 43; 1931, c. 54; 1932, c. 54; 1932-33, c. 50; 1934, c. 42.

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

Valuation if goods not sold.

1. The *Special War Revenue Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is amended by repealing subsection two of section eighty-seven thereof, as enacted by section twelve of chapter fifty-four of the statutes of 1931.

2. Section eighty-eight of the said Act is amended by repealing subsection two thereof, as enacted by section twelve of chapter fifty-four of the statutes of 1932, and subsection three thereof, as enacted by section ten of chapter forty-two of the statutes of 1934, and substituting for the two said subsections the following subsection:—

Excise tax on duty paid value modified.

"(2) The tax imposed by this section shall not apply to the articles enumerated in Schedule V to this Act, nor to any goods imported into Canada which are entitled to entry under the British Preferential Tariff or under trade agreements between Canada and other British countries."

3. Section one hundred and four of the said Act is amended by adding thereto the following paragraph as paragraph *(e)* of the said section:—

Taxes to apply to universities.

"*(e)* Any University established by or under the authority of the legislature or the Lieutenant Governor in Council of any province."

Explanatory Notes.

1. Section 12 of chapter 54 of the statutes of 1931 to be repealed reads as follows:—

"**12.** Section eighty-seven of the said Act is amended by adding thereto the following subsection:—

(2) Whenever goods are manufactured or produced in Canada and used by the manufacturer or producer thereof and not sold, or are given away or distributed by the manufacturer or producer thereof without consideration, the Minister may determine the value for the tax under this Act and all such transactions shall, for the purposes of this Act, be deemed to be sales, and the time when such goods are used or taken into consumption by the manu;acturer or producer thereof, or distributed or given away by the manufacturer or producer thereof, shall be deemed to be the time of delivery."

The repeal of this section has the effect of exempting Canadian manufacturers from paying the sales tax on samples which they distribute gratuitously.

2. Section 88 imposes an excise tax of three per cent on duty paid value. Subsection (2) as enacted by 1932, c. 54, reads as follows:—

"(2) The tax imposed by this section shall not apply to the articles enumerated in Schedule V of this Act."

Subsection (3) as enacted by 1934, c. 42, reads as fol: lows:—

"(3) The said tax shall be at the rate of one and one-half per cent on all goods imported into Canada, entitled to entry under the British Preferential Tariff or under trade agreements between Canada and other British countries."

This is to provide for exemption from the special excise tax of one and one-half per cent of goods imported from Empire countries.

3. The proposed section is to make clear that the sales and other taxes are to apply to certain Universities.

4. Section one hundred and five of the said Act is amended by repealing subsection one thereof and substituting therefor the following subsection:—

Refund of taxes.

"**105.** (1) A refund of the amount of taxes paid under Parts X, XI, XII and XIII of this Act may be granted to a manufacturer, producer, wholesaler, jobber or other dealer on goods sold to His Majesty in the right of the government of any province of Canada, if the said goods are purchased by His Majesty, for any purpose other than purposes of resale or for the use of any railway, commission, board or public utility which is operated by or under the authority of the Legislature or the Lieutenant Governor in Council of any province, or of any university established by or under the authority of the Legislature or the Lieutenant Governor in Council of any province."

5. Section one hundred and eight of the said Act, as amended by section twenty-one of chapter fifty of the statutes of 1932-33, is further amended by adding thereto the following subsection as subsection six thereof:—

Collection of tax from third party.

"(6) *(a)* When the Minister has knowledge or suspects that any person is or is about to become indebted to a licensee he may, by registered letter, demand of such person that the moneys otherwise payable to the licensee be in whole or in part paid over to the Receiver General of Canada on account of said licensee's liability under the provisions of this Act.

Receipt of Minister.

(b) The receipt of the Minister therefor shall constitute a good and sufficient discharge of the liability of such person to said licensee to the extent of the amount referred to in the receipt.

Personal liability.

(c) Any person discharging any liability to a licensee after receipt of the registered letter referred to shall be personally liable to the Receiver General of Canada to the extent of the liability discharged as between him and the licensee or to the extent of the liability of the licensee for taxes and penalties, whichever is the lesser amount."

Schedule I amended.

6. Schedule I to the said Act, as amended by section twenty-six of chapter fifty of the statutes of 1932-33, is amended as follows:—

(1) Paragraph (iii) of section one of the said Schedule is repealed and the following is substituted therefor:—

"(iii) when such automobiles are produced or manufactured in Canada, if at least fifty per cent of the cost of producing the finished automobile has been incurred in Canada, such fifty per cent not to include duties or excise taxes paid upon imported materials."

4. This subsection is to make it clear that refunds are not to be granted in the case of sales to certain Universities. The changes are indicated by the underlined words in the text of the Bill.

5. The proposed 108 (6), is the same as section 72 of the Income War Tax Act, R.S., c. 97.

6. Paragraph (iii) of section one is amended to except duties or excise taxes paid upon imported materials. Section (2) is added to provide for the tax on lighters.

(2) The following section is added to the said Schedule:—

"4. Devices, commonly or commercially known as lighters, which produce sparks, flame or heat, n.o.p. 20%

Such devices when combined with pencils, cigarette or other cases, on the combined value..... 10%"

"Provided that in either case the tax hereby imposed shall not be less than ten cents in respect of each such device."

Schedule III amended.

7. Schedule III to the said Act, as enacted by section eighteen of chapter forty-two of the statutes of 1934, is amended by adding thereto the following words:—

"grain or seed cleaning machines; pit props and pack-wood for use exclusively in mines; casein; wood shavings and sawdust; peat-moss when used for agricultural purposes, including poultry litter."

Schedule IV amended.

8. Schedule IV to the said Act, as enacted by section twenty-nine of chapter fifty of the statutes of 1932-33, is amended by adding thereto the following words:—

"All articles manufactured or produced by the labour of the deaf and dumb in institutions in Canada established for their care, or under the control or direction of such institutions."

Schedule V amended.

9. Schedule V to the said Act, as enacted by section nineteen of chapter forty-two of the statutes of 1934, is amended by adding thereto the words "goods enumerated in Customs Tariff Item 692."

When sections come into force.

10. (1) Sections one, two, six, except the proviso to section four of Schedule I, as enacted by subsection two, and sections seven, eight and nine of this Act shall be deemed to have come into force on the twenty-third day of March, 1935, and to have applied to all goods mentioned therein, imported or taken out of warehouse for consumption on and after that day, and to have applied to goods previously imported for consumption, for which no entry for consumption was made before that day.

(2) The proviso to section four of Schedule I to the said Act, as enacted by subsection two of section six of this Act shall be deemed to have come into force on the first day of June, 1935.

Rights and obligations not affected by expiration of Part XV.

11. The said Act is amended by inserting the following section immediately after section one hundred and twenty thereof, as enacted by section fifteen of chapter forty-two of the statutes of 1934:—

"**120A.** Notwithstanding the expiration on the thirty-first day of May, one thousand nine hundred and thirty-five of Part XV of the *Special War Revenue Act*, as enacted by section sixteen of chapter forty-two of the statutes of

7. To add these goods to the list of exemptions from the consumption or sales tax.

8. To provide that goods produced by these institutions shall be subject to only three per cent sales tax instead of six per cent.

9. The Customs Tariff Item in question reads:—

"Coins, cabinets of; collections of medals and collections of postage stamps; medals of gold, silver or copper, and other metallic articles actually bestowed as trophies or prizes and received and accepted as honorary distinctions; and cups or other metallic prizes (not usual merchantable commodities), won in *bona fide* competitions;"

This section is designed to exempt these goods from the special excise tax on importations.

1934, any privilege, obligation, liability, penalty, forfeiture or punishment acquired, accrued, accruing or incurred under the said Part, shall not be affected by such expiration, and any investigation, legal proceeding or remedy in respect of any such matter may be instituted, continued or enforced as well after as before the date of such expiration."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to amend The Excise Act, 1934.

First reading, May 31, 1935.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95995 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to amend The Excise Act, 1934.

1934, c. 52.

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

1. *The Excise Act, 1934*, chapter fifty-two of the statutes of 1934, is amended by inserting the following section as section 44A:—

Power to restore duties which have been reduced on liquors.

"**44A.** In the event of any duty imposed under this Act upon spirits, malt or beer having been reduced, if it is made to appear to the Governor in Council that in any Province the prices of spirituous or malt liquors to the consumer have not been reduced to, or are not being maintained at, levels which will give the consumer the full benefit of any such reduction, the Governor in Council may order that such reduction shall be no longer in effect and, upon publication of such order in the *Canada Gazette*, the full rates of duty theretofore payable on such goods shall again be in force and effect."

2. The first seven lines of the Schedule to the said Act are repealed and the following are substituted therefor:—

"The following duties of excise shall be imposed, levied and collected:—

1. SPIRITS DISTILLED IN CANADA.

Duty reduced from seven to four dollars.

On every gallon of the strength of proof distilled in Canada, four dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon."

Commencement of Act.

3. This Act shall be deemed to have come into force on the twenty-third day of March, 1935, and to have applied to all spirits taken out of warehouse for consumption on and after that day, and for greater certainty, it is hereby declared that the power conferred upon the Governor in Council by section one of this Act may be exercised in respect of the reduction of the duty imposed upon spirits set out in section two of this Act.

Explanatory Notes.

Section **1.** The proposed section **44A** is new. Its object is to ensure that the consumer will obtain the full benefit of the reduction of duty upon spirits provided by section 2 of the Bill, and that efforts to stamp out the smuggling trade will not be nullified by the failure of other authorities to pass on to the public the full amount of the decrease. Power is given to the Governor in Council to suspend the operation of the new rate and the existing duty of $7.00 per proof gallon will then again come into force. For similar reasons, appropriate reductions are being made in the Customs duties on spirits upon the same conditions.

Section **2.** The duty upon spirits distilled in Canada is reduced from seven dollars per proof gallon to four dollars.

Section **3.** The amendments are to come into effect as of the date of the Budget Resolutions and for greater certainty it is declared that the powers conferred upon the Governor in Council to restore the existing rate of duty upon spirits under certain conditions are to apply to the reduction in such duties made in the present Bill.

82.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to amend The Excise Act, 1934.

AS PASSED BY THE HOUSE OF COMMONS,
6th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95997 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to amend The Excise Act, 1934.

1934, c. 52.

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

1. *The Excise Act, 1934*, chapter fifty-two of the statutes of 1934, is amended by inserting the following section as section 44A:—

Power to restore duties which have been reduced on liquors.

"**44A.** In the event of any duty imposed under this Act upon spirits, malt or beer having been reduced, if it is made to appear to the Governor in Council that in any Province the prices of spirituous or malt liquors to the consumer have not been reduced to, or are not being maintained at, levels which will give the consumer the full benefit of any such reduction, the Governor in Council may order that such reduction shall be no longer in effect and, upon publication of such order in the *Canada Gazette*, the full rates of duty theretofore payable on such goods shall again be in force and effect."

2. The first seven lines of the Schedule to the said Act are repealed and the following are substituted therefor:—

"The following duties of excise shall be imposed, levied and collected:—

1. SPIRITS DISTILLED IN CANADA.

Duty reduced from seven to four dollars.

On every gallon of the strength of proof distilled in Canada, four dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon."

Commencement of Act.

3. This Act shall be deemed to have come into force on the twenty-third day of March, 1935, and to have applied to all spirits taken out of warehouse for consumption on and after that day, and for greater certainty, it is hereby declared that the power conferred upon the Governor in Council by section one of this Act may be exercised in respect of the reduction of the duty imposed upon spirits set out in section two of this Act.

Explanatory Notes.

Section **1.** The proposed section 44A is new. Its object is to ensure that the consumer will obtain the full benefit of the reduction of duty upon spirits provided by section 2 of the Bill, and that efforts to stamp out the smuggling trade will not be nullified by the failure of other authorities to pass on to the public the full amount of the decrease. Power is given to the Governor in Council to suspend the operation of the new rate and the existing duty of $7.00 per proof gallon will then again come into force. For similar reasons, appropriate reductions are being made in the Customs duties on spirits upon the same conditions.

Section **2.** The duty upon spirits distilled in Canada is reduced from seven dollars per proof gallon to four dollars.

Section **3.** The amendments are to come into effect as of the date of the Budget Resolutions and for greater certainty it is declared that the powers conferred upon the Governor in Council to restore the existing rate of duty upon spirits under certain conditions are to apply to the reduction in such duties made in the present Bill.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act to amend the Customs Tariff.

First reading, May 31, 1935.

THE MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95981 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

R.S., c. 44, 1928, c. 17; 1929, c. 39; 1930 (1st Sess.) c. 13; 1930 (2nd Sess.), c. 3; 1931, c 30; 1932, c. 41; 1932-33, cc. 6, 37; 1934, cc. 32, 49.

An Act to amend the Customs Tariff.

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

1. The *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter thirty-nine of the Acts of 1929, chapter thirteen of the Acts of 1930 (first session), chapter three of the Acts of 1930 (second session), chapter thirty of the Acts of 1931, chapter six and thirty-seven of the Acts of 1932-33, and chapters thirty-two and forty-nine of the Acts of 1934, is further amended by adding to section four thereof the following paragraphs:—

Extension of most favoured foreign nation treatment.

"*(i)* from time to time grant the most favoured foreign nation treatment to any British country or to any territory administered under a mandate of the League of Nations by any British country; and from and after the date specified in the Order in Council the most favoured foreign nation treatment shall apply to goods the produce or manufacture of such British country or mandated territory, subject to the provisions of this Act;

Withdrawal thereof.

(j) from time to time withdraw the most favoured foreign nation treatment from any British country or any territory administered under a mandate of the League of Nations by any British country to which it has been extended; and from and after the date specified in the Order in Council the most favoured foreign nation treatment shall cease to apply to goods the produce or manufacture of such British country or mandated territory, subject to the provisions of this Act."

2. The said section four is further amended by adding thereto the following subsection:—

Netherlands.

"(2) For the purposes of this Act, the Netherlands Indies, Surinam and Curacao shall be regarded as comprising one country with the Netherlands."

Reciprocal concessions.

3. The said *Customs Tariff* is further amended by repealing section eleven thereof, as enacted by chapter thirty of the statutes of 1931, and substituting the following therefor:—

"**11.** The Governor in Council may by Order in Council make such reductions of duties on goods imported into Canada from any other country or countries as may be deemed reasonable by way of compensation for concessions granted by any such country or countries."

4. The said *Customs Tariff* is further amended by adding thereto the following section as section eighteen thereof:—

Power to restore duties which have been reduced on liquors.

"**18.** In the event of any duty imposed under this Act upon spirituous or alcoholic liquors having been reduced, if it is made to appear to the Governor in Council that in any province the prices of such goods to the consumer have not been reduced to, or are not being maintained at, levels which will give the consumer the full benefit of any such reduction, the Governor in Council may order that such reduction shall be no longer in effect and, upon publication of such order in the *Canada Gazette*, the full rates of duty theretofore payable on such goods shall again be in force and effect."

Schedule A amended.

5. Schedule A to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter seventeen of the Acts of 1928, chapter thirty-nine of the Acts of 1929, chapter thirteen of the Acts of 1930 (first session), chapter three of the Acts of 1930 (second session), chapter thirty of the Acts of 1931, chapter forty-one of the Acts of 1932, chapters six and thirty-seven of the Acts of 1932–33, and chapters thirty-two and forty-nine of the Acts of 1934, is further amended by striking thereout tariff items 28, 28a, 39, 99c, 101b, 156, 156a, 159, 164 (a and b), 169, 180c, 187a, 208a (i), 242, 255, 281a, 326, 384, 386 (k), 388, 388b, 401 (d), 407, 407a, 413a, 424, 434, 435, 438f, 440l, 451, 464b, 475b, 522d, 542b, 546, 547, 554b, 554e, 569 (i) and (ii), 569a, 571a, 572, 598, 603, 609, 621, 624a, 650a, 682, 691, 696 and 783, the several enumerations of goods respectively and the several rates of duties of Customs, if any, set opposite each of the said items, and by inserting the following items, enumerations and rates of duty in said Schedule A:—

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
28	Coffee, green, imported direct from the country of growth and production, or purchased in bond in the United Kingdom.....per pound Provided, that coffee, green, shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister that such coffee has been produced wholly in the British dominions, colonies or possessions, and not otherwise.	Free	3 cts.	3 cts.
28a	Tea, imported direct from the country of growth and production, or purchased in bond in the United Kingdom.....per pound When in packages weighing five pounds, each, or less, the weight of such packages to be included in the weight for duty. Provided, that tea shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister that such tea has been produced wholly in the British dominions, colonies or possessions, and not otherwise.	4 cts.	8 cts.	8 cts.
39	Starch, including corn starch, potato starch, potato flour and all preparations having the quality of starch, the weight of the package to be included in the weight for duty.....per pound.. Provided that the Governor in Council may by Order in Council direct that there be substituted for Tariff Items 39 and 255 in Schedule A of the Customs Tariff, and the several rates of duties of Customs set opposite said Items in Schedule A, the following: Starch, n.o.p.; British gum, and dextrine, dry; dextrine substitutes and soluble or chemically treated starch.....per pound When in packages weighing two pounds each, or less, the weight of the package to be included in the weight for duty. From and after the publication of such Order in Council in the Canada Gazette, Tariff Items 39 and 255 as they respectively appear in the said Schedule at the time of the passing of this Act shall be repealed and the provisions of the said Tariff Item as it appears in the last preceding subsection of this section shall be substituted therefor. The Governor in Council shall not direct that such provisions shall be substituted as aforesaid unless and until the Governor in Council is satisfied that dextrine is manufactured in substantial quantities in Canada from potato starch made in Canada.	1 ct. ¾ ct.	2 cts. 1½ cts.	2 cts. 2 cts.
39d	Rosin sizing.....	5 p.c.	7½ p.c.	10 p.c.
65a	Diabetic breads and biscuits, under regulations of the Department of Health.....	Free	7½ p.c.	10 p.c.
66a	Biscuits, sweetened or unsweetened, valued at not less than 20 cents per pound wholesale, f.o.b. any port in the United Kingdom, said value to be based on the net weight and to include the value of the usual retail package.	Free	30 p.c.	30 p.c.
99c	Raisins and dried currants— (i) Until March 31, 1936.....per pound (ii) Thereafter.....per pound when in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	Free Free	4 cts. 3 cts.	4 cts. 3 cts.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
101b	Oranges, the produce of Palestine (when imported direct from the country of growth and production or from a country entitled to the benefits of the British Preferential Tariff) during the months of January, February, March and April.....	.....	.....	Free
156	Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine, n.o.p.; gin of all kinds, n.o.p.; whisky and all spirituous or alcoholic liquors, n.o.p.; amyl alcohol or fusel oil, or any substance known as potato spirits or potato oil; methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirit or any substance known as wood spirit or methylated spirits, absinthe, arrack or palm spirit, brandy, including artificial brandy and imitations of brandy, n.o.p.; cordials and liqueurs of all kinds, n.o.p.; mescal, pulque, rum shrub, schiedam and other schnapps; tafia, angostura and similar alcoholic bitters or beverages; and wines, n.o.p., containing more than forty per cent of proof spirit, per gallon of the strength of proof.....	$5.00	$10.00	$10.00
	Provided, as to all goods specified in item No. 156 when of less strength than the strength of proof, that no reduction or allowance shall be made in the measurement thereof for duty purposes, below the strength of 15 per cent under proof.			
156a	Rum, per gallon of the strength of proof.....	$5.00	$10.00	$10.00
	Provided, (1) as to all goods specified in items No. 156 and No. 156a when of less strength than the strength of proof, that no reduction or allowance shall be made in the measurement thereof for duty purposes, below the strength of fifteen per cent under proof.			
	Provided, (2) that when the goods specified in these two items are of greater strength than the strength of proof, the measurement thereof and the amount of duty payable thereon shall be increased in proportion for any greater strength than the strength of proof.			
	Provided, (3) that bottles and flasks and packages of gin, rum, whisky and brandy of all kinds, and imitations thereof, shall be held to contain the following quantities (subject to the provisions for addition or deduction in respect of the degree of strength) viz.:—			
	Bottles, flasks and packages, containing not more than three-fourths of a gallon per dozen, as three-fourths of a gallon per dozen;			
	Bottles, flasks and packages, containing more than three-fourths of a gallon but not more than one gallon per dozen, as one gallon per dozen;			
	Bottles, flasks and packages, containing more than one gallon but not more than one and one-half gallon per dozen, as one and one-half gallon per dozen;			
	Bottles, flasks and packages, containing more than one and one-half gallon but not more than two gallons per dozen, as two gallons per dozen;			
	Bottles, flasks and packages, containing more than two gallons but not more than two and four-fifths gallons per dozen, as two and four-fifths gallons per dozen;			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	Bottles, flasks and packages, containing more than two and four-fifths gallons but not more than three gallons per dozen, as three gallons per dozen:			
	Bottles, flasks and packages, containing more than three gallons but not more than three and one-fifth gallons per dozen, as three and one-fifth gallons per dozen.			
156a	Provided, (4) that bottles or phials of liquors for special purposes, such as samples not for sale to the trade, may be entered for duty according to actual measurement, under regulations prescribed by the Minister.			
159	Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as essences, extracts, or ethereal and spirituous fruit essences, n.o.p.....per gallon	$5.00 and 30 p.c.	$10.00 30 p.c.	$10.00 30 p.c.
164	*(a)* Wines of the fresh grape of all kinds, except sparkling wines, imported in barrels or in bottles, containing less than 35 per cent proof spirit, when the produce of Australia, New Zealand or the Union of South Africa..... per gallon	20 cents	.....	.....
	(b) Wines of all kinds, except sparkling wines, imported in barrels or in bottles, containing 35 per cent or over but not more than 40 per cent proof spirit, when the produce of Australia, New Zealand or the Union of South Africa .....per gallon	40 cents	.....	.....
	Provided that six quart bottles or twelve pint bottles be held to contain a gallon for duty purposes under this item.			
169	Books, viz.:—Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, but not to include Christmas annuals, or publications commonly known as juvenile and toy books.....	Free	22½ p.c.	25 p.c.
178c	Advertising and printed matter, viz.:— Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets. All articles in this item, when produced in countries entitled to the British Preferential Tariff and relating exclusively to products of such British countries, but not relating to Canadian products.....	Free	.....	.....
180c	Decalcomania transfers, when imported exclusively for use in the manufacture of vitreous enamelled products or of table ware of china, porcelain or semi-porcelain.....	Free	10 p.c.	12½ p.c.
187a	Hypersensitive or supersensitive panchromatic films and infra-red films, unexposed, for aerial photography.....	Free	10 p.c.	15 p.c.
197c	Cigarette paper, ungummed, in rolls.....	10 p.c.	22½ p.c.	25 p.c.
198b	Cigarette paper, gummed, in rolls.....	10 p.c.	32½ p.c.	35 p.c.
199d	Cigarette papers, gummed or not, in tubes, booklets or packets.....	17½ p.c.	32½ p.c.	35 p.c.
199e	Caps or hoods of paper, for use exclusively in protecting young plants in field or garden...	Free	Free	Free
208a	Chloride of lime and hypochlorite of lime:— 1. When in packages of not less than twenty-five pounds weight each..... .....per one hundred pounds	Free	15 cts.	15 cts.
232e	Cereal or starch products which require only to be ground in order to form, when mixed with cold water, an adhesive paste..per pound	3/5 ct.	1½ cts.	2 cts.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent by weight of titanium	Free	15 p.c.	15 p.c.
247a	Artists' and school children's colours, n.o.p., in tubes, cakes, pans, and vials, and fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; all the foregoing for painting in oils, water colours or pastels; artists' canvas, coated and prepared for oil painting	Free	27½ p.c.	30 p.c.
255	British gum, and dextrine, dry	5 p.c.	7½ p.c.	10 p.c.
281a	Fire brick, n.o.p., of a class or kind not made in Canada, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment	Free	12½ p.c.	15 p.c.
326	Glass demijohns or carboys, bottles, n.o.p., decanters, flasks, phials, glass jars and glass balls, lamp chimneys, glass shades or globes; cut, pressed, moulded or crystal glass tableware, decorated or not; blown glass tableware and other cut glass ware	15 p.c.	30 p.c.	32½ p.c.
362b	Toilet articles of all kinds, including atomizers, brushes, buffers, button hooks, combs, cuticle knives, hair receivers, hand-mirrors, jewel boxes, manicure scissors, nail files, perfume bottles, puff jars, shoe horns, trays and tweezers, of which the manufactured component material of chief value is sterling silver	17½ p.c.	37½ p.c.	45 p.c.
380	*(d)* With chequer, diamond or other raised pattern on contact surface	Free	$8.00	$8.00
384	Skelp of iron or steel, hot rolled, when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes, in their own factories, under regulations prescribed by the Minister:			
	(a) Not more than 14 inches in width	Free	5 p.c.	5 p.c.
	(b) More than 14 inches in width	Free	5 p.c.	5 p.c.
	The Governor in Council may by Order-in-Council direct that there be substituted for tariff item 384 in Schedule A of the Customs Tariff, and the several rates of duties of Customs set opposite said item in Schedule A, the following:			
	Skelp of iron or steel, hot rolled, when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes in their own factories, under regulations prescribed by the Minister:			
	(a) Not more than 14 inches in width	5 p.c.	10 p.c.	12½ p.c.
	(b) More than 14 inches in width	5 p.c.	10 p.c.	12½ p.c.
	From and after the publication of such Order-in-Council in the Canada Gazette, tariff item 384 as it appears in said Schedule at the time of the passing of this Act shall be repealed and the provisions of the said tariff item as it appears in the last preceding sub-section of this section shall be substituted therefor.			
	The Governor in Council shall not direct that such provisions be substituted as aforesaid unless and until the Governor in Council is satisfied that skelp of iron or steel, hot rolled, is manufactured in substantial quantities in Canada from iron or steel made in Canada.			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
386	*(k)* Sheets, hot or cold rolled, when imported by manufacturers of hollow-ware coated with vitreous enamel or of apparatus designed for cooking or for heating buildings, for use exclusively in the manufacture of hollow-ware coated with vitreous enamel or of vitreous-enamelled sheets for apparatus designed for cooking or for heating buildings	Free	10 p.c.	12½ p.c.
386	*(r)* Sheets or strip, cold rolled, when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes in their own factories, under regulations prescribed by the Minister	Free	5 p.c.	5 p.c.
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including inter-locking sections, if any, used therewith, n.o.p. per ton	Free	$3.00	$3.00
388b	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p.; piling of iron or steel, not punched or drilled, including interlocking sections, if any, used therewith, n.o.p. per ton	$4.00	$7.00	$7.00
390c	Piston ring castings of steel, in the rough as from the moulds	Free	25 p.c.	27½ p.c.
401	*(d)* Coated with zinc or spelter, curved or not, in coils, ·144, ·104, or ·092 inch in diameter, with tolerance not to exceed ·004 inch, and not for use in telegraph or telephone lines, n.o.p.	Free	10 p.c.	10 p.c.
402c	Wire of iron or steel, coated with zinc or spelter, curved or not, in coils, not more than ·144 inch and not less than ·080 inch in diameter, with tolerance not to exceed ·004 inch, when imported by manufacturers of barbed fencing wire or of wire fencing for use exclusively in the manufacture of barbed fencing wire or of wire fencing, in their own factories	Free	10 p.c.	10 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine cut teeth	Free	20 p.c.	25 p.c.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof	20 p.c.	30 p.c.	35 p.c.
410o	(ii) Chock release apparatus, for use in coal mines to facilitate the safe removal of chocks forming the roof support	Free	10 p.c.	10 p.c.
413a	Machinery, of a class or kind not manufactured in Canada, and complete parts thereof, for use in the manufacture of nets or netting for the fisheries, when imported by manufacturers for use exclusively in the making of such nets or netting, in their own factories, but not for use in making nets or netting commonly used for sportsmen's purposes	Free	5 p.c.	10 p.c.
424	Fire engines and other fire extinguishing machines and chassis for same; complete parts of the foregoing, n.o.p.	10 p.c.	30 p.c.	35 p.c.
424a	Hand fire extinguishers, and sprinkler heads for automatic sprinkler systems for fire protection	22½ p.c.	30 p.c.	35 p.c.
427d	Machines designed for making rigid composite box-ends of wood—consisting of a centre with separate nailing edges attached—from scrap or waste mill stock, and complete parts thereof, not to include motive power	Free	27½ p.c.	35 p.c.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.	Free	25 p.c.	30 p.c.
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof	Free	25 p.c.	30 p.c.
434	Locomotives and motor cars for use on railways, and tops, wheels and bodies for the same, n.o.p.; chassis for locomotives, n.o.p.	15 p.c.	30 p.c.	35 p.c.
434a	Chassis for motor cars for use on railways, and complete parts thereof, n.o.p.	Free	30 p.c.	35 p.c.
434b	Pressed steel wheels for use on railway rolling stock	7½ p.c.	30 p.c.	35 p.c.
435	Locomotives and motor cars for railways, of a class or kind not made in Canada, for use exclusively in mining or metallurgical operations	Free	15 p.c.	20 p.c.
438f	Motor omnibuses for conveying passengers only, having seating capacity for not less than ten persons, and chassis for same; chassis for electric (trackless) trolley-buses, and complete parts thereof	Free	30 p.c.	40 p.c.
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister	Free	25 p.c.	27½ p.c.
451	Buckles, clasps, eyelets, books and eyes, dome, snap or other fasteners of iron, steel, brass or other metal, coated or not, n.o.p. (not being jewelery)	20 p.c.	27½ p.c.	30 p.c.
451e	Slide, hookless, or zipper fasteners	30 p.c.	37½ p.c.	40 p.c.
475b	Matrices for stereotypes, electrotypes and celluoids described in item 475a, per square inch	Free	½ ct.	½ ct.
506b	Wooden doors of a height and width not less than 6 feet and 2 feet, respectively	Free	22½ p.c.	25 p.c.
522d	Yarns and warps wholly of cotton, mercerized, number forty and finer, imported, under regulations prescribed by the Minister, for sale to manufacturers, to be further manufactured in their own factories	Free	25 p.c.	25 p.c.
530	Lace and embroideries, wholly of cotton, coloured, imported by manufacturers for use exclusively in the manufacture of clothing in their own factories	7½ p.c.	17½ p.c.	30 p.c.
	and ..... per pound	.....	.....	4 cts.
542b	Linen fire-hose, lined or unlined	25 p.c.	32½ p.c.	35 p.c.
546	Articles made from fabrics, finished or unfinished, and all textile manufactures, wholly of jute, n.o.p.; fabrics wholly of jute, coated or impregnated, and jute fabric backed with paper	12½ p.c.	25 p.c.	30 p.c.
547	Bags or sacks of hemp, linen or jute	15 p.c.	17½ p.c.	20 p.c.
554b	Woven fabrics composed wholly or in part of yarns of wool or hair, n.o.p.	27½ p.c.	35 p.c.	40 p.c.
	and ..... per pound	17 cts.	30 cts.	35 cts.
	Provided, however, that the sum of the specific and *ad valorem* duties imposed by this item on imports under the British Preferential Tariff shall not be in excess of 65 cents per pound.			
556a	Melton cloth, imported by manufacturers of tennis balls for use in the manufacture of tennis balls, in their own factories	Free	35 p.c.	40 p.c.
	and ..... per pound	.....	30 cts.	35 cts.
556b	Slipper cloth, woven, napped on one or both sides, wholly or in part of wool, not to contain silk or artificial silk, weighing not less than 22 ounces per square yard, when imported by manufacturers of indoor footwear, to be used exclusively in the manufacture of such articles in their own factories	Free	35 p.c.	40 p.c.
	and ..... per pound	.....	30 cts.	35 cts.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
569 (i)	Hats, hoods and shapes of hair-felt or of wool-and-hair-felt, under such regulations as the Minister may prescribe	22½ p.c.	30 p.c.	35 p.c.
569 (ii)	Hats, hoods and shapes of wool felt	22½ p.c.	30 p.c.	35 p.c.
	and, per dozen	75 cts.	$1.25	$1.25
569 (iii)	Hoods and shapes, knitted, crocheted, plaited or woven in a single piece, and hoods and shapes of braid, not sewn, under such regulations as the Minister may prescribe	Free	10 p.c.	10 p.c.
569 (iv)	Hoods and shapes, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
	and, per dozen	.....	50 cts.	50 cts.
569 (v)	Hats, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
	and, per dozen	75 cts.	$1.50	$1.50
569a (i)	Berets of wool, knitted and fulled	22½ p.c.	30 p.c.	35 p.c.
	and, per dozen	.....	65 cts.	65 cts.
569a (ii)	Caps, bonnets and berets, n.o.p., under such regulations as the Minister may prescribe	22½ p.c.	30 p.c.	35 p.c.
571a	Carpeting, rugs, mats and matting of cocoa fibre	30 p.c.	37½ p.c.	40 p.c.
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.:—			
	(a) If valued at less than two dollars per square yard	30 p.c.	35 p.c.	40 p.c.
	and per square foot	3 cts.	15 cts.	20 cts.
	(b) If valued at two dollars or more per square yard	30 p.c.	35 p.c.	40 p.c.
	and per square foot	5 cts.	15 cts.	20 cts.
598	Brass band instruments, n.o.p.; parts of pianofortes and parts of organs	Free	22½ p.c.	25 p.c.
603	Fur skins, wholly or partially dressed, n.o.p.	10 p.c.	15 p.c.	15 p.c.
	Provided, that the duty on hare or rabbit skins, under the Intermediate or General Tariff, shall be not less than per dozen skins	.....	72 cts.	72 cts.
609	Belting, of leather	10 p.c.	30 p.c.	35 p.c.
621	Bases or salts of thorium or of cerium, not including natural minerals, for use in the manufacture of incandescent gas mantles, when imported by manufacturers of such mantles or of stockings for such mantles	Free	Free	Free
624a	(i) Dolls; toys of all kinds, n.o.p.	20 p.c.	30 p.c.	40 p.c.
	(ii) Mechanical toys of metal	10 p.c.	30 p.c.	40 p.c.
	(iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing.	Free	30 p.c.	40 p.c.
650a	Button blanks of animal shell, in the rough	Free	Free	10 p.c.
682	Fish hooks, for deep-sea or lake fishing, not smaller in size than number 2·0; fishing nets and nettings of all kinds; threads, twines, marlines, fishing lines, rope and codrage of cotton, hemp, manila or other vegetable fibre, not exceeding one and one-half inches in circumference, to be used for fishing purposes or for the construction or repair of fishing nets; the foregoing not to include such articles used for sportsmen's purposes, and to be subject to such regulations as the Minister may prescribe	Free	Free	Free
691	Communion sets of metal, glass, wood or other material; oil stocks; crosiers; benitier and spinkler; incenser and incense boat; baptismal shells and fonts	Free	Free	Free
696	Philosophical and scientific apparatus, utensils, instruments, and preparations, including boxes and bottles containing the same; maps, photographic reproductions, casts as models, animals as research or experimental subjects, etchings, lithographic prints or charts; mechanical equipment of a class or kind not made in Canada. All articles in this item, when for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any public hospital, college, academy, school, or seminary of learning in Canada, and not for sale, under regulations prescribed by the Minister	Free	Free	Free

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
783	Internal combustion and steam engines, transmission assemblies, magnetos, starting motors, electric generators, propeller shafts, steel chassis frames, brakes, clutches, brake and clutch controls, steel road wheels, steel rims for pneumatic tires, larger than thirty inches by five inches, steering gears and front and rear axles, and complete parts of all the foregoing, all of a class or kind not made in Canada, when imported by manufacturers of motor trucks with standard equipment (not for use on railways or tramways), not to include machines or other articles mounted thereon or attached thereto for purposes other than for loading or unloading the truck, for use only in the manufacture of such motor trucks.....	Free	17½ p.c.	20 p.c.

Schedule B amended.

6. Schedule B to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, is amended by striking thereout Tariff Items 1044 and 1049, the enumerations of goods and the rates of drawback of Customs Duties set opposite to each of the said items, and by inserting the following items, enumerations and rates of drawback of Customs Duties in said Schedule B:—

Item No.	Goods	When subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Payable as Drawback
1021	Rolled round wire rods in the coil, of iron or steel, not over ·375 inch in diameter.	When imported under the British Preferential Tariff and used in the manufacture of galvanized iron or steel wire, curved or not, ·144, ·104, or ·092 inch in diameter, with tolerance not to exceed ·004 inch, but not when such wire is for use in telegraph or telephone lines.....	99 p.c.
1024	Rolled round wire rods in the coil, of iron or steel, not over ·375 inch in diameter.	When imported under the British Preferential Tariff and used in the manufacture of wire of iron or steel, coated with zinc or spelter, curved or not, in coils, not more than ·144 inch and not less than ·080 inch in diameter, with tolerance not to exceed ·004 inch, when such wire is used by manufacturers of barbed fencing wire or of wire fencing for use exclusively in the manufacture of barbed fencing wire or of wire fencing, in their own factories..... Provided that drawback payable under this item is in lieu of drawback payable under any other item.	99 p.c.
1039	Cotton velveteen and cotton-back silk-pile velvet.	When imported under the British Preferential Tariff and used exclusively in the manufacture of fancy boxes or cases.....	99 p.c.
1044	Fire brick.....	When used by manufacturers of iron or steel in the construction or repair of a blast furnace, open hearth furnace or rolling mill furnace.....	99 p.c.
1049	Bituminous coal, imported on or after March 23rd, 1935.	*(a)* When converted into coke to be sold for use as fuel in other than a coke or gas plant.....	50 p.c.
		(b) When converted into coke to be sold for use as fuel in other than a coke or gas plant; provided that not less than thirty-five per centum, by weight, of the bituminous coal so used, as covered by each drawback claim, was mined in Canada..... Provided that drawback payable under this Item is in lieu of drawback payable under any other item.	99 p.c.

Schedule C amended.

7. Schedule C to the *Customs Tariff*, as amended by chapter thirty-two of the Acts of 1934, is amended by striking thereout Tariff Item 1212 and by substituting therefor the following:—

1212	Aigrettes, egret plumes or so-called osprey plumes, and the feathers, quills, heads, wings, tails, skins, or parts of skins of wild birds either raw or manufactured; but this provision shall not apply to:— *(a)* the feathers or plumes of ostriches; *(b)* the plumage of the English pheasant and the Indian peacock; the plumage of wild birds of groups recognized as game birds in any Canadian game law, and for which an open season is provided thereunder; *(c)* the plumage of birds imported alive; nor to— *(d)* specimens imported under regulations of the Minister for any Natural History or other museum or for scientific or educational purposes.

Date of coming into force.

8. This Act shall be deemed to have come into force on the twenty-third day of March, one thousand nine hundred and thirty-five, and to have applied to all goods mentioned in the preceding sections imported or taken out of warehouse for consumption on and after that date, and to have applied to goods previously imported for which no entry for consumption was made before that date.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act to amend the Customs Tariff.

AS PASSED BY THE HOUSE OF COMMONS, 5th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95983 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

R.S., c. 44, 1928, c. 17; 1929, c. 39; 1930 (1st Sess.) c. 13; 1930 (2nd Sess.), c. 3; 1931, c 30; 1932, c. 41; 1932-33, cc. 6, 37; 1934, cc. 32, 49.

An Act to amend the Customs Tariff.

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

1. The *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter thirty-nine of the Acts of 1929, chapter thirteen of the Acts of 1930 (first session), chapter three of the Acts of 1930 (second session), chapter thirty of the Acts of 1931, chapter six and thirty-seven of the Acts of 1932-33, and chapters thirty-two and forty-nine of the Acts of 1934, is further amended by adding to section four thereof the following paragraphs:—

Extension of most favoured foreign nation treatment.

"*(i)* from time to time grant the most favoured foreign nation treatment to any British country or to any territory administered under a mandate of the League of Nations by any British country; and from and after the date specified in the Order in Council the most favoured foreign nation treatment shall apply to goods the produce or manufacture of such British country or mandated territory, subject to the provisions of this Act;

Withdrawal thereof.

(j) from time to time withdraw the most favoured foreign nation treatment from any British country or any territory administered under a mandate of the League of Nations by any British country to which it has been extended; and from and after the date specified in the Order in Council the most favoured foreign nation treatment shall cease to apply to goods the produce or manufacture of such British country or mandated territory, subject to the provisions of this Act."

2. The said section four is further amended by adding thereto the following subsection:—

Netherlands.

"(2) For the purposes of this Act, the Netherlands Indies, Surinam and Curacao shall be regarded as comprising one country with the Netherlands."

Reciprocal concessions.

3. The said *Customs Tariff* is further amended by repealing section eleven thereof, as enacted by chapter thirty of the statutes of 1931, and substituting the following therefor:—

"**11.** The Governor in Council may by Order in Council make such reductions of duties on goods imported into Canada from any other country or countries as may be deemed reasonable by way of compensation for concessions granted by any such country or countries."

4. The said *Customs Tariff* is further amended by adding thereto the following section as section eighteen thereof:—

Power to restore duties which have been reduced on liquors.

"**18.** In the event of any duty imposed under this Act upon spirituous or alcoholic liquors having been reduced, if it is made to appear to the Governor in Council that in any province the prices of such goods to the consumer have not been reduced to, or are not being maintained at, levels which will give the consumer the full benefit of any such reduction, the Governor in Council may order that such reduction shall be no longer in effect and, upon publication of such order in the *Canada Gazette*, the full rates of duty theretofore payable on such goods shall again be in force and effect."

Schedule A amended.

5. Schedule A to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, as amended by chapter seventeen of the Acts of 1928, chapter thirty-nine of the Acts of 1929, chapter thirteen of the Acts of 1930 (first session), chapter three of the Acts of 1930 (second session), chapter thirty of the Acts of 1931, chapter forty-one of the Acts of 1932, chapters six and thirty-seven of the Acts of 1932–33, and chapters thirty-two and forty-nine of the Acts of 1934, is further amended by striking thereout tariff items 28, 28a, 39, 99c, 101b, 156, 156a, 159, 164 (a and b), 169, 180c, 187a, 208a (i), 242, 255, 281a, 326, 384, 386 (k), 388, 388b, 401 (d), 407, 407a, 413a, 424, 434, 435, 438f, 440l, 451, 464b, 475b, 522d, 542b, 546, 547, 554b, 554e, 569 (i) and (ii), 569a, 571a, 572, 598, 603, 609, 621, 624a, 650a, 682, 691, 696 and 783, the several enumerations of goods respectively and the several rates of duties of Customs, if any, set opposite each of the said items, and by inserting the following items, enumerations and rates of duty in said Schedule A:—

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
28	Coffee, green, imported direct from the country of growth and production, or purchased in bond in the United Kingdom.....per pound Provided, that coffee, green, shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister that such coffee has been produced wholly in the British dominions, colonies or possessions, and not otherwise.	Free	3 cts.	3 cts.
28a	Tea, imported direct from the country of growth and production, or purchased in bond in the United Kingdom.....per pound When in packages weighing five pounds, each, or less, the weight of such packages to be included in the weight for duty. Provided, that tea shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister that such tea has been produced wholly in the British dominions, colonies or possessions, and not otherwise.	4 cts.	8 cts.	8 cts.
39	Starch, including corn starch, potato starch, potato flour and all preparations having the quality of starch, the weight of the package to be included in the weight for duty.....per pound.. Provided that the Governor in Council may by Order in Council direct that there be substituted for Tariff Items 39 and 255 in Schedule A of the Customs Tariff, and the several rates of duties of Customs set opposite said Items in Schedule A, the following: Starch, n.o.p.; British gum, and dextrine, dry; dextrine substitutes and soluble or chemically treated starch.....per pound When in packages weighing two pounds each, or less, the weight of the package to be included in the weight for duty. From and after the publication of such Order in Council in the Canada Gazette, Tariff Items 39 and 255 as they respectively appear in the said Schedule at the time of the passing of this Act shall be repealed and the provisions of the said Tariff Item as it appears in the last preceding subsection of this section shall be substituted therefor. The Governor in Council shall not direct that such provisions shall be substituted as aforesaid unless and until the Governor in Council is satisfied that dextrine is manufactured in substantial quantities in Canada from potato starch made in Canada.	1 ct. ¾ ct.	2 cts. 1½ cts.	2 cts. 2 cts.
39d	Rosin sizing.....	5 p.c.	7½ p.c.	10 p.c.
65a	Diabetic breads and biscuits, under regulations of the Department of Health.....	Free	7½ p.c.	10 p.c.
66a	Biscuits, sweetened or unsweetened, valued at not less than 20 cents per pound wholesale, f.o.b. any port in the United Kingdom, said value to be based on the net weight and to include the value of the usual retail package.	Free	30 p.c.	30 p.c.
99c	Raisins and dried currants— (i) Until March 31, 1936.....per pound (ii) Thereafter.....per pound when in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	Free Free	4 cts. 3 cts.	4 cts. 3 cts.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
101b	Oranges, the produce of Palestine (when imported direct from the country of growth and production or from a country entitled to the benefits of the British Preferential Tariff) during the months of January, February, March and April.....	.....	.....	Free
156	Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine, n.o.p.; gin of all kinds, n.o.p.; whisky and all spirituous or alcoholic liquors, n.o.p.; amyl alcohol or fusel oil, or any substance known as potato spirits or potato oil; methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirit or any substance known as wood spirit or methylated spirits, absinthe, arrack or palm spirit, brandy, including artificial brandy and imitations of brandy, n.o.p.; cordials and liqueurs of all kinds, n.o.p.; mescal, pulque, rum shrub, schiedam and other schnapps; tafia, angostura and similar alcoholic bitters or beverages; and wines, n.o.p., containing more than forty per cent of proof spirit, per gallon of the strength of proof.....	$5.00	$10.00	$10.00
	Provided, as to all goods specified in item No. 156 when of less strength than the strength of proof, that no reduction or allowance shall be made in the measurement thereof for duty purposes, below the strength of 15 per cent under proof.			
156a	Rum, per gallon of the strength of proof.....	$5.00	$10.00	$10.00
	Provided, (1) as to all goods specified in items No. 156 and No. 156a when of less strength than the strength of proof, that no reduction or allowance shall be made in the measurement thereof for duty purposes, below the strength of fifteen per cent under proof.			
	Provided, (2) that when the goods specified in these two items are of greater strength than the strength of proof, the measurement thereof and the amount of duty payable thereon shall be increased in proportion for any greater strength than the strength of proof.			
	Provided, (3) that bottles and flasks and packages of gin, rum, whisky and brandy of all kinds, and imitations thereof, shall be held to contain the following quantities (subject to the provisions for addition or deduction in respect of the degree of strength) viz.:—			
	Bottles, flasks and packages, containing not more than three-fourths of a gallon per dozen, as three-fourths of a gallon per dozen;			
	Bottles, flasks and packages, containing more than three-fourths of a gallon but not more than one gallon per dozen, as one gallon per dozen;			
	Bottles, flasks and packages, containing more than one gallon but not more than one and one-half gallon per dozen, as one and one-half gallon per dozen;			
	Bottles, flasks and packages, containing more than one and one-half gallon but not more than two gallons per dozen, as two gallons per dozen;			
	Bottles, flasks and packages, containing more than two gallons but not more than two and four-fifths gallons per dozen, as two and four-fifths gallons per dozen;			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	Bottles, flasks and packages, containing more than two and four-fifths gallons but not more than three gallons per dozen, as three gallons per dozen:			
	Bottles, flasks and packages, containing more than three gallons but not more than three and one-fifth gallons per dozen, as three and one-fifth gallons per dozen.			
156a	Provided, (4) that bottles or phials of liquors for special purposes, such as samples not for sale to the trade, may be entered for duty according to actual measurement, under regulations prescribed by the Minister.			
159	Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as essences, extracts, or ethereal and spirituous fruit essences, n.o.p.....per gallon	$5.00 and 30 p.c.	$10.00 30 p.c.	$10.00 30 p.c.
164	*(a)* Wines of the fresh grape of all kinds, except sparkling wines, imported in barrels or in bottles, containing less than 35 per cent proof spirit, when the produce of Australia, New Zealand or the Union of South Africa..... per gallon	20 cents	.....	.....
	(b) Wines of all kinds, except sparkling wines, imported in barrels or in bottles, containing 35 per cent or over but not more than 40 per cent proof spirit, when the produce of Australia, New Zealand or the Union of South Africa .....per gallon	40 cents	.....	.....
	Provided that six quart bottles or twelve pint bottles be held to contain a gallon for duty purposes under this item.			
169	Books, viz.:—Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, but not to include Christmas annuals, or publications commonly known as juvenile and toy books.....	Free	22½ p.c.	25 p.c.
178c	Advertising and printed matter, viz.:— Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets. All articles in this item, when produced in countries entitled to the British Preferential Tariff and relating exclusively to products of such British countries, but not relating to Canadian products.....	Free	.....	.....
180c	Decalcomania transfers, when imported exclusively for use in the manufacture of vitreous enamelled products or of table ware of china, porcelain or semi-porcelain.....	Free	10 p.c.	12½ p.c.
187a	Hypersensitive or supersensitive panchromatic films and infra-red films, unexposed, for aerial photography.....	Free	10 p.c.	15 p.c.
197c	Cigarette paper, ungummed, in rolls.....	10 p.c.	22½ p.c.	25 p.c.
198b	Cigarette paper, gummed, in rolls.....	10 p.c.	32½ p.c.	35 p.c.
199d	Cigarette papers, gummed or not, in tubes, booklets or packets.....	17½ p.c.	32½ p.c.	35 p.c.
199e	Caps or hoods of paper, for use exclusively in protecting young plants in field or garden...	Free	Free	Free
208a	Chloride of lime and hypochlorite of lime:— 1. When in packages of not less than twenty-five pounds weight each..... .....per one hundred pounds	Free	15 cts.	15 cts.
232e	Cereal or starch products which require only to be ground in order to form, when mixed with cold water, an adhesive paste..per pound	3/5 ct.	1½ cts.	2 cts.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent by weight of titanium	Free	15 p.c.	15 p.c.
247a	Artists' and school children's colours, n.o.p., in tubes, cakes, pans, and vials, and fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; all the foregoing for painting in oils, water colours or pastels; artists' canvas, coated and prepared for oil painting	Free	27½ p.c.	30 p.c.
255	British gum, and dextrine, dry	5 p.c.	7½ p.c.	10 p.c.
281a	Fire brick, n.o.p., of a class or kind not made in Canada, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment	Free	12½ p.c.	15 p.c.
326	Glass demijohns or carboys, bottles, n.o.p., decanters, flasks, phials, glass jars and glass balls, lamp chimneys, glass shades or globes; cut, pressed, moulded or crystal glass tableware, decorated or not; blown glass tableware and other cut glass ware	15 p.c.	30 p.c.	32½ p.c.
362b	Toilet articles of all kinds, including atomizers, brushes, buffers, button hooks, combs, cuticle knives, hair receivers, hand-mirrors, jewel boxes, manicure scissors, nail files, perfume bottles, puff jars, shoe horns, trays and tweezers, of which the manufactured component material of chief value is sterling silver	17½ p.c.	37½ p.c.	45 p.c.
380	*(d)* With chequer, diamond or other raised pattern on contact surface	Free	$8.00	$8.00
384	Skelp of iron or steel, hot rolled, when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes, in their own factories, under regulations prescribed by the Minister:			
	(a) Not more than 14 inches in width	Free	5 p.c.	5 p.c.
	(b) More than 14 inches in width	Free	5 p.c.	5 p.c.
	The Governor in Council may by Order-in-Council direct that there be substituted for tariff item 384 in Schedule A of the Customs Tariff, and the several rates of duties of Customs set opposite said item in Schedule A, the following:			
	Skelp of iron or steel, hot rolled, when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes in their own factories, under regulations prescribed by the Minister:			
	(a) Not more than 14 inches in width	5 p.c.	10 p.c.	12½ p.c.
	(b) More than 14 inches in width	5 p.c.	10 p.c.	12½ p.c.
	From and after the publication of such Order-in-Council in the Canada Gazette, tariff item 384 as it appears in said Schedule at the time of the passing of this Act shall be repealed and the provisions of the said tariff item as it appears in the last preceding sub-section of this section shall be substituted therefor.			
	The Governor in Council shall not direct that such provisions be substituted as aforesaid unless and until the Governor in Council is satisfied that skelp of iron or steel, hot rolled, is manufactured in substantial quantities in Canada from iron or steel made in Canada.			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
386	*(k)* Sheets, hot or cold rolled, when imported by manufacturers of hollow-ware coated with vitreous enamel or of apparatus designed for cooking or for heating buildings, for use exclusively in the manufacture of hollow-ware coated with vitreous enamel or of vitreous-enamelled sheets for apparatus designed for cooking or for heating buildings	Free	10 p.c.	12½ p.c.
386	*(r)* Sheets or strip, cold rolled, when imported by manufacturers of pipes and tubes for use exclusively in the manufacture of pipes and tubes in their own factories, under regulations prescribed by the Minister	Free	5 p.c.	5 p.c.
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p. per ton	Free	$3.00	$3.00
388b	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p.; piling of iron or steel, not punched or drilled, including interlocking sections, if any, used therewith, n.o.p. per ton	$4.00	$7.00	$7.00
390c	Piston ring castings of steel, in the rough as from the moulds	Free	25 p.c.	27½ p.c.
401	*(d)* Coated with zinc or spelter, curved or not, in coils, ·144, ·104, or ·092 inch in diameter, with tolerance not to exceed ·004 inch, and not for use in telegraph or telephone lines, n.o.p.	Free	10 p.c.	10 p.c.
402c	Wire of iron or steel, coated with zinc or spelter, curved or not, in coils, not more than ·144 inch and not less than ·080 inch in diameter, with tolerance not to exceed ·004 inch, when imported by manufacturers of barbed fencing wire or of wire fencing for use exclusively in the manufacture of barbed fencing wire or of wire fencing, in their own factories	Free	10 p.c.	10 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine cut teeth	Free	20 p.c.	25 p.c.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof	20 p.c.	30 p.c.	35 p.c.
410o	(ii) Chock release apparatus, for use in coal mines to facilitate the safe removal of chocks forming the roof support	Free	10 p.c.	10 p.c.
413a	Machinery, of a class or kind not manufactured in Canada, and complete parts thereof, for use in the manufacture of nets or netting for the fisheries, when imported by manufacturers for use exclusively in the making of such nets or netting, in their own factories, but not for use in making nets or netting commonly used for sportsmen's purposes	Free	5 p.c.	10 p.c.
424	Fire engines and other fire extinguishing machines and chassis for same; complete parts of the foregoing, n.o.p.	10 p.c.	30 p.c.	35 p.c.
424a	Hand fire extinguishers, and sprinkler heads for automatic sprinkler systems for fire protection	22½ p.c.	30 p.c.	35 p.c.
427d	Machines designed for making rigid composite box-ends of wood—consisting of a centre with separate nailing edges attached—from scrap or waste mill stock, and complete parts thereof, not to include motive power	Free	27½ p.c.	35 p.c.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.	Free	25 p.c.	30 p.c.
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof	Free	25 p.c.	30 p.c.
434	Locomotives and motor cars for use on railways, and tops, wheels and bodies for the same, n.o.p.; chassis for locomotives, n.o.p.	15 p.c.	30 p.c.	35 p.c.
434a	Chassis for motor cars for use on railways, and complete parts thereof, n.o.p.	Free	30 p.c.	35 p.c.
434b	Pressed steel wheels for use on railway rolling stock	7½ p.c.	30 p.c.	35 p.c.
435	Locomotives and motor cars for railways, of a class or kind not made in Canada, for use exclusively in mining or metallurgical operations	Free	15 p.c.	20 p.c.
438f	Motor omnibuses for conveying passengers only, having seating capacity for not less than ten persons, and chassis for same; chassis for electric (trackless) trolley-buses, and complete parts thereof	Free	30 p.c.	40 p.c.
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister	Free	25 p.c.	27½ p.c.
451	Buckles, clasps, eyelets, hooks and eyes, dome, snap or other fasteners of iron, steel, brass or other metal, coated or not, n.o.p. (not being jewelery)	20 p.c.	27½ p.c.	30 p.c.
451e	Slide, hookless, or zipper fasteners	30 p.c.	37½ p.c.	40 p.c.
475b	Matrices for stereotypes, electrotypes and celluoids described in item 475a, per square inch	Free	½ ct.	½ ct.
506b	Wooden doors of a height and width not less than 6 feet and 2 feet, respectively	Free	22½ p.c.	25 p.c.
522d	Yarns and warps wholly of cotton, mercerized, number forty and finer, imported, under regulations prescribed by the Minister, for sale to manufacturers, to be further manufactured in their own factories	Free	25 p.c.	25 p.c.
530	Lace and embroideries, wholly of cotton, coloured, imported by manufacturers for use exclusively in the manufacture of clothing in their own factories	7½ p.c.	17½ p.c.	30 p.c.
	and ..... per pound	.....	.....	4 cts.
542b	Linen fire-hose, lined or unlined	25 p.c.	32½ p.c.	35 p.c.
546	Articles made from fabrics, finished or unfinished, and all textile manufactures, wholly of jute, n.o.p.; fabrics wholly of jute, coated or impregnated, and jute fabric backed with paper	12½ p.c.	25 p.c.	30 p.c.
547	Bags or sacks of hemp, linen or jute	15 p.c.	17½ p.c.	20 p.c.
554b	Woven fabrics composed wholly or in part of yarns of wool or hair, n.o.p.	27½ p.c.	35 p.c.	40 p.c.
	and ..... per pound	17 cts.	30 cts.	35 cts.
	Provided, however, that the sum of the specific and *ad valorem* duties imposed by this item on imports under the British Preferential Tariff shall not be in excess of 65 cents per pound.			
556a	Melton cloth, imported by manufacturers of tennis balls for use in the manufacture of tennis balls, in their own factories	Free	35 p.c.	40 p.c.
	and ..... per pound	.....	30 cts.	35 cts.
556b	Slipper cloth, woven, napped on one or both sides, wholly or in part of wool, not to contain silk or artificial silk, weighing not less than 22 ounces per square yard, when imported by manufacturers of indoor footwear, to be used exclusively in the manufacture of such articles in their own factories	Free	35 p.c.	40 p.c.
	and ..... per pound	.....	30 cts.	35 cts.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
569 (i)	Hats, hoods and shapes of hair-felt or of wool-and-hair-felt, under such regulations as the Minister may prescribe	22½ p.c.	30 p.c.	35 p.c.
569 (ii)	Hats, hoods and shapes of wool felt	22½ p.c.	30 p.c.	35 p.c.
	and, ...per dozen	75 cts.	$1.25	$1.25
569 (iii)	Hoods and shapes, knitted, crocheted, plaited or woven in a single piece, and hoods and shapes of braid, not sewn, under such regulations as the Minister may prescribe	Free	10 p.c.	10 p.c.
569 (iv)	Hoods and shapes, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
	and, ...per dozen	.....	50 cts.	50 cts.
569 (v)	Hats, n.o.p.	22½ p.c.	30 p.c.	35 p.c.
	and, ...per dozen	75 cts.	$1.50	$1.50
569a (i)	Berets of wool, knitted and fulled	22½ p.c.	30 p.c.	35 p.c.
	and, ...per dozen	.....	65 cts.	65 cts.
569a (ii)	Caps, bonnets and berets, n.o.p., under such regulations as the Minister may prescribe	22½ p.c.	30 p.c.	35 p.c.
571a	Carpeting, rugs, mats and matting of cocoa fibre	30 p.c.	37½ p.c.	40 p.c.
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.:—			
	(a) If valued at less than two dollars per square yard	30 p.c.	35 p.c.	40 p.c.
	and....per square foot	3 cts.	15 cts.	20 cts.
	(b) If valued at two dollars or more per square yard	30 p.c.	35 p.c.	40 p.c.
	and....per square foot	5 cts.	15 cts.	20 cts.
598	Brass band instruments, n.o.p.; parts of pianofortes and parts of organs	Free	22½ p.c.	25 p.c.
603	Fur skins, wholly or partially dressed, n.o.p. Provided, that the duty on hare or rabbit skins, under the Intermediate or General Tariff, shall be not less than.per dozen skins	10 p.c.	15 p.c. 72 cts.	15 p.c. 72 cts.
609	Belting, of leather	10 p.c.	30 p.c.	35 p.c.
621	Bases or salts of thorium or of cerium, not including natural minerals, for use in the manufacture of incandescent gas mantles, when imported by manufacturers of such mantles or of stockings for such mantles	Free	Free	Free
624a	(i) Dolls; toys of all kinds, n.o.p.	20 p.c.	30 p.c.	40 p.c.
	(ii) Mechanical toys of metal	10 p.c.	30 p.c.	40 p.c.
	(iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing.	Free	30 p.c.	40 p.c.
650a	Button blanks of animal shell, in the rough	Free	Free	10 p.c.
682	Fish hooks, for deep-sea or lake fishing, not smaller in size than number 2·0; fishing nets and nettings of all kinds; threads, twines, marlines, fishing lines, rope and cordage of cotton, hemp, manila or other vegetable fibre, not exceeding one and one-half inches in circumference, to be used for fishing purposes or for the construction or repair of fishing nets; the foregoing not to include such articles used for sportsmen's purposes, and to be subject to such regulations as the Minister may prescribe	Free	Free	Free
691	Communion sets of metal, glass, wood or other material; oil stocks; crosiers; benitier and sprinkler; incenser and incense boat; baptismal shells and fonts	Free	Free	Free
696	Philosophical and scientific apparatus, utensils, instruments, and preparations, including boxes and bottles containing the same; maps, photographic reproductions, casts as models, animals as research or experimental subjects, etchings, lithographic prints or charts; mechanical equipment of a class or kind not made in Canada. All articles in this item, when for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any public hospital, college, academy, school, or seminary of learning in Canada, and not for sale, under regulations prescribed by the Minister	Free	Free	Free

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
783	Internal combustion and steam engines, transmission assemblies, magnetos, starting motors, electric generators, propeller shafts, steel chassis frames, brakes, clutches, brake and clutch controls, steel road wheels, steel rims for pneumatic tires, larger than thirty inches by five inches, steering gears and front and rear axles, and complete parts of all the foregoing, all of a class or kind not made in Canada, when imported by manufacturers of motor trucks with standard equipment (not for use on railways or tramways), not to include machines or other articles mounted thereon or attached thereto for purposes other than for loading or unloading the truck, for use only in the manufacture of such motor trucks.....	Free	17½ p.c.	20 p.c.

Schedule B amended.

6. Schedule B to the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, is amended by striking thereout Tariff Items 1044 and 1049, the enumerations of goods and the rates of drawback of Customs Duties set opposite to each of the said items, and by inserting the following items, enumerations and rates of drawback of Customs Duties in said Schedule B:—

Item No.	Goods	When subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Payable as Drawback
1021	Rolled round wire rods in the coil, of iron or steel, not over ·375 inch in diameter.	When imported under the British Preferential Tariff and used in the manufacture of galvanized iron or steel wire, curved or not, ·144, ·104, or ·092 inch in diameter, with tolerance not to exceed ·004 inch, but not when such wire is for use in telegraph or telephone lines.....	99 p.c.
1024	Rolled round wire rods in the coil, of iron or steel, not over ·375 inch in diameter.	When imported under the British Preferential Tariff and used in the manufacture of wire of iron or steel, coated with zinc or spelter, curved or not, in coils, not more than ·144 inch and not less than ·080 inch in diameter, with tolerance not to exceed ·004 inch, when such wire is used by manufacturers of barbed fencing wire or of wire fencing for use exclusively in the manufacture of barbed fencing wire or of wire fencing, in their own factories.....	99 p.c.
		Provided that drawback payable under this item is in lieu of drawback payable under any other item.	
1039	Cotton velveteen and cotton-back silk-pile velvet.	When imported under the British Preferential Tariff and used exclusively in the manufacture of fancy boxes or cases.....	99 p.c.
1044	Fire brick.....	When used by manufacturers of iron or steel in the construction or repair of a blast furnace, open hearth furnace or rolling mill furnace.....	99 p.c.
1049	Bituminous coal, imported on or after March 23rd, 1935.	*(a)* When converted into coke to be sold for use as fuel in other than a coke or gas plant.....	50 p.c.
		(b) When converted into coke to be sold for use as fuel in other than a coke or gas plant; provided that not less than thirty-five per centum, by weight, of the bituminous coal so used, as covered by each drawback claim, was mined in Canada.....	99 p.c.
		Provided that drawback payable under this Item is in lieu of drawback payable under any other item.	

Schedule C amended.

7. Schedule C to the *Customs Tariff*, as amended by chapter thirty-two of the Acts of 1934, is amended by striking thereout Tariff Item 1212 and by substituting therefor the following:—

1212	Aigrettes, egret plumes or so-called osprey plumes, and the feathers, quills, heads, wings, tails, skins, or parts of skins of wild birds either raw or manufactured; but this provision shall not apply to:— *(a)* the feathers or plumes of ostriches; *(b)* the plumage of the English pheasant and the Indian peacock; the plumage of wild birds of groups recognized as game birds in any Canadian game law, and for which an open season is provided thereunder; *(c)* the plumage of birds imported alive; nor to— *(d)* specimens imported under regulations of the Minister for any Natural History or other museum or for scientific or educational purposes.

Date of coming into force.

8. This Act shall be deemed to have come into force on the twenty-third day of March, one thousand nine hundred and thirty-five, and to have applied to all goods mentioned in the preceding sections imported or taken out of warehouse for consumption on and after that date, and to have applied to goods previously imported for which no entry for consumption was made before that date.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

AS PASSED BY THE HOUSE OF COMMONS, 3rd JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

99586

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Right Honourable the Earl of Bessborough, 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 thirty-first day of March, one thousand nine hundred and thirty-six, 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 King'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, 1935.*

$16,058,144.05 granted for 1935-36.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixteen million, fifty-eight thousand, one hundred and forty-four dollars and five cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-six, as laid before the House of Commons at the present session of Parliament.

Additional interim vote of $1,063,339.90 granted for 1935-36 on certain items.

3. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding section, a sum not exceeding in the whole one million, sixty-three thousand, three hundred and thirty-nine dollars and ninety cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted set forth in Schedule A to this Act.

Additional interim vote of $82,633.33 granted for 1935-36 on certain items.

4. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in section two, a sum not exceeding in the whole eighty-two thousand, six hundred and thirty-three dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being one-third of the amount of each of the several items to be voted set forth in Schedule B to this Act.

$278,083.33 granted for 1935-36 on certain items.

5. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two hundred and seventy-eight thousand, eighty-three dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted set forth in Schedule C to this Act.

Account to be rendered in detail.

6. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

SCHEDULE A.

Based on the Main Estimates, 1935-36. The amount hereby granted is $1,063,339.90, being one-twelfth of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT		
4	Auditor General's Office— Contingencies	75,950 00	
5	Civil Service Commission— Contingencies	27,000 00	
17	National Defence— Contingencies	45,948 00	
			148,898 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
82	Hudson Bay Railway and Terminals: Construction and Betterments (including E. B. Jost at $2,250)		302,000 00
	(Chargeable to Income)		
	CANALS		
89	Improvements		518,820 00
	PUBLIC WORKS		
	(Chargeable to Income)		
	Alberta		
106	Calgary—Instalment on purchase of property for Ordnance Stores		9,000 00
	OCEAN AND RIVER SERVICE		
129	Maintenance and repairs to Dominion steamers and icebreakers	1,500,000 00	
135	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic steamers	400,000 00	
136	Radio Service, to provide for the maintenance and construction of Radio Direction Finding Stations, Radio Beacons and Radiotelegraph Stations and the general administration of the provisions of the Radio Act and Regulations throughout the Dominion	590,550 00	
			2,490,550 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
139	River St. Lawrence Ship Channel Dredging— *(b)* to provide for the maintenance and operation of the Government Ship Channel fleet and the Government Shipyard, including all necessary repairs and reconditioning		1,140,000 00

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LIGHTHOUSE AND COAST SERVICE		
143	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers.....	1,781,000 00	
147	Marine Signal Service.....	93,750 00	
148	Administration of Pilotage.....	118,000 00	
			1,992,750 00
	STEAMBOAT INSPECTION		
158	Steamboat Inspection.....	.....	133,072 00
	ROYAL CANADIAN MOUNTED POLICE		
185	Pay of Force and Allowances: (including salaries of two Constables, Ellesmere Island District at $2.25 per diem to assure Department against loss through death) arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal expenses, criminal investigation branch, enforcement of federal statutes, fuel and light, transport horses and dogs, transport mechanical, dental, medical and hospital, miscellaneous (including grants to Royal Canadian Mounted Police messes and publication of Royal Canadian Mounted Police Quarterly for instructional purposes) special services Opium and Narcotic Drug Act, printing and stationery, transport railway, rations, rents, travelling expenses, transport water.....	.....	5,893,595 75
	PENSIONS AND NATIONAL HEALTH		
202	Public Health Engineering.....	.....	15,880 00
	MISCELLANEOUS		
235	Chief Electoral Officer—Salaries and contingencies of office.....	28,724 00	
246	Battlefields Memorials.....	86,789 00	
			115,513 00
	Total.....	.....	*$12,760,078 75

*Net total, $1,063,339.90.

SCHEDULE B.

Based on the Main Estimates, 1935-36. The amount hereby granted is $82,633.33, being one-third of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS		
	(Chargeable to Income)		
	Quebec		
102	Montreal—Instalment on purchase of armoury	15,200 00	
	Westmount—Instalment on purchase of armoury	12,700 00	
	British Columbia		
107	Vancouver Public Building—To meet one year's interest at 5% on mortgage of $400,000	20,000 00	47,900 00
	MISCELLANEOUS		
264	To assist in promoting tourist business in Canada		200,000 00
	Total		*247,900 00

*Net total $82,633.33.

SCHEDULE C.

Based on Estimates, 1935-36. The amount hereby granted is $278,083.33, being one-twelfth of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	DEFICIT OF CANADIAN NATIONAL STEAMSHIPS		
	CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
293	Amount to provide for the payment from time to time to The Canadian National (West Indies) Steamships, Limited, (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash items and interest on Dominion Government advances, occurring during the year ending December 31st, 1935, in the operations of the company and of the vessels under the control of the company, as certified to by the auditors of the company, and upon applications made by the company to the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding.....	316,000 00	
	CANADIAN GOVERNMENT MERCHANT MARINE, LIMITED		
294	Amount to provide for the payment from time to time to The Canadian Government Merchant Marine, Limited (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash items and interest on Dominion Government advances, occurring during the year ending December 31st, 1935, in the operations of the company and of the vessels under the control of the company, as certified to by the auditors of the company and upon applications made by the company to the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding.....	45,000 00	361,000 00
	LOAN TO CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
295	Loan to Canadian National (West Indies) Steamships, Limited, repayable on demand with interest at a rate to be fixed by the Governor in Council, upon such terms and conditions as the Governor in Council may determine and to be applied in payment of Capital expenditure in connection with vessels under the Company's control during the year ending December 31st, 1935 (revote $178,500).....	.....	196,000 00
	MARITIME FREIGHT RATES ACT		
296	Amount required to provide for payment from time to time during the fiscal year 1935-36 of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Railways and Canals, as and when required by him, occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in section 9 of the said Act) on all traffic moved during 1935, under the tariffs approved, by the following companies:		

SCHEDULE C—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MARITIME FREIGHT RATES ACT—*Concluded*		
	Canada and Gulf Terminal Railway. Canadian Pacific Railway, including Fredericton & Grand Lake Coal & Railway Company. New Brunswick Coal & Railway Company. Cumberland Railway & Coal Company. Dominion Atlantic Railway. Maritime Coal, Railway & Power Company. Sydney & Louisburg Railway. Temiscouata Railway Company	900,000 00	
297	To hereby authorize and provide for the payment from time to time during the fiscal year 1935-36 to the Canadian National Railway Company of the difference (estimated by the Auditors of the said Company and certified by the said Auditors to the Minister of Railways and Canals as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as set out in section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the year 1935, under the tariffs approved, on the Eastern Lines (as referred to in section 1 of the said Act) of the Canadian National Railways	1,880,000 00	2,780,000 00
	Total		*3,337,000 00

*Net total $278,083.33.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

An Act to amend The Companies Act, 1934.

First reading, June 5, 1935.

The SECRETARY OF STATE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
99515 1935

6th Session, 17th Parliament, 25-26 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

An Act to amend The Companies Act, 1934.

1934, c. 33.

HIS 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 Companies Act Amendment Act, 1935.*

2. Section five of the said Act is amended by adding thereto the following subsections:—

Incorporation only for objects and powers to be actively pursued.

"(4) Nothing in this Part shall be construed to authorize the incorporation of any company for any purposes or objects other than those which it is intended the company shall actively pursue as set forth in the letters patent of the company.

Cancellation of letters patent.

(5) If any company in the opinion of the Secretary of State

(a) carries on any business which is not within the scope or the purposes or objects set forth in the letters patent or supplementary letters patent, or

(b) exercises or professes to exercise any powers which are not truly ancillary or necessarily incidental to the purposes or objects set forth in the letters patent or supplementary letters patent, or

(c) exercises or professes to exercise any powers expressly excluded by the letters patent or supplementary letters patent,

such company shall be liable to be wound up under the provisions of the *Winding-Up Act* as if it had become insolvent, and the Attorney General of Canada may, upon receipt of a certificate of the Secretary of State setting forth his opinion as in this section provided, apply to a court of competent jurisdiction for an order that the company be wound up."

R.S., c. 213.

Explanatory Notes.

In this Bill new matter is indicated by underlined words and vertical lines at the side of sections, and omissions are shown by the use of italics in the explanatory notes.

2. These subsections are new.

Application.

3. Paragraph *(b)* of subsection one of section seven of the said Act is repealed and the following is substituted therefor:—

Purposes.

"*(b)* The purposes for which incorporation is sought which shall be limited to the purposes and objects which it is intended that the company shall actively pursue."

Shares to be allotted for consideration fixed by Board of Directors.

4. Subsection seven of section twelve of said Act is repealed and the following is substituted therefor:—

"(7) In the absence of other provisions in that behalf in the letters patent, supplementary letters patent or by-laws of the company, the issue and allotment of shares without nominal or par value may be made from time to time for such consideration as may be fixed by the board of directors of the company; and in fixing the amount of such consideration, the board, subject to the provisions of this Part, may provide in the contract of subscription for such shares that the consideration received therefor shall be deemed to be capital, excepting a part, if any, not exceeding twenty-five per centum thereof, which shall be set aside as distributable surplus; and where the company acquires a going concern which has a surplus over and above all liabilities, and any shares without nominal or par value in the company are issued and allotted as fully paid in payment or part payment for such going concern, the directors may by resolution set aside, as a distributable surplus, such part of the consideration for the issue and allotment of such shares without nominal or par value as does not exceed the unappropriated balance of realized net profits of the going concern immediately before such acquisition."

5. Subsection nine of section twelve of the said Act is repealed and the following is substituted therefor:—

Consideration for any shares allotted must be adequate.

"(9) In no case shall any shares, whether common or preferred, or whether with or without nominal or par value, be issued and allotted as fully or partly paid up for less than what may justly be deemed in all the circumstances of the case adequate consideration therefor in cash, property or services: Provided that this subsection shall not apply to any mining company, that is to say, to any company whose principal objects are the exploration, development or operation of mining properties and which, if it has commenced actual operations, is carrying out such objects as its principal business. ' Mining properties ' includes mines, mining deposits, mining rights, metalliferous lands, mining claims or any interest therein including any option or licence in connection therewith."

Proviso.

3. *(b)* The underlined words are added.

4. The existing subsection reads as follows:—

"(7) In the absence of other provisions in that behalf in the letters patent, supplementary letters patent or by-laws of the company, the issue and allotment of shares without nominal or par value may be made from time to time for such consideration as may be fixed by the board of directors of the company; and in fixing the amount of such consideration, *the board, subject to the provisions of this Part, may* provide *that a part*, not exceeding twenty-five per centum thereof, *may be* set aside as a distributable surplus; provided *that in addition*, where the company acquires a going concern, which has a surplus over and above all liabilities, and any shares without nominal or par value in the company are issued and allotted as fully paid in payment or part payment for such going concern, the directors may by resolution set aside such *further* part of the consideration for the issue and allotment of such shares without nominal or par value *as a distributable surplus* as does not exceed the unappropriated balance of realized net profits of the going concern immediately before such acquisition."

5. The existing subsection reads as follows:—

"(9) *In the case of any shares without nominal or par value, which are issued before the date of the coming into force of this Act, and not being shares issued exclusively for a consideration payable in money, without a part of the consideration for the issue and allotment thereof having been heretofore lawfully set aside as a distributable surplus, the directors may at any time enact a by-law for the purpose of declaring that a specified part of the consideration received for the issue and allotment of any such shares shall be set aside as distributable surplus under the provisions of this Part and that the balance of such consideration shall be capital; and, upon such by-law being sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders of the company duly called for considering the same, the Secretary of State, upon being satisfied of the expediency and bona fide character thereof and that the rights and interests of creditors of the company are duly protected may grant supplementary letters patent confirming the said by-law.*"

No shares to be issued with exclusive rights.

(10) In no case shall shares of the company of any class, or any subdivision of any class, whether with or without par value, be issued and allotted to which shall attach any exclusive right to control the management of the business or affairs of the company by the election or removal of the board of directors thereof or otherwise.

By-law for consolidation, reduction, increase, etc., of share capital.

6. Subsection one of section forty-eight of the said Act is repealed and the following is substituted therefor:—

"**48.** (1) Subject to confirmation by supplementary letters patent, a company may from time to time by by-law

(a) subdivide any shares with or without par value;

(b) consolidate all shares with par value, whether common or preferred, into shares of larger par value not exceeding the par value of one hundred dollars each;

(c) consolidate all shares without par value, whether common or preferred, so that the authorized number of such shares is reduced;

(d) change all or any of its previously authorized shares with par value, issued or unissued, into the same or a different number of common and/or preferred shares without par value and not having priority as to capital or being subject to redemption;

(e) change all or any of its previously authorized shares without par value, issued or unissued, into the same or a different number of common and/or preferred shares with par value;

(f) increase the capital of the company;

(g) cancel any shares with or without par value, which at the date of the enactment of the by-law have not been subscribed for or agreed to be issued, and diminish the amount of the authorized capital of the company by the amount of the shares so cancelled."

7. Subsections one and two of section fifty-nine of the said Act are repealed and the following are substituted therefor:—

Creation or conversion of preferred shares, etc., by by-law.

"**59.** (1) When no provision is made by the letters patent or supplementary letters patent for shares of more than one class, the directors of a company may from time to time, make by-laws

(a) for creating and issuing any shares as preferred shares with such preferred or other special rights, restrictions, conditions or limitations, whether in regard to dividend, return of capital, or otherwise as may be set out in any such by-law;

(b) for conversion of preferred shares into common shares or common shares into preferred shares.

6. Subsection 1 of section 48 to be repealed reads as follows:—

"**48.** (1) Subject to confirmation by supplementary letters patent a company may from time to time by by-law

(a) subdivide any shares with or without par value;

(b) consolidate all shares with par value of *any class* unto shares of larger par value not exceeding the par value of one hundred dollars each;

(c) consolidate all shares without par value of *any class* so that the authorized number of such shares is reduced;

(d) change all or any of its previously authorized shares with par value, issued or unissued, into the same or a different number of *shares of any class or classes* without par value and not having priority as to capital or being subject to redemption;

(e) change all or any of its previously authorized shares without par value, issued or unissued, into the same or a different number of *shares of any class or classes* with par value;

(f) classify or re-classify any shares without par value;

(g) increase the capital of the company;

(h) cancel any shares with or without par value, which at the date of the enactment of the by-law have not been subscribed for or agreed to be issued, and diminish the amount of the authorized capital of the company by the amount of the shares so cancelled."

7. Subsections 1 and 2 of section 59 to be repealed, read as follows:—

"**59.** (1) When no provision is made by the letters patent or supplementary letters patent for shares of more than one class, the directors of a company may from time to time make by-laws

(a) for creating and issuing any shares as preferred *or deferred shares*, with such preferred, *deferred* or other special rights, restrictions, conditions or limitations, whether in regard to dividend, voting, return of capital, or otherwise as may be set out in any such by-law;

(b) for the conversion of preferred shares into common shares, *or any class of shares into any other class.*

Preferred shares may be made subject to redemption or purchase for cancellation.

(2) Without limiting the generality of the foregoing, any such by-laws may provide for the redemption or purchase for cancellation of such shares of the company as therein set out: Provided, however, that any term or provision of such by-laws, whereby the rights of holders of such preferred shares are limited or restricted, shall be fully set out in the certificates of such shares, and in the event of such limitations and restrictions not being so set out, they shall not be deemed to qualify the rights of the holders thereof."

Proviso.

When consent required for redemption or conversion of preferred shares.

8. Section sixty of the said Act is repealed and the following is substituted therefor:—

"**60.** Unless preferred shares or shares to which special rights, restrictions, conditions or limitations are attached, whether the same are created by by-law pursuant to the provisions of section fifty-nine of this Act, or by the letters patent or supplementary letters patent, are issued subject to redemption or conversion, the same shall not be subject to redemption or conversion without the consent of the holders thereof, unless such conversion or redemption is effected

(a) pursuant to an amendment or change of the provisions attaching to such shares, made or approved in the manner (if any) set forth in such provisions; or

(b) pursuant to an arrangement or compromise under sections one hundred and twenty-two or one hundred and twenty-three of this Act."

9. Section seventy-three of the said Act is repealed and the following is substituted therefor:—

Definition. "Prospectus."

"**73.** In this Part unless the context otherwise requires: "prospectus" means any prospectus, notice, circular, advertisement, letter or other graphic communication, offering to the public for subscription or purchase or other acquisition or indicating that there are available for subscription or purchase or other acquisition (and notwithstanding that such communication may state that the securities therein mentioned have been fully subscribed for or sold or that the communication is for the purpose of record only) any securities of a company issued or to be issued by it; provided that a communication in respect of a security shall not be deemed a prospectus *(a)* if it is proved that prior to such communication a prospectus as required by the provisions of this Act was mailed or delivered by or on behalf of the company to the person to whom the communication was made or *(b)* if the communication contains a *bona fide* statement that a prospectus, a copy of which has been filed under the provisions of this Act, will be promptly furnished on request, and contains no statement either of fact or

(2) Without limiting the generality of the foregoing any such by-laws may provide that the holders of such preferred *or deferred shares* shall have the right to select a certain stated proportion of the board of directors or may give them such other control or may so limit their control over the affairs of the company as is considered expedient or may provide for the redemption or purchase for cancellation of such shares by the company as therein set out: Provided however, that any term or provision of such by-laws, whereby the rights of holders of such preferred *or deferred* shares are limited or restricted, shall be fully set out in the certificates of such shares, and in the event of any such limitations and restrictions not being so set out, they shall not be deemed to qualify the rights of the holders thereof."

8. The existing section 60 to be repealed reads as follows:—

"**60.** Unless preferred shares *or deferred shares* or shares to which special rights, restrictions, conditions or limitations are attached, whether the same are created by by-law pursuant to the provisions of section fifty-nine of this Act, or by the letters patent or supplementary letters patent, are issued subject to redemption or conversion, the same shall not be subject to redemption or conversion without the consent of the holders thereof, unless such conversion or redemption is effected

(a) pursuant to an amendment or change of the provisions attaching to such shares, made or approved in the manner (if any) set forth in such provisions; or

(b) pursuant to an arrangement or compromise under sections one hundred and twenty-two or one hundred and twenty-three of this Act."

9. The existing section 73 to be repealed reads as follows:—

"**73.** In this Part unless the context otherwise requires: "prospectus" means any prospectus, notice, circular, advertisement, letter or other graphic communication, offering to the public for subscription or purchase or other acquisition or indicating that there are available for subscription or purchase or other acquisition (and notwithstanding that such communication may state that the securities therein mentioned have been fully subscribed for or sold or that the communication is for the purpose of record only) any securities of a company issued or to be issued by it; provided that a communication in respect of a security shall not be deemed a prospectus *(a)* if it is proved that prior to such communication a prospectus as required by the provisions of this Act was mailed or delivered by or on behalf of the company to the person to whom the communication was made or *(b)* if the communication contains a *bona fide* statement that a prospectus, a copy of which has been filed

opinion relating to the assets of the company owned or to be acquired, its earnings or prospective earnings, or to any business carried on or proposed to be carried on by it, except a statement specifying the nature of such business;

"Offer to the public, etc."

"offer to the public," or "offering to the public" or "offered to the public" means in the case of a company (other than a private company), with relation to securities issued or to be issued by it, every attempt or offer to dispose of, or solicitation of a subscription or application for, or solicitation of an offer to subscribe or apply for any of its securities or any interest in such securities, made by or on behalf of the company, and every such attempt or offer or solicitation made by any underwriter, as hereinafter defined, shall be deemed to have been made by or on behalf of the company: Provided that "offer to the public" or "offering to the public" or "offered to the public" shall not include *(a)* preliminary negotiations or preliminary agreements between the company and an underwriter, or *(b)* any offer of securities of the company to a director or directors of such company only;

Proviso.

"Securities of the company."

"securities of the company" or "its securities" mean shares, debentures or obligations of a company issued or to be issued by the company;

"Subscription."

"subscription" in relation to any securities of a company includes a purchase or other acquisition, except by way of security only, of such securities on any reissue, sale, or other disposal thereof, by or on behalf of the company or an underwriter and the words "subscriber" or "applicant" or other words referring to a person who subscribed or applies for securities of the company include any purchaser or proposed purchaser of such securities from the company or an underwriter;

"Underwriter."

"underwriter" includes *(a)* any person who, to the knowledge of the company, proposes to subscribe for securities of the company with a view to the re-sale to the public of those securities or a part thereof, *(b)* any person to whom a commission is proposed or intended to be paid by the company in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, or in consideration of his procuring or agreeing to procure subscriptions, whether absolute or conditional, for any securities of the company to be offered to the public for subscription and *(c)* any person who, in respect of any securities issued or to be issued by the company, has purchased or acquired or agreed to purchase or acquire such securities from the company, or has acquired from the company any option or right of disposal of such securities, with a view to effecting the first distribution of such securities or any of them to the public by advertisement or

under the provisions of this Act, will be promptly furnished on request, and contains no statement either of fact or opinion relating to the assets of the company owned or to be acquired, its earnings or prospective earnings, or to any business carried on or proposed to be carried on by it, except a statement specifying the nature of such business;

"offer to the public" means, in the case of a company (other than a private company), with relation to securities issued or to be issued by it, every attempt or offer to dispose of, or solicitation of a subscription or application, for or solicitation of an offer to subscribe or apply for any of its securities or any interest in such securities, made by or on behalf of the company, provided that *the expression* " offer to the public " shall not include *(a)* preliminary negotiations or agreements between the company and an underwriter, or *(b)* any offer of securities of the company to a director or directors of such company only;

"securities of the company" or "its securities" mean shares, debentures or obligations of a company issued or to be issued by the company;

"subscription" in relation to any securities of a company includes a purchase or other acquisition, except by way of security only, of such securities on any reissue, sale or other disposal thereof, by or on behalf of the company, and the words "subscriber" or "applicant" or other words referring to a person who subscribes or applies for securities of the company include any purchsser or proposed purchaser from the company of such securities;

"underwriter" includes *(a)* any person who, to the knowledge of the company, proposes to subscribe for securities of the company with a view to the re-sale to the public of those securities or a part thereof, and *(b)* any person to whom a commission is proposed or intended to be paid by the company in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, or in consideration of his procuring or agreeing to procure subscriptions, whether absolute or conditional, for any securities of the company to be offered to the public for subscription."

circular or in the course of successive transactions of a like character; and it shall, unless the contrary be proved, be evidence that such person purchased or acquired or agreed to purchase or acquire such securities or any option or right of disposal aforesaid, with a view to effecting the first distribution to the public of such securities, if it is shown that such person effected or attempted to effect such distribution within six months after such purchase or acquisition or the making of such agreement or that at the date when such distribution is made the whole consideration to be received by the company is respect of such securities has not been so received.

10. Section seventy-five of the said Act is repealed and the following is substituted therefor:—

Prospectus to be filed before issue to public.

"**75.** (1) The securities of the company shall not be offered to the public for subscription by or on its behalf unless a prospectus in respect of those securities has been filed with the Secretary of State.

Conditions to be fulfilled before application accepted.

(2) The company shall not accept any application in respect of any of its securities offered by or on its behalf to the public for subscription unless a copy of such prospectus has been delivered to the subscriber or applicant at least twenty-four hours prior to the acceptance of his subscription or application or mailed to the applicant at his usual address or other address furnished by him or on his behalf so that it should be received by him in the ordinary course of post at least twenty-four hours prior to the acceptance of his application: provided that in the case of any application received by the company through an underwriter, the provisions of this subsection shall conclusively be deemed to have been complied with by the company, if the company prior to the acceptance of such applications shall have obtained from the underwriter a statutory declaration to the effect that copies of the prospectus have been mailed or delivered to all persons making those applications so received, at such times and in such manner as to entitle the company to accept such applications; and provided always that any application received by the company for the purposes of this Part shall conclusively be deemed to have been made on the faith of such prospectus.

10. Section 75 to be repealed reads as follows:—

"**75.** (1) A company shall not accept any application in respect of any of its securities offered by it or on its behalf to the public for subscription unless

(a) a prospectus in respect of those securities has been filed with the Secretary of State, and

(b) a copy of such prospectus has been delivered to the applicant at least twenty-four hours prior to the acceptance of his application or mailed to the applicant at his usual address or other address furnished by him or on his behalf so that it should be received by him in ordinary course of post at least twenty-four hours prior to the acceptance of his application; provided that in the case of any applications received by the company through an underwriter, the provisions of *this sub-clause* shall conclusively be deemed to have been complied with by the company, if the company prior to the acceptance of such applications shall have obtained from the underwriter a statutory declaration to the effect that copies of the prospectus have been mailed or delivered to all persons making those applications so received at such times and in such manner as to entitle the company to accept such applications; and provided always that any application received by the company for the purposes of this Part shall conclusively be deemed to have been made in the faith of such prospectus.

(2) In the event of non-compliance with subsection one of this section, the applicant, or if the securities have been issued or allotted on his direction to some other person, then such other person if he is still the owner of such securities, shall be entitled to have the application for such securities or the issuance or allotment thereof rescinded, provided that written notice of the exercise of such right of recission shall have been served on the company within thirty days from the date of receipt of notice of allotment or of issuance of the securities as the case may be, or within thirty days from the date of delivery or mailing to such applicant of a copy of the prospectus filed with the Secretary of State in respect of the securities, whichever shall be the longer period.

Application may be rescinded.

(3) In the event of non-compliance with subsection two of this section, the applicant, or if the securities have been issued or alloted on his direction to some other person, then such other person if he is still the owner of such securities, shall be entitled to have the application for such securities or the issuance or allotment thereof rescinded, provided that written notice of the exercise of such right of rescission shall have been served on the company within thirty days from the date of receipt of notice of allotment or of issuance of the securities as the case may be, or within thirty days from the date of delivery or mailing to such applicant of a copy of the prospectus filed with the Secretary of State in respect of the securities, whichever shall be the longer period.

Obligations of Company.

(4) The company shall not allot or issue any of its securities to or on the direction of any person whose principal business, to the knowledge of the company, is offering, buying, selling or otherwise dealing or trading in shares, debentures or other securities, unless the company shall have first obtained an agreement in writing from such person to comply with the provisions of subsection two of this section; and if and whenever, to the knowledge of the company, any offer to the public of its securities has been or is about to be made without due compliance with the requirements of subsection two of this section by such person, the company shall forthwith cause notice of the particulars of such non-compliance to be given to the Secretary of State by registered mail.

Penalty for violation of ss. 1, 2 or 4.

(5) In the event of any contravention of any of the provisions of subsection one, of subsection two or of subsection four of this section, the company and any director, officer or other person who knowingly contravenes or permits or authorizes the contravention of the said provisions shall be liable upon summary conviction to a fine not exceeding one thousand dollars.

Penalty in case of underwriter.

(6) Any underwriter who offers any securities of a company for public subscription before the provisions of subsection one of this section have been complied with by the company or without causing the provisions of subsection two of this section to be complied with shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

Form of application to be issued with prospectus.

(7) It shall not be lawful for a company to issue any form of application for its securities which are offered to the public for subscription by it or on its behalf unless such form is issued with a prospectus in respect of those securities filed with the Secretary of State.

(3) In the event of any contravention of the provisions of subsection one of this section the company and any director, officer or other person who knowingly contravenes or permits or authorizes the contravention of said provisions, shall be liable on summary conviction to a fine not exceeding one thousand dollars.

(4) It shall not be lawful for a company to issue any form of application for its securities which are offered by it or on its behalf to the public for subscription unless such form is issued with a prospectus in respect of those securities filed with the Secretary of State.

(5) If any director, officer or agent of the company acts in contravention of the provisions of subsection four of this section he shall be liable on summary conviction to a fine not exceeding one thousand dollars."

Penalty.

(8) If any director, officer or agent of the company acts in contravention to the provisions of subsection seven of this section he shall be liable on summary conviction to a fine not exceeding one thousand dollars."

11. Paragraph *(v)* of subsection one of section seventy-seven of the said Act is repealed and the following is substituted therefor:—

"*(v)* the amount of the consideration received for the issue of shares without nominal or par value set aside as distributable surplus in accordance with the provisions of subsection seven of section twelve of this Act;"

12. Subsection one of section eighty-three of the said Act is repealed and the following is substituted therefor:—

No dividends when company insolvent.

"**83.** (1) No dividend shall be declared when the company is insolvent or which renders the company insolvent or (subject to subsection four of this section) which will impair the capital of the company; and in determining the solvency of the company for the purposes of this subsection, no account shall be taken of any increase in the surplus or reserves of the company resulting merely from the writing up of the values of the assets of the company."

13. The said Act is amended by adding to section eighty-eight the following subsection:—

Responsibility of elected directors.

"(2) The directors of the company elected by the shareholders at the first general meeting of the company shall be responsible for all business transacted as a board of directors by the first directors of the company."

14. The said Act is amended by inserting immediately after section ninety-four thereof the following section:—

Action to be taken where serious impairment of capital discovered.

"**94A.** Whenever the officers of a company, or any of them shall have become aware of any impairment of the capital of the company, they shall forthwith inform the directors of the nature and extent of such impairment; and thereupon, if in the opinion of the directors such impairment of its capital renders the company insolvent, it shall be the duty of the directors immediately to call a special general meeting of the shareholders of the company for the purpose of making to the shareholders full disclosure of the nature and extent of such impairment of the capital of the company."

11. Paragraph *(v)* of subsection 1 of section 77 to be repealed reads as follows:—

"*(v)* the amount of the consideration received for the issue of shares without nominal or par value set aside as distributable surplus in accordance with the provisions of section twelve of this Act, *and the amount per share of the consideration to be received for any such shares comprised in the offer proposed to be set aside as such distributable surplus;*"

12. Subsection 1 of section 83 to be repealed reads as follows:—

"**83.** (1) No dividend shall be declared when the company is insolvent or which renders the company insolvent or (subject to subsection four of this section) which will impair the capital of the company.

13. This is a new subsection to be added to section 88.

14. This is a new section.

15. The said Act is amended by inserting immediately after section ninety-six thereof the two following sections:—

Statement by director of personal account.

"**96A.** (1) Every director shall furnish annually to the secretary, for the information of the shareholders of the company at the annual general meeting thereof, a statement setting forth in detail all shares or other securities of the company bought or sold by him, for his personal account, directly or indirectly, during the twelve months immediately preceding such annual meeting.

No director to speculate in shares of his company.

(2) No director of a company shall speculate, for his personal account, directly or indirectly, in the shares or other securities of the company of which he is a director.

"Speculate" defined.

(3) "Speculate" as used in this section means trading in securities in the course of successive and continuous acts; selling a security where the director does not own the security sold, or, if owning the security, does not deliver it against such sale within twenty-days thereafter, or does not deliver the same within five days after such sale by depositing it in the mails or other usual channels of transportation; or selling securities not previously held by such director for at least three months, unless such securities were acquired in good faith in connection with a debt, obligation or liability of some other person previously contracted; or unless the director proves that such sale was made bona fide for reasons other than to affect the market price of such securities or the making of a profit by such sale.

Penalty for failure to disclose transactions.

(4) Every director who neglects or fails to make a true and accurate statement of such transactions as required by subsection one of this section, shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars or to six months imprisonment or to both fine and imprisonment.

Penalty.

(5) Every director, who shall speculate, for his personal account, directly or indirectly, in the shares or other securities of the company of which he is a director in contravention of subsection two of this section, shall be guilty of an offense and liable on summary conviction to a fine not exceeding one thousand dollars or to six months imprisonment or to both fine and imprisonment."

Adequate consideration for fully paid shares.

"**96B.** (1) It shall not be lawful for the directors or promoters of a company to authorize the issue and allotment of any shares of the capital stock of the company as fully paid up unless the company receives, or is to receive what may justly be deemed, in all the circumstances of the case, adequate consideration therefor in cash, property or services.

Liability of directors.

(2) Subject as hereinafter provided, every director or promoter of a company who is a party to authorizing the issue and allotment of any shares of the capital stock of

15. These are new sections.

the company as fully paid up shall be liable, jointly and severally with his co-directors, at the suit of any director, shareholder or creditor of the company, to make good to the company the amount by which the consideration actually received by the company for any shares so issued and allotted as aforesaid, is found by the court, after full inquiry into the circumstances of the transaction, to be less than the amount of the consideration which the company ought to have received for such shares, if it is proved, as to any such first mentioned director, that such director

Restrictions on right to sue.

(a) had knowledge of the inadequacy of the consideration so received by the company; or

(b) failed to take reasonable steps to ascertain whether the consideration so received by the company was in fact adequate consideration.

(3) No suit shall be commenced against the directors of a company or any of them under the authority of subsection two of this section by any director or shareholder of the company without the consent in writing of the Secretary of State; and no such suit shall be commenced by any creditor of the company until an execution at the suit of such creditor against the company has been returned unsatisfied in whole or in part.

Mining companies excepted.

(4) This section shall not apply to any mining company, that is to say, to any company whose principal objects are the exploration, development or operation of mining properties and which, if it has commenced actual operations, is carrying out such objects as its principal business. "Mining properties" includes mines, mining deposits, mining rights, metalliferous lands, mining claims or any interest therein including any option or licence in connection therewith."

16. The said Act is amended by inserting immediately after section ninety-eight thereof the following section:—

Voting rights.

"**98A.** Subject to the provisions of any by-law of the company duly enacted under the provisions of this Act, each share of the capital stock of any company issued and allotted, shall, subject to the provisions of this Part, carry voting rights and entitle the shareholder to one vote for each such share owned by him."

17. Subsections two and three of section one hundred and twelve of the said Act are repealed and the following are substituted therefor:—

Details of balance sheet.

"(2) Every balance sheet shall be drawn up so as to distinguish severally at least the following classes of assets and liabilities, namely:—

(a) cash;

(b) debts owing to the company from its directors, officers or shareholders respectively;

16. This is a new section.

17. Subsections 2 and 3 of section 112 to be repealed read as follows:—

"(2) Every balance sheet shall be drawn up so as to distinguish severally at least the following classes of assets and liabilities, namely,—

(a) cash;

(b) debts owing to the company from its directors, officers or shareholders respectively;

(c) other debts owing by the company including accounts and bills receivable in such form as to distinguish between current and non-current accounts in all cases in which the estimated loss is not provided for;

(d) inventory, if any, stating the basis of valuation adopted and the manner in which such value has been determined in respect of various sub-divisions of such inventory;

(e) investments and securities, if any, stating the nature and the market value thereof in case such market value is readily ascertainable;

(f) expenditure made on account of future business, if any;

(g) lands, buildings and plant, stating the basis of valuation, whether cost or otherwise, and, if valued on the basis of appraisal, the date of appraisal and the name of the appraiser and the amount, if any, by which the value of such assets has been written up;

(h) the aggregate amount of any outstanding loans under paragraph *(d)* of subsection one of section fifteen of this Act;

(i) debts owing by the company;

(j) liability for taxes imposed by any taxing authority in Canada including amounts owing in respect of such taxes due and payable and amount or estimated amount of the liability for such taxes in respect of the fiscal period covered by the statement of income and expenditure;

(k) the amount of shares of each class issued and outstanding and the amount paid thereon, showing the amount thereof issued since the date of the last balance sheet for services rendered, for commissions or for assets acquired since the date of the last balance sheet and if any redeemable preferred shares have been issued a sufficient description of such shares to indicate that they are liable to be redeemed;

(l) indirect and contingent liabilities;

(m) the amount or amounts of existing reserves for depreciation, obsolescence and depletion;

(n) the total amount received upon the issue of shares in the capital stock which is attributable to capital;

(o) the total amount received upon the issue of shares in the capital stock set aside as distributable surplus, in accordance with the provisions of subsection seven of section twelve of this Act or otherwise, or any unappropriated balance thereof;

(p) the total amount of money provided under paragraph *(c)* of subsection one of section fifteen of this Act.

(c) other debts owing to the company;

(d) inventory, if any, stating the basis of valuation adopted and the manner in which such value has been determined;

(e) expenditure made on account of future business, if any;

(f) lands, buildings and plant, stating the basis of valuation, whether cost or otherwise and, if valued on the basis of appraisal, the date of appraisal and the name of the appraiser;

(g) the aggregate amount of any outstanding loans under paragraph *(d)* of subsection one of section fifteen of this Act;

(h) debts owing by the company;

(i) liability for taxes imposed by any taxing authority in Canada including amounts owing in respect of such taxes due and payable and amount or estimated amount of the liability for such taxes in respect of the fiscal period covered by the statement of income and expenditure;

(j) the amount of shares of each class issued and outstanding and the amount paid thereon, showing the amount thereof issued since the date of the last balance sheet for services rendered, for commissions or for assets acquired since the date of the last balance sheet and if any redeemable preferred shares have been issued a sufficient description of such shares to indicate that they are liable to be redeemed;

(k) indirect and contingent liabilities;

(l) the amount or amounts of existing reserves for depreciation, obsolescence and depletion;

(m) the total amount received upon the issue of shares in the capital stock which is attributable to capital;

(n) the total amount received upon the issue of shares in the capital stock set aside as distributable surplus or any unappropriated balance thereof;

(o) the total amount of money provided under paragraph *(c)* of subsection one of section fifteen of this Act.

Further details to be stated.

"(3) There shall be stated under separate headings in the balance sheet of the company, so far as they are not written of—

(a) the preliminary expenses of the company incurred after the date of the coming into force of this Act or within a period of three years prior to said date; and

(b) any expenses incurred in connection with any issue of share capital or debentures; and

(c) if it is shown as a separate item in or is otherwise ascertainable from the books of the company, or from any contract for the sale or purchase of any property, the amount of the goodwill, franchises, patents, copyrights, trade marks, leases, contracts and licences as so shown or ascertained and the amount, if any, by which the value of any of such assets has been written up."

18. Subsections one and two of section one hundred and thirteen of the said Act are repealed and the following are substituted therefor:—

Amounts paid to directors to appear in statements.

"**113.** (1) The statement of income and expenditure to be submitted at the annual meeting shall, subject to the provisions of this section, show as a separate item the total of the amount paid to the directors as remuneration for their services as such directors, inclusive of all fees, percentages, or other emoluments, paid to or receivable by them by or from the company or by or from any subsidiary company, exclusive of the amounts paid to a managing director, if any, or any other director who holds any salaried employment or office in the company and who devotes substantially the whole of his time to the business of the company or its subsidiaries.

Salaries, etc., of executive officers and salaried directors.

(2) The said statement of income and expenditure shall also show separately the total of the amount paid as salaries, bonuses, fees or other remuneration to the counsel, solicitors, or other legal advisers of the company, and also to the executive officers of the company including the managing director, if any, of the company, and any other director who holds any salaried employment or office of the company and who devotes substantially the whole of his time to the business of the company or its subsidaries."

(3) There shall be stated under separate headings in the balance sheet of the company, so far as they are not written off—

(a) the preliminary expenses of the company incurred after the date of the coming into force of this Act or within a period of three years prior to said date; and

(b) any expenses incurred in connection with any issue of share capital or debentures; and

(c) if it is shown as a separate item in or is otherwise ascertainable from the books of the company, or from any contract for the sale or purchase of any property, the amount of the goodwill, franchises, patents, copyrights, trade marks, leases, contracts and licences as so shown or ascertained."

18. Subsections 1 and 2 of section 113 to be repealed read as follows:—

"**113.** (1) The statement of income and expenditure to be submitted at the annual meeting shall, subject to the provisions of this section, show as a separate item the total of the amount paid to the directors as remuneration for their services, inclusive of all fees, percentages, or other emoluments, paid to or receivable by them by or from the company or by or from any subsidiarty company.

(2) *The provisions of section one of this section shall not apply in relation to a managing director of the company and in the case of any other director who holds any salaried employment or office in the company and who devotes substantially the whole of his time to the business of the company or its subsidiaries there shall not be required to be included in the said total amount any sums paid to him except sums paid by way of directors' fees.*"

19. Subsection one of section one hundred and seventeen of the said Act is repealed and the following is substituted therefor:—

Copies of financial statements to be sent.

"**117.** (1) In the case of a company, not being a private company, a copy of every balance sheet and statement of income and expenditure and statement of surplus and of the statement referred to in section one hundred and fourteen of this Act, where such section applies, which is to be laid before the company at the annual meeting, together with a copy of the auditors' report, shall, not less than fourteen days before the date of the meeting, be mailed together with the notice of such annual meeting in a prepaid wrapper or letter to each and every shareholder of record at his address as recorded in the books of the company; and thereafter, in due course, a copy of each of the documents mentioned in this subsection shall also be mailed to the Secretary of State, together with proof of due compliance with the foregoing provisions of this paragraph, in such form as may be satisfactory to the Secretary of State."

20. (1) In this section "the principal Act" means *The Companies Act, 1934*.

Application of sections.

(2) The following provisions of this Act, namely, sections two, four, five, six, seven, eleven, twelve, thirteen and sixteen, shall not apply to any company to which Part One of the principal Act is made applicable by paragraphs *(b)*, *(c)*, *(d)* or *(e)* of section two of the principal Act, nor to any company incorporated under the principal Act prior to the coming into force of this Act, and every such company shall continue to be subject to the provisions of the principal Act which shall, as regards such companies, be and be deemed to be in full force and effect in the same manner as if the foregoing sections of this Act had not been enacted; but each of the other provisions of this Act, pursuant to its terms, shall apply to all companies, irrespective of the date of their incorporation, to which Part One of the principal Act, as amended by this Act, applies.

19. Subsection 1 of section 117 to be repealed reads as follows:—

"**117.** (1) In the case of a company, not being a private company

(a) a copy of every balance sheet and statement of income and expenditure and statement of surplus and of the statement referred to in section one hundred and fourteen of this Act where such section applies, which is to be laid before the company at the annual meeting, together with a copy of the auditors' report, shall, not less than *seven* days before the date of the meeting, be sent to all persons entitled to receive notice of such meeting;

(b) any shareholder of the company, whether he is or is not entitled to have sent to him copies of the company's balance sheets, and any holder of debentures of the company, shall be entitled to be furnished on demand without charge with a copy of the last balance sheet and statement of income and expenditure and statement of surplus and the statement referred to in section one hundred and fourteen of this Act where such section applies, together with a copy of the auditors' report."

20. This is a new section.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

An Act to amend The Companies Act, 1934.

AS PASSED BY THE HOUSE OF COMMONS,
24th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95517 1935

6th Session, 17th Parliament, 25-26 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

An Act to amend The Companies Act, 1934.

1934, c. 33.

HIS 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 Companies Act Amendment Act, 1935.*

2. Section five of the said Act is amended by adding thereto the following subsections:—

Incorporation only for objects and powers to be actively pursued.

"(4) Nothing in this Part shall be construed to authorize the incorporation of any company for any purposes or objects other than those which it is intended the company shall actively pursue as set forth in the letters patent of the company.

Cancellation of letters patent.

(5) If any company in the opinion of the Secretary of State

(a) carries on any business which is not within the scope or the purposes or objects set forth in the letters patent or supplementary letters patent, or

(b) exercises or professes to exercise any powers which are not truly ancillary or necessarily incidental to the purposes or objects set forth in the letters patent or supplementary letters patent, or

(c) exercises or professes to exercise any powers expressly excluded by the letters patent or supplementary letters patent,

such company shall be liable to be dissolved under the provisions of the *Winding-Up Act* and the Attorney-General of Canada may, upon receipt of a certificate of the Secretary of State setting forth his opinion as in this section provided, apply to a court of competent jurisdiction for an order that the company be wound up."

R.S., c. 213.

Explanatory Notes.

In this Bill new matter is indicated by underlined words and vertical lines at the side of sections, and omissions are shown by the use of italics in the explanatory notes.

2. These subsections are new.

Application.

3. Paragraph *(b)* of subsection one of section seven of the said Act is repealed and the following is substituted therefor:—

Purposes.

"*(b)* The purposes for which incorporation is sought which shall be limited to the purposes and objects which it is intended that the company shall actively pursue."

Shares to be allotted for consideration fixed by Board of Directors.

4. Subsection seven of section twelve of said Act is repealed and the following is substituted therefor:—

"(7) In the absence of other provisions in that behalf in the letters patent, supplementary letters patent or by-laws of the company, the issue and allotment of shares without nominal or par value may be made from time to time for such consideration as may be fixed by the board of directors of the company; and in fixing the amount of such consideration, the board, subject to the provisions of this Part, may provide in the contract of subscription for such shares that the consideration received therefor shall be deemed to be capital, excepting a part, if any, not exceeding twenty-five per centum thereof, which shall be set aside as distributable surplus; and where the company acquires a going concern which has a surplus over and above all liabilities, and any shares without nominal or par value in the company are issued and allotted as fully paid in payment or part payment for such going concern, the directors may by resolution set aside, as a distributable surplus, such part of the consideration for the issue and allotment of such shares without nominal or par value as does not exceed the unappropriated balance of realized net profits of the going concern immediately before such acquisition."

5. Subsection nine of section twelve of the said Act is repealed and the following are substituted therefor:—

Consideration for any shares allotted must be adequate.

"(9) Shares in the capital stock of the company having a nominal or par value shall not be issued as fully paid except for a consideration payable in cash to the total nominal amount of the shares so issued, or for a consideration payable in property or services which the directors may determine by express resolution to be in all the circumstances of the transaction just and adequate consideration therefor.

Proviso.

3. *(b)* The underlined words are added.

4. The existing subsection reads as follows:—

"(7) In the absence of other provisions in that behalf in the letters patent, supplementary letters patent or by-laws of the company, the issue and allotment of shares without nominal or par value may be made from time to time for such consideration as may be fixed by the board of directors of the company; and in fixing the amount of such consideration, *the board, subject to the provisions of this Part, may* provide *that a part,* not exceeding twenty-five per centum thereof, *may be* set aside as a distributable surplus; provided *that in addition,* where the company acquires a going concern, which has a surplus over and above all liabilities, and any shares without nominal or par value in the company are issued and allotted as fully paid in payment or part payment for such going concern, the directors may by resolution set aside such *further* part of the consideration for the issue and allotment of such shares without nominal or par value *as a distributable surplus* as does not exceed the unappropriated balance of realized net profits of the going concern immediately before such acquisition."

5. The existing subsection reads as follows:—

"(9) *In the case of any shares without nominal or par value, which are issued before the date of the coming into force of this Act, and not being shares issued exclusively for a consideration payable in money, without a part of the consideration for the issue and allotment thereof having been heretofore lawfully set aside as a distributable surplus, the directors may at any time enact a by-law for the purpose of declaring that a specified part of the consideration received for the issue and allotment of any such shares shall be set aside as distributable surplus under the provisions of this Part and that the balance of such consideration shall be capital; and, upon such by-law being sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders of the company duly called for considering the same, the Secretary of State, upon being satisfied of the expediency and bona fide character thereof and that the rights and interests of creditors of the company are duly protected may grant supplementary letters patent confirming the said by-law.*"

No shares to be issued with exclusive rights of control.

(10) In no case shall shares of a public company of any class or any subdivision of any class, whether with or without par value, be issued and allotted to which shall attach any exclusive right to control the management of the business or affairs of the company by the election or removal of the board of directors thereof or otherwise."

By-law for consolidation, reduction, increase, etc., of share capital.

6. Subsection one of section forty-eight of the said Act is repealed and the following is substituted therefor:—

"**48.** (1) Subject to confirmation by supplementary letters patent, a company may from time to time by by-law

(a) subdivide any shares with or without par value of any class;

(b) consolidate all shares with par value, of any class, into shares of larger par value not exceeding the par value of one hundred dollars each;

(c) consolidate all shares without par value, of any class, so that the authorized number of such shares is reduced;

(d) change all or any of its previously authorized shares with par value, issued or unissued, into the same or a different number of shares of any class or classes without par value and not having priority as to capital or being subject to redemption;

(e) change all or any of its previously authorized shares without par value, issued or unissued, into the same or a different number of shares of any class or classes with par value;

(f) increase the capital of the company;

(g) cancel any shares with or without par value, which at the date of the enactment of the by-law have not been subscribed for or agreed to be issued, and diminish the amount of the authorized capital of the company by the amount of the shares so cancelled."

7. Subsections one and two of section fifty-nine of the said Act are repealed and the following are substituted therefor:—

Creation or conversion of preferred shares, etc., by by-law.

"**59.** (1) When no provision is made by the letters patent or supplementary letters patent for shares of more than one class, the directors of a company may from time to time, make by-laws

(a) for the creating and issuing of any shares as preferred shares with such preferred or other special rights, restrictions, conditions or limitations, whether in regard to dividend, return of capital, or otherwise as may be set out in any such by-law;

(b) for conversion of preferred shares into common shares or common shares into preferred shares.

6. Subsection 1 of section 48 to be repealed reads as follows:—

"**48.** (1) Subject to confirmation by supplementary letters patent a company may from time to time by by-law

(a) subdivide any shares with or without par value;

(b) consolidate all shares with par value of any class unto shares of larger par value not exceeding the par value of one hundred dollars each;

(c) consolidate all shares without par value of any class so that the authorized number of such shares is reduced;

(d) change all or any of its previously authorized shares with par value, issued or unissued, into the same or a different number of shares of any class or classes without par value and not having priority as to capital or being subject to redemption;

(e) change all or any of its previously authorized shares without par value, issued or unissued, into the same or a different number of shares of any class or classes with par value;

(f) classify or re-classify any shares without par value;

(g) increase the capital of the company;

(h) cancel any shares with or without par value, which at the date of the enactment of the by-law have not been subscribed for or agreed to be issued, and diminish the amount of the authorized capital of the company by the amount of the shares so cancelled."

7. Subsections 1 and 2 of section 59 to be repealed, read as follows:—

"**59.** (1) When no provision is made by the letters patent or supplementary letters patent for shares of more than one class, the directors of a company may from time to time make by-laws

(a) for creating and issuing any shares as preferred *or deferred shares*, with such preferred, *deferred* or other special rights, restrictions, conditions or limitations, whether in regard to dividend, voting, return of capital, or otherwise as may be set out in any such by-law;

(b) for the conversion of preferred shares into common shares, *or any class of shares into any other class.*

Preferred shares may be made subject to redemption or purchase for cancellation.

(2) Without limiting the generality of the foregoing, any such by-laws may provide for the redemption or purchase for cancellation of such shares of the company as therein set out: Provided, however, that any term or provision of such by-laws, whereby the rights of holders of such preferred shares are limited or restricted, shall be fully set out in the certificates of such shares, and in the event of such limitations and restrictions not being so set out, they shall not be deemed to qualify the rights of the holders thereof."

Proviso.

When consent required for redemption or conversion of preferred shares.

8. Section sixty of the said Act is repealed and the following is substituted therefor:—

"**60.** Unless preferred shares or shares to which special rights, restrictions, conditions or limitations are attached, whether the same are created by by-law pursuant to the provisions of section fifty-nine of this Act, or by the letters patent or supplementary letters patent, are issued subject to redemption or conversion, the same shall not be subject to redemption or conversion without the consent of the holders thereof, unless such conversion or redemption is effected

(a) pursuant to an amendment or change of the provisions attaching to such shares, made or approved in the manner (if any) set forth in such provisions; or

(b) pursuant to an arrangement or compromise under sections one hundred and twenty-two or one hundred and twenty-three of this Act."

9. Section seventy-three of the said Act is repealed and the following is substituted therefor:—

Definition. "Prospectus."

"**73.** In this Part unless the context otherwise requires: "prospectus" means any prospectus, notice, circular, advertisement, letter or other graphic communication, offering to the public for subscription or purchase or other acquisition or indicating that there are available for subscription or purchase or other acquisition (and notwithstanding that such communication may state that the securities therein mentioned have been fully subscribed for or sold or that the communication is for the purpose of record only) any securities of a company issued or to be issued by it; provided that a communication in respect of a security shall not be deemed a prospectus *(a)* if it is proved that prior to such communication a prospectus as required by the provisions of this Act was mailed or delivered by or on behalf of the company to the person to whom the communication was made or *(b)* if the communication contains a *bona fide* statement that a prospectus, a copy of which has been filed under the provisions of this Act, will be promptly furnished on request, and contains no statement either of fact or

(2) Without limiting the generality of the foregoing any such by-laws may provide that the holders of such preferred *or deferred shares* shall have the right to select a certain stated proportion of the board of directors or may give them such other control or may so limit their control over the affairs of the company as is considered expedient or may provide for the redemption or purchase for cancellation of such shares by the company as therein set out: Provided however, that any term or provision of such by-laws, whereby the rights of holders of such preferred *or deferred* shares are limited or restricted, shall be fully set out in the certificates of such shares, and in the event of any such limitations and restrictions not being so set out, they shall not be deemed to qualify the rights of the holders thereof."

8. The existing section 60 to be repealed reads as follows:—

"**60.** Unless preferred shares *or deferred shares* or shares to which special rights, restrictions, conditions or limitations are attached, whether the same are created by by-law pursuant to the provisions of section fifty-nine of this Act, or by the letters patent or supplementary letters patent, are issued subject to redemption or conversion, the same shall not be subject to redemption or conversion without the consent of the holders thereof, unless such conversion or redemption is effected

(a) pursuant to an amendment or change of the provisions attaching to such shares, made or approved in the manner (if any) set forth in such provisions; or

(b) pursuant to an arrangement or compromise under sections one hundred and twenty-two or one hundred and twenty-three of this Act."

9. The existing section 73 to be repealed reads as follows:—

"**73.** In this Part unless the context otherwise requires: "prospectus" means any prospectus, notice, circular, advertisement, letter or other graphic communication, offering to the public for subscription or purchase or other acquisition or indicating that there are available for subscription or purchase or other acquisition (and notwithstanding that such communication may state that the securities therein mentioned have been fully subscribed for or sold or that the communication is for the purpose of record only) any securities of a company issued or to be issued by it; provided that a communication in respect of a security shall not be deemed a prospectus *(a)* if it is proved that prior to such communication a prospectus as required by the provisions of this Act was mailed or delivered by or on behalf of the company to the person to whom the communication was made or *(b)* if the communication contains a *bona fide* statement that a prospectus, a copy of which has been filed

opinion relating to the assets of the company owned or to be acquired, its earnings or prospective earnings, or to any business carried on or proposed to be carried on by it, except a statement specifying the nature of such business;

"Offer to the public, etc."

"offer to the public," or "offering to the public" or "offered to the public" means in the case of a company (other than a private company), with relation to securities issued or to be issued by it, every attempt or offer to dispose of, or solicitation of a subscription or application for, or solicitation of an offer to subscribe or apply for any of its securities or any interest in such securities, made by or on behalf of the company, and every such attempt or offer or solicitation made by any underwriter, as hereinafter defined, shall be deemed to have been made by or on behalf of the company: Provided that "offer to the public" or "offering to the public" or "offered to the public" shall not include *(a)* preliminary negotiations or preliminary agreements between the company and an underwriter, or *(b)* any offer of securities of the company to a director or directors of such company only;

Proviso.

"Securities of the company."

"securities of the company" or "its securities" mean shares, debentures or obligations of a company issued or to be issued by the company;

"Subscription."

"subscription" in relation to any securities of a company includes a purchase or other acquisition, except by way of security only, of such securities on any reissue, sale, or other disposal thereof, by or on behalf of the company or an underwriter and the words "subscriber" or "applicant" or other words referring to a person who subscribed or applies for securities of the company include any purchaser or proposed purchaser of such securities from the company or an underwriter;

"Underwriter."

"underwriter" includes *(a)* any person who, to the knowledge of the company, proposes to subscribe for securities of the company with a view to the re-sale to the public of those securities or a part thereof, *(b)* any person to whom a commission is proposed or intended to be paid by the company in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, or in consideration of his procuring or agreeing to procure subscriptions, whether absolute or conditional, for any securities of the company to be offered to the public for subscription and *(c)* any person who, in respect of any securities issued or to be issued by the company, has purchased or acquired or agreed to purchase or acquire such securities from the company, or has acquired from the company any option or right of disposal of such securities, with a view to effecting the first distribution of such securities or any of them to the public by advertisement or

under the provisions of this Act, will be promptly furnished on request, and contains no statement either of fact or opinion relating to the assets of the company owned or to be acquired, its earnings or prospective earnings, or to any business carried on or proposed to be carried on by it, except a statement specifying the nature of such business;

"offer to the public" means, in the case of a company (other than a private company), with relation to securities issued or to be issued by it, every attempt or offer to dispose of, or solicitation of a subscription or application, for or solicitation of an offer to subscribe or apply for any of its securities or any interest in such securities, made by or on behalf of the company, provided that *the expression* " offer to the public " shall not include *(a)* preliminary negotiations or agreements between the company and an underwriter, or *(b)* any offer of securities of the company to a director or directors of such company only;

"securities of the company" or "its securities" mean shares, debentures or obligations of a company issued or to be issued by the company;

"subscription" in relation to any securities of a company includes a purchase or other acquisition, except by way of security only, of such securities on any reissue, sale or other disposal thereof, by or on behalf of the company, and the words "subscriber" or "applicant" or other words referring to a person who subscribes or applies for securities of the company include any purchsser or proposed purchaser from the company of such securities;

"underwriter" includes *(a)* any person who, to the knowledge of the company, proposes to subscribe for securities of the company with a view to the re-sale to the public of those securities or a part thereof, and *(b)* any person to whom a commission is proposed or intended to be paid by the company in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, or in consideration of his procuring or agreeing to procure subscriptions, whether absolute or conditional, for any securities of the company to be offered to the public for subscription."

circular or in the course of successive transactions of a like character; and it shall, unless the contrary be proved, be evidence that such person purchased or acquired or agreed to purchase or acquire such securities or any option or right of disposal aforesaid, with a view to effecting the first distribution to the public of such securities, if it is shown that such person effected or attempted to effect such distribution within six months after such purchase or acquisition or the making of such agreement or that at the date when such distribution is made the whole consideration to be received by the company is respect of such securities has not been so received.

10. Section seventy-five of the said Act is repealed and the following is substituted therefor:—

Prospectus to be filed before issue to public.

"**75.** (1) The securities of the company shall not be offered to the public for subscription by or on its behalf unless a prospectus in respect of those securities has been filed with the Secretary of State.

Conditions to be fulfilled before application accepted.

(2) The company shall not accept any application in respect of any of its securities offered by or on its behalf to the public for subscription unless a copy of such prospectus has been delivered to the subscriber or applicant at least twenty-four hours prior to the acceptance of his subscription or application or mailed to the applicant at his usual address or other address furnished by him or on his behalf so that it should be received by him in the ordinary course of post at least twenty-four hours prior to the acceptance of his application: provided that in the case of any application received by the company through an underwriter, the provisions of this subsection shall conclusively be deemed to have been complied with by the company, if the company prior to the acceptance of such applications shall have obtained from the underwriter a statutory declaration to the effect that copies of the prospectus have been mailed or delivered to all persons making those applications so received, at such times and in such manner as to entitle the company to accept such applications; and provided always that any application received by the company for the purposes of this Part shall conclusively be deemed to have been made on the faith of such prospectus.

10. Section 75 to be repealed reads as follows:—

"**75.** (1) A company shall not accept any application in respect of any of its securities offered by it or on its behalf to the public for subscription unless

(a) a prospectus in respect of those securities has been filed with the Secretary of State, and

(b) a copy of such prospectus has been delivered to the applicant at least twenty-four hours prior to the acceptance of his application or mailed to the applicant at his usual address or other address furnished by him or on his behalf so that it should be received by him in ordinary course of post at least twenty-four hours prior to the acceptance of his application; provided that in the case of any applications received by the company through an underwriter, the provisions of *this sub-clause* shall conclusively be deemed to have been complied with by the company, if the company prior to the acceptance of such applications shall have obtained from the underwriter a statutory declaration to the effect that copies of the prospectus have been mailed or delivered to all persons making those applications so received at such times and in such manner as to entitle the company to accept such applications; and provided always that any application received by the company for the purposes of this Part shall conclusively be deemed to have been made in the faith of such prospectus.

(2) In the event of non-compliance with subsection one of this section, the applicant, or if the securities have been issued or allotted on his direction to some other person, then such other person if he is still the owner of such securities, shall be entitled to have the application for such securities or the issuance or allotment thereof rescinded, provided that written notice of the exercise of such right of recission shall have been served on the company within thirty days from the date of receipt of notice of allotment or of issuance of the securities as the case may be, or within thirty days from the date of delivery or mailing to such applicant of a copy of the prospectus filed with the Secretary of State in respect of the securities, whichever shall be the longer period.

Application may be rescinded.

(3) In the event of non-compliance with subsection two of this section, the applicant, or if the securities have been issued or alloted on his direction to some other person, then such other person if he is still the owner of such securities, shall be entitled to have the application for such securities or the issuance or allotment thereof rescinded, provided that written notice of the exercise of such right of rescission shall have been served on the company within thirty days from the date of receipt of notice of allotment or from the date of issuance of the securities, as the case may be, or within thirty days from the date of delivery or mailing to such applicant of a copy of the prospectus filed with the Secretary of State in respect of the securities, whichever shall be the shorter period.

Obligations of Company.

(4) The company shall not allot or issue any of its securities to or on the direction of any person whose principal business, to the knowledge of the company, is offering, buying, selling or otherwise dealing or trading in shares, debentures or other securities, unless the company shall have first obtained an agreement in writing from such person to comply with the provisions of subsection two of this section; and if and whenever, to the knowledge of the company, any offer to the public of its securities has been or is about to be made without due compliance with the requirements of subsection two of this section by such person, the company shall forthwith cause notice of the particulars of such non-compliance to be given to the Secretary of State by registered mail.

Penalty for violation of ss. 1, 2 or 4.

(5) In the event of any contravention of any of the provisions of subsection one, of subsection two or of subsection four of this section, the company and any director, officer or other person who knowingly contravenes or permits or authorizes the contravention of the said provisions shall be liable upon summary conviction to a fine not exceeding one thousand dollars.

Penalty in case of underwriter.

(6) Any underwriter who offers any securities of a company for public subscription before the provisions of subsection one of this section have been complied with by the company or without causing the provisions of subsection two of this section to be complied with shall be guilty of an offence and liable upon summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

Form of application to be issued with prospectus.

(7) It shall not be lawful for a company to issue any form of application for its securities which are offered to the public for subscription by it or on its behalf unless such form is issued with a prospectus in respect of those securities filed with the Secretary of State.

(3) In the event of any contravention of the provisions of subsection one of this section the company and any director, officer or other person who knowingly contravenes or permits or authorizes the contravention of said provisions, shall be liable on summary conviction to a fine not exceeding one thousand dollars.

(4) It shall not be lawful for a company to issue any form of application for its securities which are offered by it or on its behalf to the public for subscription unless such form is issued with a prospectus in respect of those securities filed with the Secretary of State.

(5) If any director, officer or agent of the company acts in contravention of the provisions of subsection four of this section he shall be liable on summary conviction to a fine not exceeding one thousand dollars."

Penalty.

(8) If any director, officer or agent of the company acts in contravention to the provisions of subsection seven of this section he shall be liable on summary conviction to a fine not exceeding one thousand dollars."

11. Paragraph *(v)* of subsection one of section seventy-seven of the said Act is repealed and the following is substituted therefor:—

"*(v)* the amount of the consideration received for the issue of shares without nominal or par value set aside as distributable surplus in accordance with the provisions of subsection seven of section twelve of this Act;"

12. Subsection one of section eighty-three of the said Act is repealed and the following is substituted therefor:—

No dividends when company insolvent.

"**83.** (1) No dividend shall be declared when the company is insolvent or which renders the company insolvent or (subject to subsection four of this section) which will impair the capital of the company; and in determining the solvency of the company for the purposes of this subsection, no account shall be taken of any increase in the surplus or reserves of the company resulting merely from the writing up of the values of the assets of the company, unless such writing up shall have been made more than five years before the date of such declaration."

13. The said Act is amended by adding to section eighty-eight the following subsection:—

Responsibility of elected directors.

"(2) The directors of the company elected by the shareholders at the first general meeting of the company shall be responsible for all business transacted as a board of directors by the first directors of the company."

14. The said Act is amended by inserting immediately after section ninety-four thereof the following section:—

Action to be taken where serious impairment of capital discovered

"**94A.** Whenever the officers of a company, or any of them shall have become aware of any impairment of the capital of the company, they shall forthwith inform the directors of the nature and extent of such impairment; and thereupon, if in the opinion of the directors such impairment of its capital renders the company insolvent, it shall be the duty of the directors immediately to call a special general meeting of the shareholders of the company for the purpose of making to the shareholders full disclosure of the nature and extent of such impairment of the capital of the company."

11. Paragraph *(v)* of subsection 1 of section 77 to be repealed reads as follows:—

"*(v)* the amount of the consideration received for the issue of shares without nominal or par value set aside as distributable surplus in accordance with the provisions of section twelve of this Act, *and the amount per share of the consideration to be received for any such shares comprised in the offer proposed to be set aside as such distributable surplus;*"

12. Subsection 1 of section 83 to be repealed reads as follows:—

"**83.** (1) No dividend shall be declared when the company is insolvent or which renders the company insolvent or (subject to subsection four of this section) which will impair the capital of the company.

13. This is a new subsection to be added to section 88.

14. This is a new section.

15. The said Act is amended by inserting immediately after section ninety-six thereof the two following sections:—

Statement by director of personal account.

"**96A.** (1) Every director of a public company shall furnish annually to the secretary, for the information of the shareholders of the company at the annual general meeting thereof, a statement setting forth in detail all shares or other securities of the company bought or sold by him, for his personal account, directly or indirectly, during the twelve months immediately preceding such annual meeting.

No director to speculate in shares of his company.

(2) No director of a public company shall speculate, for his personal account, directly or indirectly, in the shares or other securities of the company of which he is a director.

"Speculate" defined.

(3) "Speculate" as used in this section means trading in securities in the course of successive and continuous acts; selling a security where the director does not own the security sold, or, if owning the security, does not deliver it against such sale within thirty days thereafter; or selling securities not previously held by such director for at least three months, unless such securities were acquired in good faith in connection with a debt, obligation or liability of some other person previously contracted; or unless the director proves that such sale was made bona fide for reasons other than to affect the market price of such securities or the making of a profit by such sale.

Penalty for failure to disclose transactions.

(4) Every director of a public company who neglects or fails to make a true and accurate statement of such transactions as required by subsection one of this section, shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars or to six months imprisonment or to both fine and imprisonment.

Penalty.

(5) Every director of a public company who shall speculate, for his personal account, directly or indirectly, in the shares or other securities of the company of which he is a director in contravention of subsection two of this section, shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars or to six months imprisonment or to both fine and imprisonment."

Adequate consideration for fully paid shares.

"**96B.** (1) The directors of a public company shall not authorize the issue and allotment as fully paid shares in the capital stock of the company having a nominal or par value, except for a consideration payable in cash to the total nominal amount of the shares so issued, or for such consideration payable in property or services as the directors may determine by express resolution to be in all the circumstances of the transaction a just and adequate consideration therefor.

Liability of directors.

(2) Subject as hereinafter provided, every director of a public company who is a party to authorizing the issue and allotment of any shares of the capital stock of

15. These are new sections.

the company as fully paid up shall be liable, jointly and severally with his co-directors, at the suit of any director, shareholder or creditor of the company, to make good to the company the amount by which the consideration actually received by the company for any shares so issued and allotted as aforesaid is found by the court, after full inquiry into the circumstances of the transaction, to be less than the amount of the just and adequate consideration which the company ought to have received for such shares, if the resolution referred to in subsection nine of section twelve of this Act has not been passed or if it is proved, as to any such first mentioned director, that such director

Restrictions on right to sue.

(a) had knowledge of the inadequacy of the consideration so received by the company; or

(b) failed to take reasonable steps to ascertain whether the consideration so received by the company was in fact adequate consideration.

(3) No suit shall be commenced against the directors of a public company or any of them under the authority of subsection two of this section by any creditor, director or shareholder of the company without the consent in writing of the Secretary of State; and no such suit shall be commenced by any creditor of the company until an execution at the suit of such creditor against the company has been returned unsatisfied in whole or in part; and no such suit shall be commenced after the expiration of three years from the date of the allotment of such shares.

Mining companies excepted.

(4) This section shall not apply to any mining company, that is to say, to any company whose principal objects are the exploration, development or operation of mining properties and which, if it has commenced actual operations, is carrying out such objects as its principal business. "Mining properties" includes mines, mining deposits, mining rights, metalliferous lands, mining claims or any interest therein including any option or licence in connection therewith."

16. The said Act is amended by inserting immediately after section ninety-eight thereof the following section:—

Voting rights.

"**98A.** Subject to the provisions of any by-law of the company duly enacted under the provisions of this Act, each share of the capital stock of any company issued and allotted, shall, subject to the provisions of this Part, carry voting rights and entitle the shareholder to one vote for each such share owned by him."

17. Subsections two and three of section one hundred and twelve of the said Act are repealed and the following are substituted therefor:—

Details of balance sheet.

"(2) Every balance sheet shall be drawn up so as to distinguish severally at least the following classes of assets and liabilities, namely:—

16. This is a new section.

17. Subsections 2 and 3 of section 112 to be repealed read as follows:—

"(2) Every balance sheet shall be drawn up so as to distinguish severally at least the following classes of assets and liabilities, namely,—

(a) cash;

(b) debts owing to the company from its directors, officers or shareholders respectively;

(c) other debts owing to the company including accounts and bills receivable in such form as to distinguish between current and non-current accounts in all cases in which the estimated loss is not provided for;

(d) inventory, if any, stating the basis of valuation adopted and the manner in which such value has been determined in respect of various sub-divisions of such inventory;

(e) investments and securities, if any, stating their nature and showing the market value of marketable securities and, separately, the book value of other securities;

(f) expenditure made on account of future business, if any;

(g) lands, buildings and plant, stating the basis of valuation, whether cost or otherwise, and, if valued on the basis of appraisal, the date of appraisal and the name of the appraiser and the amount, if any, by which the value of such assets has been written up;

(h) the aggregate amount of any outstanding loans under paragraph *(d)* of subsection one of section fifteen of this Act;

(i) debts owing by the company;

(j) liability for taxes imposed by any taxing authority in Canada including amounts owing in respect of such taxes due and payable and amount or estimated amount of the liability for such taxes in respect of the fiscal period covered by the statement of income and expenditure;

(k) the amount of shares of each class issued and outstanding and the amount paid thereon, showing the amount thereof issued since the date of the last balance sheet for services rendered, for commissions or for assets acquired since the date of the last balance sheet and if any redeemable preferred shares have been issued a sufficient description of such shares to indicate that they are liable to be redeemed;

(l) indirect and contingent liabilities;

(m) the amount or amounts of existing reserves for depreciation, obsolescence and depletion;

(n) the total amount received upon the issue of shares in the capital stock which is attributable to capital;

(o) the total amount received upon the issue of shares in the capital stock set aside as distributable surplus, in accordance with the provisions of subsection seven of section twelve of this Act or otherwise, or any unappropriated balance thereof;

(a) cash;

(b) debts owing to the company from its directors, officers or shareholders respectively;

(c) other debts owing to the company;

(d) inventory, if any, stating the basis of valuation adopted and the manner in which such value has been determined;

(e) expenditure made on account of future business, if any;

(f) lands, buildings and plant, stating the basis of valuation, whether cost or otherwise and, if valued on the basis of appraisal, the date of appraisal and the name of the appraiser;

(g) the aggregate amount of any outstanding loans under paragraph *(d)* of subsection one of section fifteen of this Act;

(h) debts owing by the company;

(i) liability for taxes imposed by any taxing authority in Canada including amounts owing in respect of such taxes due and payable and amount or estimated amount of the liability for such taxes in respect of the fiscal period covered by the statement of income and expenditure;

(j) the amount of shares of each class issued and outstanding and the amount paid thereon, showing the amount thereof issued since the date of the last balance sheet for services rendered, for commissions or for assets acquired since the date of the last balance sheet and if any redeemable preferred shares have been issued a sufficient description of such shares to indicate that they are liable to be redeemed:

(k) indirect and contingent liabilities;

(l) the amount or amounts of existing reserves for depreciation, obsolescence and depletion;

(m) the total amount received upon the issue of shares in the capital stock which is attributable to capital;

(n) the total amount received upon the issue of shares in the capital stock set aside as distributable surplus or any unappropriated balance thereof;

(o) the total amount of money provided under paragraph *(c)* of subsection one of section fifteen of this Act.

(p) the total amount of money provided under paragraph *(c)* of subsection one of section fifteen of this Act.

Further details to be stated.

"(3) There shall be stated under separate headings in the balance sheet of the company, so far as they are not written off—

(a) the preliminary expenses of the company incurred after the date of the coming into force of this Act or within a period of three years prior to said date; and

(b) any expenses incurred in connection with any issue of share capital or debentures; and

(c) if it is shown as a separate item in or is otherwise ascertainable from the books of the company, or from any contract for the sale or purchase of any property, the amount of the goodwill, franchises, patents, copyrights, trade marks, leases, contracts and licences as so shown or ascertained and the amount, if any, by which the value of any of such assets has been written up."

18. Subsections one and two of section one hundred and thirteen of the said Act are repealed and the following are substituted therefor:—

Amounts paid to directors to appear in statements.

"**113.** (1) The statement of income and expenditure to be submitted at the annual meeting shall, subject to the provisions of this section, show as a separate item the total of the amount paid to the directors as remuneration for their services as such directors, inclusive of all fees, percentages, or other emoluments, paid to or receivable by them by or from the company or by or from any subsidiary company, exclusive of the amounts paid to a managing director, if any, or any other director who holds any salaried employment or office in the company and who devotes substantially the whole of his time to the business of the company or its subsidiaries.

Salaries, etc., of executive officers and salaried directors.

(2) The said statement of income and expenditure shall also show separately the total of the amount paid as salaries, bonuses, fees or other remuneration to the counsel, solicitors, or other legal advisers of the company, and also to the executive officers of the company including the managing director, if any, of the company, and any other director who holds any salaried employment or office of the company and who devotes substantially the whole of his time to the business of the company or its subsidaries."

(3) There shall be stated under separate headings in the balance sheet of the company, so far as they are not written off—

(a) the preliminary expenses of the company incurred after the date of the coming into force of this Act or within a period of three years prior to said date; and

(b) any expenses incurred in connection with any issue of share capital or debentures; and

(c) if it is shown as a separate item in or is otherwise ascertainable from the books of the company, or from any contract for the sale or purchase of any property, the amount of the goodwill, franchises, patents, copyrights, trade marks, leases, contracts and licences as so shown or ascertained."

18. Subsections 1 and 2 of section 113 to be repealed read as follows:—

"**113.** (1) The statement of income and expenditure to be submitted at the annual meeting shall, subject to the provisions of this section, show as a separate item the total of the amount paid to the directors as remuneration for their services, inclusive of all fees, percentages, or other emoluments, paid to or receivable by them by or from the company or by or from any subsidiarty company.

(2) *The provisions of section one of this section shall not apply in relation to a managing director of the company and in the case of any other director who holds any salaried employment or office in the company and who devotes substantially the whole of his time to the business of the company or its subsidiaries there shall not be required to be included in the said total amount any sums paid to him except sums paid by way of directors' fees.*"

19. Subsection one of section one hundred and seventeen of the said Act is repealed and the following is substituted therefor:—

Copies of financial statements to be sent.

"**117.** (1) In the case of a company, not being a private company,

(a) a copy of every balance sheet and statement of income and expenditure and statement of surplus and of the statement referred to in section one hundred and fourteen of this Act, where such section applies, which is to be laid before the company at the annual meeting, together with a copy of the auditors' report, shall, not less than fourteen days before the date of the meeting, be mailed in a prepaid wrapper or letter to each and every shareholder of record at his address as recorded in the books of the company; and thereafter, in due course, a copy of each of the documents mentioned in this subsection shall also be mailed to the Secretary of State, together with proof of due compliance with the foregoing provisions of this paragraph, in such form as may be satisfactory to the Secretary of State.

Copy of balance sheet to be furnished on demand.

(b) any holder of debentures of the company shall be entitled to be furnished by the company on demand without charge with a copy of such balance sheet and the statements aforesaid which have been laid before the company at the last annual meeting preceding such demand."

20. (1) In this section "the principal Act" means *The Companies Act, 1934*.

Application of sections.

(2) The following provisions of this Act, namely, sections two, three, six, seven, thirteen and sixteen, shall not apply to any company to which Part One of the principal Act is made applicable by paragraphs *(b)*, *(c)*, *(d)* or *(e)* of section two of the principal Act, nor to any company incorporated under the principal Act prior to the coming into force of this Act, and every such company shall continue to be subject to the provisions of the principal Act, which shall, as regards such companies, be and be deemed to be in full force and effect in the same manner as if the foregoing sections of this Act had not been enacted; but each of the other provisions of this Act, pursuant to its terms, shall apply to all companies, irrespective of the date of their incorporation, to which Part One of the principal Act, as amended by this Act, applies.

Commencement of Act.

21. This Act shall come into force in whole or in part upon dates to be fixed by one or more proclamations of the Governor in Council.

19. Subsection 1 of section 117 to be repealed reads as follows:—

"**117.** (1) In the case of a company, not being a private company

(a) a copy of every balance sheet and statement of income and expenditure and statement of surplus and of the statement referred to in section one hundred and fourteen of this Act where such section applies, which is to be laid before the company at the annual meeting, together with a copy of the auditors' report, shall, not less than *seven* days before the date of the meeting, be sent to all persons entitled to receive notice of such meeting;

(b) any shareholder of the company, whether he is or is not entitled to have sent to him copies of the company's balance sheets, and any holder of debentures of the company, shall be entitled to be furnished on demand without charge with a copy of the last balance sheet and statement of income and expenditure and statement of surplus and the statement referred to in section one hundred and fourteen of this Act where such section applies, together with a copy of the auditors' report."

20. This is a new section.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 86.

An Act to establish a Dominion Trade and Industry Commission.

First reading, June 6, 1935.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA

BILL 86.

An Act to establish a Dominion Trade and Industry Commission.

Preamble.

WHEREAS on the second day of February, 1934, the House of Commons passed a Resolution that a Select Special Committee of that House be appointed to inquire into and investigate the causes of the large spread between the prices received for commodities by the producer thereof and the prices paid by the consumers therefor, and the system of distribution in Canada of natural and manufactured products; and whereas a Select Special Committee was accordingly appointed and proceeded with the investigation and on the twenty-ninth day of June, 1934, reported that the investigation could not be completed before Parliament prorogued and recommended that the members of the Select Special Committee be appointed commissioners under Part I of the *Inquiries Act* to continue and complete the investigation and report to the Minister of Trade and Commerce; and whereas the members of the Select Special Committee were accordingly appointed commissioners under the *Inquiries Act* and continued and completed the investigation and reported on the ninth day of April, 1935; and whereas the majority of the commissioners recommended that a Federal Trade and Industry Commission be established with powers to regulate commerce and industry; and whereas it is expedient and in the public interest that effect be given to the aforesaid recommendations in so far as it is within the competence of Parliament so to do: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., c. 99.

Short title.

1. This Act may be cited as *The Dominion Trade and Industry Commission Act, 1935.*

INTERPRETATION.

Definitions.

2. In this Act, unless the context otherwise requires,—

"Commission". *(a)* "Commission" means the Dominion Trade and Industry Commission established under this Act;

"Commissioner". *(b)* "Commissioner" means a member of the Commission including the Chief Commissioner and Assistant Chief Commissioner;

"Commodity". *(c)* "Commodity" means any article, product or thing, whether of growth, produce or manufacture, which is the subject of trade or commerce;

"Commodity standard". *(d)* "Commodity standard" means the specification of a standard of quality, efficiency, efficacy, performance, purity, potency, grade, durability, size, weight or capacity or any other characteristic or combination of characteristics for any commodity intended for consumption or use and denoting its origin or nature and suitability to fulfil the purpose for which it is intended;

"Covering". *(e)* "Covering" includes label, wrapper, package, sack, bag, barrel, box, case or other receptacle attached to, or in which, any commodity is sold or offered for sale;

"Director of Public Prosecutions." *(f)* "Director of Public Prosecutions" means the Director of Public Prosecutions appointed under this Act.

"Industry". *(g)* "Industry" includes merchandising;

"Laws prohibiting unfair trade practices". *(h)* "Laws prohibiting unfair trade practices" means the provisions of the *Agricultural Pests Control Act*, *The Canada Grain Act*, the *Combines Investigation Act*, the *Dairy Industry Act*, the *Electrical Units Act*, *The Electricity Inspection Act, 1928*, the *Feeding Stuffs Act*, the *Fertilizer Act*, the *Fish Inspection Act*, the *Food and Drugs Act*, *The Fruit and Honey Act, 1934*, the *Gas Inspection Act*, the *Inspection and Sale Act*, the *Live Stock and Live Stock Products Act*, *The Maple Sugar Industry Act, 1930*, the *Meat and Canned Foods Act*, *The Natural Products Marketing Act, 1934*, *The Patent Act, 1935*, the *Petroleum and Naphtha Inspection Act*, *The Precious Metals Marking Act, 1928*, the *Proprietary or Patent Medicine Act*, the *Root Vegetables Act*, the *Seeds Act*, the *Trade Mark and Design Act*, *The Unfair Competition Act, 1932*, the *Water Meters Inspection Act*, the *Weights and Measures Act*, and of sections 404, 405, 406, 415A and 486 to 504, inclusive, of the *Criminal Code*, and of this Act and regulations under the said Acts, which provisions prohibit acts or omissions connected with industry as being fraudulent, misrepresentative or otherwise unfair or detrimental to the public interest;

"Minister". *(i)* "Minister" means the President of the King's Privy Council for Canada;

"Research Council".

(j) "National Research Council" means the Honorary Advisory Council for Scientific and Industrial Research established under the provisions of the *Research Council Act.*

"Tariff Board."
1931, c. 55.

(k) "Tariff Board" means the board established pursuant to *The Tariff Board Act.*

DOMINION TRADE AND INDUSTRY COMMISSION.

Commission.

3. (1) There shall be a Commission to be known as the Dominion Trade and Industry Commission consisting of three Commissioners, of whom one shall be the Chief Commissioner and another the Assistant Chief Commissioner.

Tariff Board to be commissioners. Chief and Assistant Commissioners.

(2) The members for the time being of the Tariff Board shall, by virtue of holding office as members of the said Board and by virtue of this Act, be the Commissioners, and the Chairman and the Vice-Chairman of the said Board shall be the Chief Commissioner and Assistant Chief Commissioner respectively.

Tenure of office.

(3) Each Commissioner shall hold office only during such time as he continues to hold office as a member of the Tariff Board.

Absence or incapacity.

4. (1) In case of the absence or incapacity of the Chief Commissioner, the Assistant Chief Commissioner shall exercise the powers of the Chief Commissioner for him and in his stead, and in such case all regulations, orders or other instruments signed by the Assistant Chief Commissioner shall have the like force and effect as if signed by the Chief Commissioner.

Presumption.

(2) Whenever the Assistant Chief Commissioner appears to have acted for or instead of the Chief Commissioner, it shall be conclusively presumed that he so acted in the absence or incapacity of the Chief Commissioner.

Authority to other Commissioners.

(3) If the Chief Commissioner deems it necessary for the more speedy or convenient despatch of business, he may authorize another Commissioner to sign regulations, orders or other instruments in his stead, and everything done pursuant to such authority shall have the like force and effect as if done by the Chief Commissioner.

Quorum.

5. (1) Two Commissioners, including either the Chief Commissioner or the Assistant Chief Commissioner, shall, except as otherwise provided in this Act, constitute a quorum, provided that in the case of an equal division of opinion as between two commissioners sitting as a quorum the third Commissioner shall be called on for his opinion; and provided further, that a preliminary inquiry under the *Combines Investigation Act* may be conducted by one Commissioner.

R.S., c. 26.

Commissioner *pro hac vice.*

(2) If any Commissioner, by reason of absence or incapacity, is unable at any time to perform the duties of his office, the Governor in Council may appoint a person to be a Commissioner *pro hac vice.*

Offices in Ottawa.

6. The office of the Commission shall be in the City of Ottawa, but the Commission may whenever circumstances render it expedient, hold sittings at any place in Canada.

Sittings.

7. The sittings of the Commission shall be public or private as the Commission decides.

Rules.

8. The Commission may make rules not inconsistent with this Act, the *Combines Investigation Act* or the *Inquiries Act*, respecting the sittings of the Commission and the practice and procedure in the case of investigations or other business of the Commission, and the apportionment of duties amongst the Commissioners and respecting the duties and employment of the officers, clerks and employees of the Commission.

Officials of Tariff Board to be officials of the Commission.

9. (1) The Secretary and other officers, clerks and employees of the Tariff Board shall, by virtue of holding office or being employed under the Tariff Board and by virtue of this Act, be officers, clerks or employees of the Commission and shall perform, for and under the direction of the Commission, services and functions similar to the services and functions performed by them as officers, clerks or employees of the Tariff Board.

Tenure of office.

(2) Each officer, clerk or employee of the Commission shall hold office or be employed only during such time as he continues to hold office or be employed as an officer, clerk or employee of the Tariff Board.

No additional remuneration.

10. No Commissioner or officer, clerk or employee of the Commission shall receive any remuneration in addition to that received by him as a member, officer, clerk or employee of the Tariff Board.

Secrecy.

11. No person employed in the service of His Majesty shall communicate or allow to be communicated to any person not legally entitled thereto, any information obtained under the provisions of this Act or allow any such person to inspect or have access to any written statement or document furnished under this Act.

Penalty.

(2) Any person violating any provision of this section shall be liable on summary conviction to a penalty not exceeding two hundred dollars.

Payment of expenses.

12. The expenses of the Commission shall be paid out of moneys appropriated by Parliament for the purpose.

ADMINISTRATION OF COMBINES INVESTIGATION ACT.

Duties of Commission. R.S., c. 26.

13. The Commission shall be charged with the administration of the *Combines Investigation Act* and shall exercise all the powers and jurisdiction and perform all the duties conferred on the Commission under the said *Combines Investigation Act.*

PRICE AND PRODUCTION AGREEMENTS.

Agreements regulating price and production.

14. (1) In any case where the Commission, after full investigation under the *Combines Investigation Act*, is unanimously of opinion that wasteful or demoralizing competition exists in any specific industry, and that agreements between the persons engaged in the industry to modify such competition by controlling and regulating prices or production would not result in injury to or undue restraint of trade or be detrimental to or against the interest of the public, the Commission may so advise the Governor in Council and recommend that certain agreements be approved.

Approval and regulations by Governor in Council.

(2) The Governor in Council may, if of opinion that the conclusions of the Commission are well founded, approve of any such agreement, and shall make regulations requiring the Commission to determine from time to time whether the agreement is resulting in injury to or undue restraint of trade or is detrimental to the public interest.

Information and rescission of approval.

(3) The Commission shall require persons engaged in the industry to furnish full information relating to operations within the industry under the agreement and may at any time, of its own motion and in its absolute discretion, advise the Governor in Council to rescind the approval of the agreement and the Governor in Council may rescind the approval.

Consent of Commission for prosecution.

(4) In any case where the Governor in Council has approved an agreement under this section, no prosecution of a party to such agreement shall be instituted under the *Combines Investigation Act* or the *Criminal Code* for an offence arising in the performance of such agreement, except with the consent of the Commission.

COMMODITY STANDARDS.

Duties of Commission.

15. (1) The Commission shall be charged with responsibility for the prosecution of offences against acts of the Parliament of Canada and regulations thereunder, relating to commodity standards and may require the Director of Public Prosecutions to institute, undertake or carry on criminal proceedings for the punishment of any such offence.

Powers of Commission.

(2) The Commission may,—

(a) study, investigate, report and advise upon any question relating to commodity standards, the grading of commodities and the protection of consumers generally;

(b) inquire and hear representatives of industry and trade and of consumers as to the desirability of establishing commodity standards and grades for any commodity and report thereon to the Minister;

National Research Council.

Additional powers.

16. In addition to its powers and duties under any other statute or law, the National Research Council shall, on the request of the Commission, from time to time,—

(a) study, investigate, report and advise upon all matters relating to commodity standards;

(b) prepare draft specifications of commodity standards for any commodity or commodities or grades, and recommend methods of designating such grades;

(c) analyse and report upon any commodity as to its quality, properties and content, and as to whether and to what extent it conforms to the requirements of any recognized or generally accepted standard.

Reports in respect of products forwarded.

17. (1) The National Research Council shall, in respect of any commodity forwarded to it by the Commission or the Director of Public Prosecutions, report

Contents of report.

(a) the ingredients of such commodity, in so far as such information may be necessary to the proper use of the commodity;

(b) any adulterants and harmful, injurious or deleterious substances the commodity may be found to contain;

(c) its quality and probable performance and efficiency; and

(d) whether it conforms to any recognized or generally accepted standard and specification;

and if adequate information to answer the inquiry is not already available, the National Research Council shall analyse or test the commodity.

Not to be used for advertising purposes.

(2) The report of the National Research Council upon any analysis or test made under the provisions of this section shall not be used for advertising or commercial purposes in any way; and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable upon summary conviction, for each such offence, to a penalty not exceeding one hundred dollars.

"Canada Standard."

"Canada standard" to be national trademark.

18. (1) Notwithstanding anything contained in *The Unfair Competition Act, 1932*, or any other statute or law, the words "Canada Standard" shall be a national trademark and the exclusive property in and the right to the use of such trademark is hereby declared to be vested in His Majesty in the right of the Dominion of Canada, subject to the provisions of this Act.

Effect of application.

(2) Such national trademark, as applied to any commodity pursuant to the provisions of this Act or any other Act of the Parliament of Canada, shall constitute a representation that such commodity conforms to the requirements of a specification of a commodity standard for such commodity or class of commodity established under the provisions of any Act of the Parliament of Canada.

Conditions of use.

19. (1) Any producer or manufacturer or dealer or merchant in Canada may apply the national trademark "Canada Standard" to any commodity produced or manufactured or sold by him or to the covering thereof, in such manner as the Commission may by regulation prescribe, under and subject to the following conditions:—

(a) Such commodity shall conform to the requirements of a specification of a commodity standard for such commodity or class of commodity established under the provisions of any Act of the Parliament of Canada;

(b) Where grade designations, whether numerical or alphabetical or special, have been established under the provisions of any Act of the Parliament of Canada for various qualities of such commodity, the appropriate grade designation for each quality of such commodity shall be conspicuously applied to the commodity, or on the covering thereof, in association with the words "Canada Standard" in such form as the Commission may by regulation prescribe;

Penalty.

(2) Every person who applies the national trademark "Canada Standard" to any commodity in violation of the conditions hereinbefore provided shall be guilty of an offence and liable upon indictment, or upon summary conviction, to a penalty, for each and every such offence, not exceeding five thousand dollars in the case of a corporation, and not exceeding one thousand dollars in the case of an individual and in addition in the case of an individual to imprisonment for any term not exceeding six months.

UNFAIR TRADE PRACTICES.

Complaints.

20. The Commission shall receive complaints respecting unfair trade practices and may investigate the same and, either before or after an investigation, if of opinion that the alleged practice constitutes an offence against a law prohibiting unfair trade practices, shall communicate the same to the Attorney General of Canada and to the Director of Public Prosecutions or to the Attorney General of the province within which the offence is alleged to have been committed.

DIRECTOR OF PROSECUTIONS.

Appointment and salary.

21. (1) The Governor in Council may appoint an officer to be called the Director of Public Prosecutions with a salary not exceeding twelve thousand dollars per annum.

Barrister or advocate.

(2) A person appointed as Director of Public Prosecutions shall be a barrister or advocate of at least ten years standing at the bar of any of the provinces of Canada.

Tenure of office.

(3) The Director of Public Prosecutions shall hold office during good behaviour for a period of ten years from the date of appointment but may be removed for cause at any time by the Governor in Council.

Duties.

22. It shall be the duty of the Director of Public Prosecutions under the superintendence of the Minister of Justice

(a) to institute, undertake or carry on, at the instance of the Attorney General of Canada or the Commission criminal proceedings for violation of any of the laws prohibiting unfair trade practices in cases which appear to be of importance or difficulty or in which special circumstances or the refusal or failure of any other person to institute, undertake or carry on such proceedings appear to render the action of such Director necessary to secure the due prosecution of an offender;

(b) to give such advice or assistance to the Attorney General of any province in connection with the prosecution of offenders against laws prohibiting unfair trade practices as appears necessary to secure the prosecution of such offenders;

(c) to assist the Commission in the conduct of any investigation where it is alleged or complained that an offence against any of the laws prohibiting unfair trade practices has been or is likely to be committed.

FAIR TRADE CONFERENCES

Conferences.

23. (1) The Commission may at the instance of the Governor in Council or at the request of representative persons engaged in any industry, or of its own motion, invite persons engaged in such industry to a conference for the purpose of considering the commercial practices prevailing in such industry and determining what practices are unfair or undesirable in the interest of the industry and of any person engaged in such industry and of the general public.

Publication.

(2) The Commission may make public the general opinion of the conference or the opinion of the Commission as to any trade practice considered to be unfair or undesirable.

CO-OPERATION WITH BOARDS OF TRADE.

Co-operation with boards of trade, etc.

24. The Commission may co-operate with and assist in any manner in which it deems advisable any board of trade or chamber of commerce in connection with any commercial arbitration being conducted by or under the direction or authority of such board of trade or chamber of commerce.

ECONOMIC INVESTIGATION.

Investigations.

25. The Commission shall have authority, when so required by the Governor in Council, to study, investigate, report and advise upon questions relating to the general trend of social or economic conditions or to any social or economic problem of Canada, and shall co-operate, when so required, with the Economic Council in connection with any economic investigation.

NEW SECURITIES ISSUES.

Power to investigate capital structure.

26. (1) The Commission shall in any case, if requested by the Secretary of State, investigate and review the capital structure of any company incorporated by or under any act of the Parliament of Canada, proposing to issue new shares, debentures or other securities to the public.

Information to be given as required by Commission.

(2) The Commission shall be furnished with such full information respecting the securities and the affairs of the company as the Commission may require, and no issue of such securities shall be made to the public unless or until every requirement of the Commission under this subsection has been complied with.

Power to disapprove or reject issues.

(3) The Commission may disapprove or reject any such issue but shall not give formal approval to any issue, and it shall be an offence for any person to state or imply in any public advertisement that the proposed issue has been approved or has not been disapproved or rejected by the Commission.

Offence.

(4) It shall be an offence for any person to be a party or privy to or assist in the issue of any securities which has been made without compliance with the provisions of this Act.

Penalty.

(5) Every person guilty of an offence under this section shall be liable on indictment to a penalty not exceeding one thousand dollars or three months' imprisonment or both fine and imprisonment.

GENERAL.

Provisions of other Acts applicable to inquiries.

27. All the provisions of the *Inquiries Act*, the *Combines Investigation Act* and of the *Tariff Act*, and of any amendment thereto not repugnant to the provisions of this Act shall apply to any inquiry or investigation under this Act and the Commission shall have all the powers of a commissioner appointed under the *Inquiries Act*, except in so far as any such powers may be inconsistent with the provisions of this Act.

Publication of certain reports.

28. (1) The Commission shall within fifteen days after making any report, recommendation or finding under this Act make the same public in such manner as seems desirable unless the Commission is unanimously of the opinion that the public interest would not be served by publication or that the public interest would be better served by withholding publication.

Reasons.

(2) Wherever possible the Commission shall with the report, recommendation or finding make public the reasons and the facts upon which the decision is based.

When the Act comes into force.

29. This Act shall come into force on the first day of October, 1935.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 86.

An Act to establish a Dominion Trade and Industry Commission.

AS PASSED BY THE HOUSE OF COMMONS, 20th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
98455 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA

BILL 86.

An Act to establish a Dominion Trade and Industry Commission.

Preamble.

WHEREAS on the second day of February, 1934, the House of Commons passed a Resolution that a Select Special Committee of that House be appointed to inquire into and investigate the causes of the large spread between the prices received for commodities by the producer thereof and the prices paid by the consumers therefor, and the system of distribution in Canada of natural and manufactured products; and whereas a Select Special Committee was accordingly appointed and proceeded with the investigation and on the twenty-ninth day of June, 1934, reported that the investigation could not be completed before Parliament prorogued and recommended that the members of the Select Special Committee be appointed commissioners under Part I of the *Inquiries Act* to continue and complete the investigation and report to the Minister of Trade and Commerce; and whereas the members of the Select Special Committee were accordingly appointed commissioners under the *Inquiries Act* and continued and completed the investigation and reported on the ninth day of April, 1935; and whereas the majority of the commissioners recommended that a Federal Trade and Industry Commission be established with powers to regulate commerce and industry; and whereas it is expedient and in the public interest that effect be given to the aforesaid recommendations in so far as it is within the competence of Parliament so to do: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S., c. 99.

Shor title

1. This Act may be cited as *The Dominion Trade and Industry Commission Act, 1935.*

INTERPRETATION.

Definitions.

2. In this Act, unless the context otherwise requires,—

"Commission".

(a) "Commission" means the Dominion Trade and Industry Commission established under this Act;

"Commissioner".

(b) "Commissioner" means a member of the Commission including the Chief Commissioner and Assistant Chief Commissioner;

"Commodity".

(c) "Commodity" means any article, product or thing, whether of growth, produce or manufacture, which is the subject of trade or commerce;

"Commodity standard".

(d) "Commodity standard" means the specification of a standard of quality, efficiency, efficacy, performance, purity, potency, grade, durability, size, weight or capacity or any other characteristic or combination of characteristics for any commodity intended for consumption or use and denoting its origin or nature and suitability to fulfil the purpose for which it is intended;

"Covering".

(e) "Covering" includes label, wrapper, package, sack, bag, barrel, box, case or other receptacle attached to, or in which, any commodity is sold or offered for sale;

"Director of Public Prosecutions."

(f) "Director of Public Prosecutions" means the Director of Public Prosecutions appointed under this Act.

"Industry".

(g) "Industry" includes merchandising;

"Laws prohibiting unfair trade practices".

(h) "Laws prohibiting unfair trade practices" means the provisions of the *Agricultural Pests Control Act*, *The Canada Grain Act*, the *Combines Investigation Act*, the *Dairy Industry Act*, the *Electrical Units Act*, *The Electricity Inspection Act, 1928*, the *Feeding Stuffs Act*, the *Fertilizer Act*, the *Fish Inspection Act*, the *Food and Drugs Act*, *The Fruit, Vegetables and Honey Act*, the *Gas Inspection Act*, the *Inspection and Sale Act*, the *Live Stock and Live Stock Products Act*, *The Maple Sugar Industry Act, 1930*, the *Meat and Canned Foods Act*, *The Natural Products Marketing Act, 1934*, *The Patent Act, 1935*, the *Petroleum and Naphtha Inspection Act*, *The Precious Metals Marking Act, 1928*, the *Proprietary or Patent Medicine Act*, the *Seeds Act*, the *Trade Mark and Design Act*, *The Unfair Competition Act, 1932*, the *Water Meters Inspection Act*, the *Weights and Measures Act*, and of sections 404, 405, 406, 415A and 486 to 504, inclusive, of the *Criminal Code*, and of this Act and regulations under the said Acts, which provisions prohibit acts or omissions connected with industry as being fraudulent, misrepresentative or otherwise unfair or detrimental to the public interest;

"Minister".

(i) "Minister" means the President of the King's Privy Council for Canada;

"Research Council".

(j) "National Research Council" means the Honorary Advisory Council for Scientific and Industrial Research established under the provisions of the *Research Council Act*.

"Tariff Board."
1931, c. 55.

(k) "Tariff Board" means the board established pursuant to *The Tariff Board Act*.

DOMINION TRADE AND INDUSTRY COMMISSION.

Commission.

3. (1) There shall be a Commission to be known as the Dominion Trade and Industry Commission consisting of three Commissioners, of whom one shall be the Chief Commissioner and another the Assistant Chief Commissioner.

Tariff Board to be commissioners. Chief and Assistant Commissioners.

(2) The members for the time being of the Tariff Board shall, by virtue of holding office as members of the said Board and by virtue of this Act, be the Commissioners, and the Chairman and the Vice-Chairman of the said Board shall be the Chief Commissioner and Assistant Chief Commissioner respectively.

Tenure of office.

(3) Each Commissioner shall hold office only during such time as he continues to hold office as a member of the Tariff Board.

Absence or incapacity.

4. (1) In case of the absence or incapacity of the Chief Commissioner, the Assistant Chief Commissioner shall exercise the powers of the Chief Commissioner for him and in his stead, and in such case all regulations, orders or other instruments signed by the Assistant Chief Commissioner shall have the like force and effect as if signed by the Chief Commissioner.

Presumption.

(2) Whenever the Assistant Chief Commissioner appears to have acted for or instead of the Chief Commissioner, it shall be conclusively presumed that he so acted in the absence or incapacity of the Chief Commissioner.

Authority to other Commissioners.

(3) If the Chief Commissioner deems it necessary for the more speedy or convenient despatch of business, he may authorize another Commissioner to sign regulations, orders or other instruments in his stead, and everything done pursuant to such authority shall have the like force and effect as if done by the Chief Commissioner.

Quorum.

5. (1) Two Commissioners, including either the Chief Commissioner or the Assistant Chief Commissioner, shall, except as otherwise provided in this Act, constitute a quorum, provided that in the case of an equal division of opinion as between two commissioners sitting as a quorum the third Commissioner shall be called on for his opinion; and provided further, that a preliminary inquiry under the *Combines Investigation Act* may be conducted by one Commissioner.

R.S., c. 26.

Commissioner *pro hac vice.*

(2) If any Commissioner, by reason of absence or incapacity, is unable at any time to perform the duties of his office, the Governor in Council may appoint a person to be a Commissioner *pro hac vice.*

Offices in Ottawa.

6. The office of the Commission shall be in the City of Ottawa, but the Commission may whenever circumstances render it expedient, hold sittings at any place in Canada.

Sittings.

7. The sittings of the Commission shall be public or private as the Commission decides.

Rules.

8. The Commission may make rules not inconsistent with this Act, the *Combines Investigation Act* or the *Inquiries Act*, respecting the sittings of the Commission and the practice and procedure in the case of investigations or other business of the Commission, and the apportionment of duties amongst the Commissioners and respecting the duties and employment of the officers, clerks and employees of the Commission.

Officials of Tariff Board to be officials of the Commission.

9. (1) The Secretary and other officers, clerks and employees of the Tariff Board shall, by virtue of holding office or being employed under the Tariff Board and by virtue of this Act, be officers, clerks or employees of the Commission and shall perform, for and under the direction of the Commission, services and functions similar to the services and functions performed by them as officers, clerks or employees of the Tariff Board.

Tenure of office.

(2) Each officer, clerk or employee of the Commission shall hold office or be employed only during such time as he continues to hold office or be employed as an officer, clerk or employee of the Tariff Board.

Rights to superannuation preserved.

R.S., c. 24.

(3) A civil servant who prior to or at the time of his appointment under the Tariff Board Act was or is a contributor under the provisions of the *Civil Service Superannuation Act* shall be eligible, notwithstanding the provisions of the *Civil Service Superannuation Act*, to continue to be a contributor under the said Act; his service under *The Tariff Board Act* shall be counted as service in the Civil Service for the purposes of the *Civil Service Superannuation Act* and he, his widow and children, or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act; and in the event of his being retired from his office or position under *The Tariff Board Act* for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the *Civil Service Superannuation Act* as if his office or position had been abolished.

No additional remuneration.

10. No Commissioner or officer, clerk or employee of the Commission shall receive any remuneration in addition to that received by him as a member, officer, clerk or employee of the Tariff Board.

Secrecy.

11. No person employed in the service of His Majesty shall communicate or allow to be communicated to any person not legally entitled thereto, any information obtained under the provisions of this Act or allow any such person to inspect or have access to any written statement or document furnished under this Act.

Penalty.

(2) Any person violating any provision of this section shall be liable on summary conviction to a penalty not exceeding two hundred dollars.

Payment of expenses.

12. The expenses of the Commission shall be paid out of moneys appropriated by Parliament for the purpose.

ADMINISTRATION OF COMBINES INVESTIGATION ACT.

Duties of Commission. R.S., c. 26.

13. The Commission shall be charged with the administration of the *Combines Investigation Act* and shall exercise all the powers and jurisdiction and perform all the duties conferred on the Commission under the said *Combines Investigation Act.*

PRICE AND PRODUCTION AGREEMENTS.

Agreements regulating price and production.

14. (1) In any case where the Commission, after full investigation under the *Combines Investigation Act,* is unanimously of opinion that wasteful or demoralizing competition exists in any specific industry, and that agreements between the persons engaged in the industry to modify such competition by controlling and regulating prices or production would not result in injury to or undue restraint of trade or be detrimental to or against the interest of the public, the Commission may so advise the Governor in Council and recommend that certain agreements be approved.

Approval and regulations by Governor in Council.

(2) The Governor in Council may, if of opinion that the conclusions of the Commission are well founded, approve of any such agreement, and shall make regulations requiring the Commission to determine from time to time whether the agreement is resulting in injury to or undue restraint of trade or is detrimental to the public interest.

Information and rescission of approval.

(3) The Commission shall require persons engaged in the industry to furnish full information relating to operations within the industry under the agreement and may at any time, of its own motion and in its absolute discretion, advise the Governor in Council to rescind the approval of the agreement and the Governor in Council may rescind the approval.

Consent of Commission for prosecution.

(4) In any case where the Governor in Council has approved an agreement under this section, no prosecution of a party to such agreement shall be instituted under the *Combines Investigation Act* or the relevant sections of the *Criminal Code* for an offence arising in the performance of such agreement, except with the consent of the Commission.

COMMODITY STANDARDS.

Duties of Commission.

15. (1) The Commission shall be charged with responsibility for the prosecution of offences against acts of the Parliament of Canada and regulations thereunder, relating to commodity standards and may require the Director of Public Prosecutions to institute, undertake or carry on criminal proceedings for the punishment of any such offence.

Powers of Commission.

(2) The Commission may,—

(a) study, investigate, report and advise upon any question relating to commodity standards, the grading of commodities and the protection of consumers generally;

(b) inquire and hear representatives of industry and trade and of consumers as to the desirability of establishing commodity standards and grades for any commodity and report thereon to the Minister;

National Research Council.

Additional powers.

16. In addition to its powers and duties under any other statute or law, the National Research Council shall, on the request of the Commission, from time to time,—

(a) study, investigate, report and advise upon all matters relating to commodity standards;

(b) prepare draft specifications of commodity standards for any commodity or commodities or grades, and recommend methods of designating such grades;

(c) analyse and report upon any commodity as to its quality, properties and content, and as to whether and to what extent it conforms to the requirements of any recognized or generally accepted standard.

Reports in respect of products forwarded.

17. (1) The National Research Council shall, in respect of any commodity forwarded to it by the Commission or the Director of Public Prosecutions, report

Contents of report.

(a) the ingredients of such commodity, in so far as such information may be necessary to the proper use of the commodity;

(b) any adulterants and harmful, injurious or deleterious substances the commodity may be found to contain;

(c) its quality and probable performance and efficiency; and

(d) whether it conforms to any recognized or generally accepted standard and specification;

and if adequate information to answer the inquiry is not already available, the National Research Council shall analyse or test the commodity.

Not to be used for advertising purposes.

(2) The report of the National Research Council upon any analysis or test made under the provisions of this section shall not be used for advertising or commercial purposes in any way; and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable upon summary conviction, for each such offence, to a penalty not exceeding one hundred dollars.

Advice, reports, etc., to be privileged.

(3) No action or other proceedings may be instituted against the National Research Council or any officer or employee of the Council, in respect of any advice, information or report given or made in good faith under this Act or any other Act of the Parliament of Canada.

"Canada Standard."

"Canada standard" to be national trademark.

18. (1) Notwithstanding anything contained in *The Unfair Competition Act, 1932*, or any other statute or law, the words "Canada Standard" or initials "C.S." shall be a national trademark and the exclusive property in and the right to the use of such trademark is hereby declared to be vested in His Majesty in the right of the Dominion of Canada, subject to the provisions of this Act.

Effect of application.

(2) Such national trademark, as applied to any commodity pursuant to the provisions of this Act or any other Act of the Parliament of Canada, shall constitute a representation that such commodity conforms to the requirements of a specification of a commodity standard for such commodity or class of commodity established under the provisions of any Act of the Parliament of Canada.

Conditions of use.

19. (1) Any producer or manufacturer or dealer or merchant in Canada may apply the national trademark "Canada Standard" or initials "C.S.," to any commodity produced or manufactured or sold by him or to the covering thereof, in such manner as the Commission may by regulation prescribe, under and subject to the following conditions:—

(a) Such commodity shall conform to the requirements of a specification of a commodity standard for such commodity or class of commodity established under the provisions of any Act of the Parliament of Canada;

(b) Where grade designations, whether numerical or alphabetical or special, have been established under the provisions of any Act of the Parliament of Canada for various qualities of such commodity, the appropriate grade designation for each quality of such commodity shall be conspicuously applied to the com-

modity, or on the covering thereof, in association with the words "Canada Standard" or initials "C.S." in such form as the Commission may by regulation prescribe;

Penalty.

(2) Every person who applies the national trademark "Canada Standard" or initials "C.S.," to any commodity in violation of the conditions hereinbefore provided shall be guilty of an offence and liable upon indictment, or upon summary conviction, to a penalty, for each and every such offence, not exceeding five thousand dollars in the case of a corporation, and not exceeding one thousand dollars in the case of an individual and in addition in the case of an individual to imprisonment for any term not exceeding six months.

UNFAIR TRADE PRACTICES.

Complaints.

20. The Commission shall receive complaints respecting unfair trade practices and may investigate the same and, either before or after an investigation, if of opinion that the alleged practice constitutes an offence against a law prohibiting unfair trade practices, shall communicate the same to the Attorney General of Canada and to the Director of Public Prosecutions or to the Attorney General of the province within which the offence is alleged to have been committed.

DIRECTOR OF PROSECUTIONS.

Appointment and salary.

21. (1) The Governor in Council may appoint an officer to be called the Director of Public Prosecutions with a salary not exceeding twelve thousand dollars per annum.

Barrister or advocate.

(2) A person appointed as Director of Public Prosecutions shall be a barrister or advocate of at least ten years standing at the bar of any of the provinces of Canada.

Tenure of office.

(3) The Director of Public Prosecutions shall hold office during good behaviour for a period of ten years from the date of appointment but may be removed for cause at any time by the Governor in Council.

Duties.

22. It shall be the duty of the Director of Public Prosecutions under the superintendence of the Minister of Justice

(a) to institute, undertake or carry on, at the instance of the Attorney General of Canada or the Commission criminal proceedings for violation of any of the laws prohibiting unfair trade practices in cases which appear to be of importance or difficulty or in which special circumstances or the refusal or failure of any other person to institute, undertake or carry on such proceedings appear to render the action of such Director necessary to secure the due prosecution of an offender;

(*b*) to give such advice or assistance to the Attorney General of any province in connection with the prosecution of offenders against laws prohibiting unfair trade practices as appears necessary to secure the prosecution of such offenders;

(*c*) to assist the Commission in the conduct of any investigation where it is alleged or complained that an offence against any of the laws prohibiting unfair trade practices has been or is likely to be committed.

FAIR TRADE CONFERENCES

Conferences.

23. (1) The Commission may at the instance of the Governor in Council or at the request of representative persons engaged in any industry, or of its own motion, invite persons engaged in such industry to a conference for the purpose of considering the commercial practices prevailing in such industry and determining what practices are unfair or undesirable in the interest of the industry and of any person engaged in such industry and of the general public.

Publication.

(2) The Commission may make public the general opinion of the conference or the opinion of the Commission as to any trade practice considered to be unfair or undesirable.

CO-OPERATION WITH BOARDS OF TRADE.

Co-operation with boards of trade, etc.

24. The Commission may co-operate with and assist in any manner in which it deems advisable any board of trade or chamber of commerce in connection with any commercial arbitration being conducted by or under the direction or authority of such board of trade or chamber of commerce.

ECONOMIC INVESTIGATION.

Investigations.

25. The Commission shall have authority, when so required by the Governor in Council, to study, investigate, report and advise upon questions relating to the general trend of social or economic conditions or to any social or economic problem of Canada, and shall co-operate, when so required, with the Economic Council, established under *The Economic Council of Canada Act, 1935*, in connection with any economic investigation.

NEW SECURITIES ISSUES.

Power to investigate capital structure.

26. (1) The Commission shall in any case, if requested by the Secretary of State, investigate and review the capital structure of any company incorporated by or under any act of the Parliament of Canada, proposing to issue new shares, debentures or other securities to the public.

Information to be given as required by Commission.

(2) The Commission shall be furnished with such full information respecting the securities and the affairs of the company as the Commission may require, and no issue of such securities shall be made to the public unless or until every requirement of the Commission under this subsection has been complied with.

Power to disapprove or reject issues.

(3) The Commission may disapprove or reject any such issue but shall not give formal approval to any issue, and it shall be an offence for any person to state or imply in any public advertisement that the proposed issue has been approved or has not been disapproved or rejected by the Commission.

Offence.

(4) It shall be an offence for any person to be a party or privy to or assist in the issue of any securities which has been made without compliance with the provisions of this Act.

Penalty.

(5) Every person guilty of an offence under this section shall be liable on indictment to a penalty not exceeding one thousand dollars or three months' imprisonment or both fine and imprisonment.

GENERAL.

Provisions of other Acts applicable to inquiries.

27. All the provisions of the *Inquiries Act*, the *Combines Investigation Act* and of the *Tariff Act*, and of any amendment thereto not repugnant to the provisions of this Act shall apply to any inquiry or investigation under this Act and the Commission shall have all the powers of a commissioner appointed under the *Inquiries Act*, except in so far as any such powers may be inconsistent with the provisions of this Act.

Publication of certain reports.

28. (1) The Commission shall within fifteen days after making any report, recommendation or finding under this Act make the same public in such manner as seems desirable unless the Commission is unanimously of the opinion that the public interest would not be served by publication or that the public interest would be better served by withholding publication.

Reasons.

(2) Wherever possible the Commission shall with the report, recommendation or finding make public the reasons and the facts upon which the decision is based.

Hearings.

(3) In the case of any agreement or proposed agreement for the control and regulation of prices or production, the Commission shall in such manner as seems desirable make the same public, and shall fix a date at least fifteen days from the date of publication aforesaid for hearing representations by any interested persons whether producers, consumers or others.

When the Act comes into force.

29. This Act shall come into force on the first day of October, 1935.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 95.

An Act respecting Fruit, Vegetables and Honey.

First reading, June 7, 1935.

THE MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
99868 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 95.

An Act respecting Fruit, Vegetables and Honey.

R.S., c. 181; 1929, c. 7; 1931, c. 47; 1934, c. 18.

HIS 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 Fruit, Vegetables and Honey Act.*

INTERPRETATION.

Definitions.

2. In this Act, unless the context otherwise requires,

"Broker."

(a) "broker" means any person engaged in negotiating consignments, sales or purchases for or on behalf of the vendor or purchaser respectively;

"Closed package".

(b) "closed package" means any package the contents of which cannot be satisfactorily inspected without removing the cover, lid or other closing device;

"Commission agent".

(c) "commission agent" means any person who receives and handles produce on commission;

"Dealer".

(d) "dealer" means any person who acquires produce other than as a retailer or who acting in a representative capacity collects from two or more primary producers and in either case sells the same or consigns or transports the same for sale;

"Establishment".

(e) "establishment" means any plant, factory or premises in which produce is canned or preserved for food for export;

"Export".

(f) "export" means export out of Canada or out of any province to any other province thereof;

"Fruit".

(g) "fruit" means fruit known botanically as such of any kind grown in Canada but does not however include any species of wild fruit in respect of which no grade is established;

Explanatory Notes.

The purpose of this Bill is

(a) to consolidate the Root Vegetables Act, chapter 181 of the Revised Statutes of Canada, 1927, as amended by chapter 7 of the statutes of 1929 and chapter 47 of the statutes of 1931, with The Fruit and Honey Act, 1934, chapter 18 of the statutes of 1934, many of their provisions being identical; and

(b) to give effect to that part of the Price Spreads Report referred to in the explanatory note to section eight of the Bill.

2. *(a) (c) (d)* These definitions are adopted from Part II of The Fruit and Honey Act, 1934 "dealer" being amended to exclude the retailer and the person selling or shipping only produce of his own growing.

2. *(e) (f)* With "establishment" and "export" so defined, compulsory inspection of produce intended for canning will apply only to canneries operating under permit to ship out of the province or out of Canada.

"Grade". *(h)* "grade" means any grade established pursuant to the provisions of this Act;

"Inspector". *(i)* "inspector" means any person charged by the Minister with duties relating to the enforcement of this Act;

"Minister". *(j)* "Minister" means the Minister of Agriculture;

"Produce". *(k)* "produce" means fruit or vegetable as defined herein and honey but for the purposes of sections ten, eleven and twelve of this Act excludes honey and includes any kind of fruit or vegetable not grown in Canada;

"To pack". *(l)* "to pack" means to place produce in any package for the purpose of sale;

"Vegetable". *(m)* "vegetable" means vegetable known botanically as such of any kind grown in Canada.

REGULATIONS.

Regulations. **3.** (1) The Minister may from time to time make regulations,

Grades. *(a)* classifying and establishing grades for each kind of produce;

Inspection, etc. *(b)* with respect to the inspection, grading, packages and packing, marking, shipment, advertisement and sale of produce produced within or without Canada;

Fees. *(c)* prescribing fees for inspection, registration and licensing;

Operation. *(d)* prescribing when and where any regulation shall be in force;

Registration. *(e)* with respect to the registration of packers and of persons assembling honey;

Licences. *(f)* with respect to the licensing of brokers, commission agents and dealers;

Sanitation. *(g)* with respect to the cleanliness and sanitation of all premises in which produce is graded or packed or in which honey is assembled, graded or packed;

Penalties. *(h)* prescribing punishment upon summary conviction for the violation of any regulation including maximum and minimum fines not exceeding two hundred dollars and imprisonment not exceeding one month for default in payment of any such fine;

General. *(i)* with respect to any other matter concerning which the Minister deems any regulation necessary for the execution of the purposes of this Act.

Date of coming into force. (2) Regulations made under this Act shall be in force from the date of their publication in the *Canada Gazette* unless otherwise provided therein.

INSPECTION.

Inspectors. **4.** There may be appointed from time to time in the manner authorized by law such inspectors as are necessary for the enforcement of this Act.

2. *(k)* Such definition of "produce" includes honey for those sections of the legislation which were duplicated in Part III of The Fruit and Honey Act, 1934, but excludes honey from those sections relating to licensing of traders, subject to future inclusion of honey by deletion of the words "excludes honey and" upon request of the beekeepers of Canada.

3. The following are references to the provisions of The Fruit and Honey Act 1934, (Fruit) and the Root Vegetables (Veg.) to be consolidated and condensed in this section:—

(a) (Fruit) 3 *(a)*, 37 *(a)*;
(Veg.) 3 *(a)*.

(b) (Fruit) 3 *(b)*, 3 *(c)*, 3 *(d)*, 3 *(e)*, 3 *(f)*, 3 *(h)*, 3 *(i)*, 37 *(b)*, 37 *(c)*, 37 *(d)*, 37 *(f)*, 37 *(g)*, 37 *(j)*;
(Veg.) 3 *(b)*, 3 *(c)*, 3 *(d)*, 5.

(c) (Fruit) 3 *(d)*, 3 *(i)*, 34 *(a)*, 37 *(d)*, 37 *(e)*;
(Veg.) 3 *(b)*.

(d) (Fruit) 3 *(g)*, 37 *(h;* (Veg.) 3 *(e)*.

(e) (Fruit) 3 *(i)*, 3 *(j)*, 37 *(e)*.

(f) (Fruit) 34 *(a)*, 34 *(b)*, 34 *(c)*, 34 *(d)*.

(g) (Fruit) 37 *(i)*.

(h) (Fruit) 3 *(k)*, 37 *(k)*.

(i) (Fruit) 3 *(l)*, 34 *(f)*, 37 *(j)*; (Veg.) 3 *(f)*.

3. (2) (Fruit) 27; (Veg.) 5 (3).

4. (Fruit) 28; (Veg.) 4 *(l)*.

Powers of inspectors.

5. Any inspector appointed under this Act may at any time, for the purposes of carrying into effect any provision of this Act or regulations made thereunder,

(a) enter any place or premises, or any steamship, vessel or boat, or any carriage, car, truck or other vehicle used for the carriage of produce;

(b) require to be produced for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading, sales records, temperature records or other papers;

(c) inspect any produce which is being transported by any vehicle and require the driver of any vehicle suspected to be carrying produce, to stop for the purpose of inspection;

(d) detain for the time necessary to complete his inspection, any shipment of produce;

(e) at the expense of the producer or packer take samples of honey from any apiary or other place where honey is prepared or packed.

Detention of produce and notice.

6. Produce detained under this Act or regulations shall at all times be at the risk and expense of the owner, but the inspector shall immediately notify the packer, owner or person having possession of such produce, by prepaid telegram, letter or otherwise, that such produce is being detained in storage or otherwise as the case may be.

Certificate to be *primâ facie* evidence.

7. An inspection certificate purporting to be signed by an inspector shall be *primâ facie* evidence of the facts stated in such certificate and conclusive evidence of the authority of the person giving or making the same without any proof of appointment or signature.

Produce intended for canning.

8. All produce intended for canning in any establishment shall be presented for inspection and grading as provided by the regulations.

Obstructing inspector.

9. No person shall obstruct any inspector or refuse to permit produce to be inspected or give to an inspector a false name or address or other false information.

LICENSING AND REGISTRATION.

Commission agent to obtain licence.

10. No commission agent shall accept or offer to accept for sale on commission or otherwise deal in any produce shipped from a point outside the province in which he carries on business unless he has obtained a licence from the Minister.

5. (Fruit) 17; (Veg.) 13.

5. *(e)* Provision for taking samples where fruit is canned or manufactured into jam is made at section 10 of the regulations under the Meat and Canned Foods Act, but it appears desirable to provide in the Act for the taking of testing samples of honey where it is being prepared or packed.

6. (Fruit) 18.

7. (Fruit) 21; (Veg.) 4 (2). The words "without any proof of appointment or signature" are added to obviate the expense and delay of summoning the inspector who made any certificate being presented in evidence.

8. The Price Spreads Report at page xxi recommends "the extension to all canning plants and to all produce of the experimental inspection service began in 1934 and designed to check deliveries of fruit and vegetables for quality, grading and weight. This should remove complaints of arbitrary and excessive 'dockage'."

9. (Fruit) 16; (Veg.) 16.

10. (Fruit) 31.

Dealer to obtain licence.

11. No dealer shall ship, buy, accept or offer to accept or otherwise deal in any produce shipped from or to a point outside the province in which he carried on business unless he has obtained a licence from the Minister.

Broker to obtain licence.

12. No broker shall engage in negotiating shipments on consignment, sales or purchases of any produce from or to a point outside the province in which he carries on business for or on behalf of the vendor or purchaser unless he has obtained a licence from the Minister.

Registration of foremen or head packers.

13. The Minister may at the request of any provincial Growers' Association authorize the registration of foremen packers or head packers in charge of or responsible for the work of one or more persons engaged in packing of produce in orchards, packing-houses, warehouses or other premises.

Registration of honey exporters.

14. No person shall assemble or ship honey for export unless he be first duly registered in accord with the regulations.

MISCELLANEOUS.

15. No person shall

Transporting, packing, sale, etc., to be according to Act and regulations.

(a) transport, pack, advertise, display or offer for sale, sell or have in his possession for sale any produce which has not been graded and inspected and, if in packages, packed and marked in accordance with the provisions of this Act and the regulations thereunder, the onus of proof of compliance with such provisions being upon the person charged;

Produce below minimum grade.

(b) offer or accept for shipment or ship, transport, offer for sale or sell any produce which is below the minimum grade for such kind of produce, except to a person engaged in the operation of an establishment or other manufacturing or processing plant;

Fraudulent grading.

(c) represent any produce which he packs, offers for sale or sells in any package to be of a certain grade, variety or class unless such produce has been graded and the package marked in accordance with the regulations;

Misrepresentation.

(d) misrepresent the grade, variety, class or origin of any produce packed, offered for sale or sold by him in any kind of package;

Frafulent packing.

(e) sell or offer for sale or have in his possession for sale any produce in any package of which the faced or shown surface falsely represents the contents in that more than ten per cent of the produce is smaller in size than, or inferior in grade to, or different in variety or maturity from such faced or shown surface;

11. (Fruit) 32.

12. (Fruit) 33.

13 (Fruit) 20.

14. (Fruit) 40.

15. *(a)* (Fruit) 4, 38.

(b) (Fruit) 9.

(c) (Fruit) 5 (1).

(d) (Fruit) 5 (2).

(e) (Fruit) 6; (Veg.) 9.

Packages must be full.

(f) sell or offer for sale any produce in any package unless such package is well and properly filled;

Pilfering carelessly handling, etc.

(g) pilfer or carelessly handle or destroy produce in the process of packing or in transporting, warehousing or otherwise dealing therewith;

Obliterating old marks when re-using packages.

(h) sell, expose, offer for sale or have in his possession for sale or use again for packing produce any package previously marked in accordance with the Act and regulations unless he first completely removes, erases or obliterates the previous marks;

Unlawfully using marks.

(i) without authority

(i) use any registered number or mark assigned to any other person;

(ii) use any brand, stencil or label designating the owner, packer or shipper;

(iii) alter, efface or obliterate or cause to be altered, effaced or obliterated, wholly or partially, any marks on any package which has been inspected;

(iv) mark any package of produce in a manner describing or relating to the grade of the contents otherwise than as required by any regulation under this Act.

Receiving produce for carriage not properly marked.

16. No common carrier shall receive any produce for carriage or carry to a destination without the province wherein the same is received unless such produce is accompanied by any inspection certificate or other evidence of inspection prescribed by regulation.

OFFENCES AND PENALTIES.

Offence against section 9.

17. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than two hundred dollars and in default of payment of fine to imprisonment for a term not exceeding two months unless the fine is sooner paid who contravenes any provision of section nine of this Act.

Offence against sections 10, 11 or 12.

18. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars and in default of payment of fine to imprisonment for a term not exceeding two months unless the fine is sooner paid who contravenes any provision of sections ten, eleven or twelve of this Act.

Offence against sections 14, 15 or 16.

19. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars and not less than twenty-five dollars for a first offence and to a fine not exceeding one hundred dollars and not less than fifty dollars for a second offence and to a fine not exceeding two hundred dollars and not less than one hundred

(f) (Fruit) 8; (Veg.) 11.

(g) (Fruit) 14.

(h) (Fruit) 10; (Veg.) 6.

(i) (i) (Fruit) 11;

(ii) (Fruit) 12;

(iii) (Fruit) 13; (Veg.) 15;

(iv) (Fruit) 3 *(b)*.

16. (Fruit) 15, 39.

17. (Fruit) 22 (3).

18. (Fruit) 35.

19. (Fruit) 22 (1); (Veg.) 14.

dollars for each subsequent offence and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid who contravenes any provision of sections fourteen, fifteen or sixteen of this Act.

Offences against Act or regulations for which no penalty is specified.

20. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars and not less than twenty-five dollars and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid who contravenes any provision of this Act or regulations thereunder in respect of which no penalty is hereinbefore or in any regulation specified.

Detention of produce.

21. All produce and all produce packages in respect of which any offence against this Act or regulations thereunder is committed may be placed under detention by an inspector at the risk and expense of the owner until such time as such produce or produce packages comply with the provisions of this Act or regulations thereunder, or after a conviction of the owner by a court of competent jurisdiction, may be forfeited to His Majesty and may be destroyed or otherwise disposed of as the Minister may direct.

Application of fines.

22. Any pecuniary penalty imposed under this Act shall be payable to His Majesty in the right of the Dominion of Canada.

Jurisdiction on complaints and averments.

23. For the purpose of jurisdiction under the provisions of the *Criminal Code* relating to summary convictions, in any complaint, information or conviction for a violation of any of the provisions of this Act or regulations, the matter complained of may be alleged and shall be held to have arisen at the place where the produce was packed, sold, offered, exposed or had in possession for sale or transportation, as the case may be, or at the residence or usual place of residence of the accused.

Remedies preserved.

24. No proceedings taken under this Act or conviction recorded shall in any way affect the right of any person to any legal remedy to which he may otherwise be entitled.

GENERAL.

25. Sections fifteen and sixteen of this Act shall not apply

Vegetables exceptedfrom sections 15 and 16.

(a) to certified seed potatoes as the same are defined by the *Destructive Insect and Pest Act* or any regulations made in accordance with the provisions of the same;

(b) to vegetables with the top leaves attached commonly termed "green vegetables."

20. (Fruit) 22 (4).

21. (Fruit) 23.

22. (Fruit) 25; (Veg.) 5 (2).

23. (Fruit) 24; (Veg.) 17.

24. (Fruit) 26.

25. (Veg.) 19.

REPEAL.

R.S., c. 181, 1934, c. 18, repealed.

26. The *Root Vegetables Act*, chapter one hundred and eight-one of the Revised Statutes of Canada, 1927, and *The Fruit and Honey Act, 1934*, chapter eighteen of the statutes of 1934 are repealed.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 95.

An Act respecting Fruit, Vegetables and Honey.

AS PASSED BY THE HOUSE OF COMMONS, 20th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
99870 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 95.

An Act respecting Fruit, Vegetables and Honey.

R.S., c. 181; 1929, c. 7; 1931, c. 47; 1934, c. 18.

HIS 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 Fruit, Vegetables and Honey Act.*

INTERPRETATION.

Definitions.

2. In this Act, unless the context otherwise requires,

"Broker."

(a) "broker" means any person engaged in negotiating consignments, sales or purchases for or on behalf of the vendor or purchaser respectively;

"Closed package".

(b) "closed package" means any package the contents of which cannot be satisfactorily inspected without removing the cover, lid or other closing device;

"Commission agent".

(c) "commission agent" means any person who receives and handles produce on commission;

"Dealer".

(d) "dealer" means any person who acquires produce other than as a retailer or who acting in a representative capacity collects from two or more primary producers and in either case sells the same or consigns or transports the same for sale;

"Establishment".

(e) "establishment" means any plant, factory or premises in which produce is canned or preserved for food for export;

"Export".

(f) "export" means export out of Canada or out of any province to any other province thereof;

"Fruit".

(g) "fruit" means fruit known botanically as such of any kind grown in Canada but does not however include any species of wild fruit in respect of which no grade is established;

Explanatory Notes.

The purpose of this Bill is

(a) to consolidate the Root Vegetables Act, chapter 181 of the Revised Statutes of Canada, 1927, as amended by chapter 7 of the statutes of 1929 and chapter 47 of the statutes of 1931, with The Fruit and Honey Act, 1934, chapter 18 of the statutes of 1934, many of their provisions being identical; and

(b) to give effect to that part of the Price Spreads Report referred to in the explanatory note to section eight of the Bill.

2. *(a) (c) (d)* These definitions are adopted from Part II of The Fruit and Honey Act, 1934 "dealer" being amended to exclude the retailer and the person selling or shipping only produce of his own growing.

2. *(e) (f)* With "establishment" and "export" so defined, compulsory inspection of produce intended for canning will apply only to canneries operating under permit to ship out of the province or out of Canada.

"Grade". *(h)* "grade" means any grade established pursuant to the provisions of this Act;

"Inspector". *(i)* "inspector" means any person charged by the Minister with duties relating to the enforcement of this Act;

"Minister". *(j)* "Minister" means the Minister of Agriculture;

"Produce". *(k)* "produce" means fruit or vegetable as defined herein and honey but for the purposes of sections ten, eleven and twelve of this Act excludes honey and includes any kind of fruit or vegetable not grown in Canada;

"To pack". *(l)* "to pack" means to place produce in any package for the purpose of sale;

"Vegetable". *(m)* "vegetable" means vegetable known botanically as such of any kind grown in Canada.

REGULATIONS.

Regulations. **3.** (1) The Minister may from time to time make regulations,

Grades. *(a)* classifying and establishing grades for each kind of produce;

Inspection, etc. *(b)* with respect to the inspection, grading, packages and packing, marking, shipment, advertisement and sale of produce produced within or without Canada;

Fees. *(c)* prescribing fees for inspection, registration and licensing;

Operation. *(d)* prescribing when and where any regulation shall be in force;

Registration. *(e)* with respect to the registration of packers and of persons assembling honey;

Licences. *(f)* with respect to the licensing of brokers, commission agents and dealers;

Sanitation. *(g)* with respect to the cleanliness and sanitation of all premises in which produce is graded or packed or in which honey is assembled, graded or packed;

Penalties. *(h)* prescribing punishment upon summary conviction for the violation of any regulation including maximum and minimum fines not exceeding two hundred dollars and imprisonment not exceeding one month for default in payment of any such fine;

General. *(i)* with respect to any other matter concerning which the Minister deems any regulation necessary for the execution of the purposes of this Act.

Date of coming into force. (2) Regulations made under this Act shall be in force from the date of their publication in the *Canada Gazette* unless otherwise provided therein.

INSPECTION.

Inspectors. **4.** There may be appointed from time to time in the manner authorized by law such inspectors as are necessary for the enforcement of this Act.

2. *(k)* Such definition of "produce" includes honey for those sections of the legislation which were duplicated in Part III of The Fruit and Honey Act, 1934, but excludes honey from those sections relating to licensing of traders, subject to future inclusion of honey by deletion of the words "excludes honey and" upon request of the beekeepers of Canada.

3. The following are references to the provisions of The Fruit and Honey Act 1934, (Fruit) and the Root Vegetables (Veg.) to be consolidated and condensed in this section:—

(a) (Fruit) 3 *(a)*, 37 *(a)*;
(Veg.) 3 *(a)*.

(b) (Fruit) 3 *(b)*, 3 *(c)*, 3 *(d)*, 3 *(e)*, 3 *(f)*, 3 *(h)*, 3 *(i)*, 37 *(b)*, 37 *(c)*, 37 *(d)*, 37 *(f)*, 37 *(g)*, 37 *(j)*;
(Veg.) 3 *(b)*, 3 *(c)*, 3 *(d)*, 5.

(c) (Fruit) 3 *(d)*, 3 *(i)*, 34 *(a)*, 37 *(d)*, 37 *(e)*;
(Veg.) 3 *(b)*.

(d) (Fruit) 3 *(g)*, 37 *(h;* (Veg.) 3 *(e)*.

(e) (Fruit) 3 *(i)*, 3 *(j)*, 37 *(e)*.

(f) (Fruit) 34 *(a)*, 34 *(b)*, 34 *(c)*, 34 *(d)*.

(g) (Fruit) 37 *(i)*.

(h) (Fruit) 3 *(k)*, 37 *(k)*.

(i) (Fruit) 3 *(l)*, 34 *(f)*, 37 *(j)*; (Veg.) 3 *(f)*.

3. (2) (Fruit) 27; (Veg.) 5 (3).

4. (Fruit) 28; (Veg.) 4 *(l)*.

Powers of inspectors.

5. Any inspector appointed under this Act may at any time, for the purposes of carrying into effect any provision of this Act or regulations made thereunder,

(a) enter any place or premises, or any steamship, vessel or boat, or any carriage, car, truck or other vehicle used for the carriage of produce;

(b) require to be produced for inspection or for the purpose of obtaining copies thereof or extracts therefrom, any books, shipping bills, bills of lading, sales records, temperature records or other papers;

(c) inspect any produce which is being transported by any vehicle and require the driver of any vehicle suspected to be carrying produce, to stop for the purpose of inspection;

(d) detain for the time necessary to complete his inspection, any shipment of produce;

(e) at the expense of the producer or packer take samples of honey from any apiary or other place where honey is prepared or packed.

Detention of produce and notice.

6. Produce detained under this Act or regulations shall at all times be at the risk and expense of the owner, but the inspector shall immediately notify the packer, owner or person having possession of such produce, by prepaid telegram, letter or otherwise, that such produce is being detained in storage or otherwise as the case may be.

Certificate to be *primâ facie* evidence.

7. An inspection certificate purporting to be signed by an inspector shall be *primâ facie* evidence of the facts stated in such certificate and conclusive evidence of the authority of the person giving or making the same without any proof of appointment or signature.

Produce intended for canning.

8. All produce intended for canning in any establishment shall be presented for inspection and grading as provided by the regulations.

Obstructing inspector.

9. No person shall obstruct any inspector or refuse to permit produce to be inspected or give to an inspector a false name or address or other false information.

LICENSING AND REGISTRATION.

Commission agent to obtain licence.

10. No commission agent shall accept or offer to accept for sale on commission or otherwise deal in any produce shipped from a point outside the province in which he carries on business unless he has obtained a licence from the Minister

5. (Fruit) 17; (Veg.) 13.

5. *(e)* Provision for taking samples where fruit is canned or manufactured into jam is made at section 10 of the regulations under the Meat and Canned Foods Act, but it appears desirable to provide in the Act for the taking of testing samples of honey where it is being prepared or packed.

6. (Fruit) 18.

7. (Fruit) 21; (Veg.) 4 (2). The words "without any proof of appointment or signature" are added to obviate the expense and delay of summoning the inspector who made any certificate being presented in evidence.

8. The Price Spreads Report at page xxi recommends "the extension to all canning plants and to all produce of the experimental inspection service began in 1934 and designed to check deliveries of fruit and vegetables for quality, grading and weight. This should remove complaints of arbitrary and excessive 'dockage'."

9. (Fruit) 16; (Veg.) 16.

10. (Fruit) 31.

Dealer to obtain licence.

11. No dealer shall ship, buy, accept or offer to accept or otherwise deal in any produce shipped from or to a point outside the province in which he carried on business unless he has obtained a licence from the Minister.

Broker to obtain licence.

12. No broker shall engage in negotiating shipments on consignment, sales or purchases of any produce from or to a point outside the province in which he carries on business for or on behalf of the vendor or purchaser unless he has obtained a licence from the Minister.

Registration of foremen or head packers.

13. The Minister may at the request of any provincial Growers' Association authorize the registration of foremen packers or head packers in charge of or responsible for the work of one or more persons engaged in packing of produce in orchards, packing-houses, warehouses or other premises.

Registration of honey exporters.

14. No person shall assemble or ship honey for export unless he be first duly registered in accord with the regulations.

MISCELLANEOUS.

15. No person shall

Transporting, packing, sale, etc., to be according to Act and regulations.

(a) transport, pack, advertise, display or offer for sale, sell or have in his possession for sale any produce which has not been graded and inspected and, if in packages, packed and marked in accordance with the provisions of this Act and the regulations thereunder, the onus of proof of compliance with such provisions being upon the person charged;

Produce below minimum grade.

(b) offer or accept for shipment or ship, transport, offer for sale or sell any produce which is below the minimum grade for such kind of produce, except to a person engaged in the operation of an establishment or other manufacturing or processing plant;

Fraudulent grading.

(c) represent any produce which he packs, offers for sale or sells in any package to be of a certain grade, variety or class unless such produce has been graded and the package marked in accordance with the regulations;

Misrepresentation.

(d) misrepresent the grade, variety, class or origin of any produce packed, offered for sale or sold by him in any kind of package;

Frafulent packing.

(e) sell or offer for sale or have in his possession for sale any produce in any package of which the faced or shown surface falsely represents the contents in that more than ten per cent of the produce is smaller in size than, or inferior in grade to, or different in variety or maturity from such faced or shown surface;

11. (Fruit) 32.

12. (Fruit) 33.

13 (Fruit) 20.

14. (Fruit) 40.

15. *(a)* (Fruit) 4, 38.

(b) (Fruit) 9.

(c) (Fruit) 5 (1).

(d) (Fruit) 5 (2).

(e) (Fruit) 6; (Veg.) 9.

Packages must be full.

(f) sell or offer for sale any produce in any package unless such package is well and properly filled;

Pilfering carelessly handling, etc.

(g) pilfer or carelessly handle or destroy produce in the process of packing or in transporting, warehousing or otherwise dealing therewith;

Obliterating old marks when re-using packages.

(h) sell, expose, offer for sale or have in his possession for sale or use again for packing produce any package previously marked in accordance with the Act and regulations unless he first completely removes, erases or obliterates the previous marks;

Unlawfully using marks.

(i) without authority

(i) use any registered number or mark assigned to any other person;

(ii) use any brand, stencil or label designating the owner, packer or shipper;

(iii) alter, efface or obliterate or cause to be altered, effaced or obliterated, wholly or partially, any marks on any package which has been inspected;

(iv) mark any package of produce in a manner describing or relating to the grade of the contents otherwise than as required by any regulation under this Act.

Receiving produce for carriage not properly marked.

16. No common carrier shall receive any produce for carriage or carry to a destination without the province wherein the same is received unless such produce is accompanied by any inspection certificate or other evidence of inspection prescribed by regulation.

OFFENCES AND PENALTIES.

Offence against section 9.

17. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than two hundred dollars and in default of payment of fine to imprisonment for a term not exceeding two months unless the fine is sooner paid who contravenes any provision of section nine of this Act.

Offence against sections 10, 11 or 12.

18. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars and not less than one hundred dollars and in default of payment of fine to imprisonment for a term not exceeding two months unless the fine is sooner paid who contravenes any provision of sections ten, eleven or twelve of this Act.

Offence against sections 14, 15 or 16.

19. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars and not less than twenty-five dollars for a first offence and to a fine not exceeding one hundred dollars and not less than fifty dollars for a second offence and to a fine not exceeding two hundred dollars and not less than one hundred

(f) (Fruit) 8; (Veg.) 11.

(g) (Fruit) 14.

(h) (Fruit) 10; (Veg.) 6.

(i) (i) (Fruit) 11;

(ii) (Fruit) 12;

(iii) (Fruit) 13; (Veg.) 15;

(iv) (Fruit) 3 *(b)*.

16. (Fruit) 15, 39.

17. (Fruit) 22 (3).

18. (Fruit) 35.

19. (Fruit) 22 (1); (Veg.) 14.

dollars for each subsequent offence and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid who contravenes any provision of sections fourteen, fifteen or sixteen of this Act.

Offences against Act or regulations for which no penalty is specified.

20. Every person shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars and not less than twenty-five dollars and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid who contravenes any provision of this Act or regulations thereunder in respect of which no penalty is hereinbefore or in any regulation specified.

Detention of produce.

21. All produce and all produce packages in respect of which any offence against this Act or regulations thereunder is committed may be placed under detention by an inspector at the risk and expense of the owner until such time as such produce or produce packages comply with the provisions of this Act or regulations thereunder, or after a conviction of the owner by a court of competent jurisdiction, may be forfeited to His Majesty and may be destroyed or otherwise disposed of as the Minister may direct.

Application of fines.

22. Any pecuniary penalty imposed under this Act shall be payable to His Majesty in the right of the Dominion of Canada.

Jurisdiction on complaints and averments.

23. For the purpose of jurisdiction under the provisions of the *Criminal Code* relating to summary convictions, in any complaint, information or conviction for a violation of any of the provisions of this Act or regulations, the matter complained of may be alleged and shall be held to have arisen at the place where the produce was packed, sold, offered, exposed or had in possession for sale or transportation, as the case may be, or at the residence or usual place of residence of the accused.

Remedies preserved.

24. No proceedings taken under this Act or conviction recorded shall in any way affect the right of any person to any legal remedy to which he may otherwise be entitled.

GENERAL.

25. Sections fifteen and sixteen of this Act shall not apply

Vegetables exceptedfrom sections 15 and 16.

(a) to certified seed potatoes as the same are defined by the *Destructive Insect and Pest Act* or any regulations made in accordance with the provisions of the same;

(b) to vegetables with the top leaves attached commonly termed "green vegetables."

20. (Fruit) 22 (4).

21. (Fruit) 23.

22. (Fruit) 25; (Veg.) 5 (2).

23. (Fruit) 24; (Veg.) 17.

24. (Fruit) 26.

25. (Veg.) 19.

REPEAL.

R.S., c. 181, 1934, c. 18, repealed.

26. The *Root Vegetables Act*, chapter one hundred and eight-one of the Revised Statutes of Canada, 1927, and *The Fruit and Honey Act, 1934*, chapter eighteen of the statutes of 1934 are repealed.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to provide for the Constitution and Powers of the Canadian Grain Board.

First reading, June 10, 1935.

The PRIME MINISTER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95264 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to provide for the Constitution and Powers of the Canadian Grain Board.

HIS 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 Grain Board Act, 1935.*

INTERPRETATION.

Definitions.

2. (1) Unless the context otherwise requires,—

"Board."

(a) "Board" means the Canadian Grain Board;

"Elevator."

(b) "elevator" means a grain elevator or warehouse declared by section two hundred and thirty-three of the *Canada Grain Act*, being chapter eighty-six of the Revised Statutes of Canada, 1927, to be a work for the general advantage of Canada;

"Grain."

(c) "grain" means wheat, oats, barley, rye and flax produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia;

"Minister."

(d) "Minister" means the Minister of Trade and Commerce;

"Wheat."

(e) "wheat" means wheat produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia.

Words and expressions.

(2) Unless it is otherwise provided in this Act or the context otherwise requires, words and expressions employed in this Act shall be accorded the same meaning as is accorded to such words and expressions when employed in *The Canada Grain Act.*

THE CANADIAN GRAIN BOARD.

Constitution of Board.

3. (1) There shall be a board to be known as The Canadian Grain Board which shall consist of three members appointed by the Governor in Council.

Chief and Assistant Commissioners.

(2) One of the members shall be appointed Chief Commissioner and another Assistant Chief Commissioner and at sessions of the Board the Chief Commissioner shall preside and in his absence the Assistant Chief Commissioner.

Tenure of office.

(3) Each member shall hold office during good behaviour but may be removed for cause at any time by the Governor in Council, but no Commissioner shall hold office beyond the age of seventy years.

Salaries.

(4) The salaries of the members of the Board shall be fixed by the Governor in Council.

Quorum.

(5) Two members of the Board shall constitute a quorum.

Headquarters of Board.

(6) The headquarters of the Board shall be at the City of Winnipeg in the province of Manitoba.

Body corporate.

4. (1) The Board shall be a body corporate having capacity to contract and to sue and be sued in the name of the Board.

Power to hold real and personal property.

(2) The Board shall have power, solely for the purposes of this Act, to acquire, hold and dispose of real and personal property: Provided, however, that the Board shall not dispose of any real property without the approval of the Governor in Council.

Power of commercial banking and to borrow money.

Guarantee of advances to Board.

(3) The Board shall have power to enter into ordinary commercial banking arrangements on its own credit, and to borrow money on the security of grain delivered to it, and the Governor in Council may authorize the Minister of Finance to guarantee advances made to the Board hereunder or to make loans or advances to the Board on such terms and conditions as may be agreed upon.

Assistants and staff.

5. The Board may employ such technical, professional or other officers, clerks and employees as may be necessary for the conduct of its business.

Advisory Committee.

6. (1) The Governor in Council may appoint during pleasure an Advisory Committee, which committee shall consist of not more than seven members of whom four shall represent wheat producers.

Travelling and living expenses.

(2) The members of the Advisory Committee shall not receive any salary but shall be paid their necessary travelling and living expenses.

Meetings.

(3) The Board may call meetings of the Advisory Committee to be held at such time and place as the Board may decide, but not less often than once in each month.

Powers of Board respecting the orderly marketing of wheat in interprovincial and export trade.

7. (1) The Board shall undertake the orderly marketing of wheat in interprovincial and export trade and for such purposes shall have the following powers:—

(a) to receive and take delivery of wheat for marketing as offered by the producers or other persons having possession of or being entitled to deliver the same;

(*b*) to buy and sell wheat and, without restricting the generality of such powers, to acquire from the Canadian Co-operative Wheat Producers Limited upon terms to be approved by the Governor in Council, all wheat or contracts to purchase or take delivery of wheat in respect of which the Government of Canada has given any guarantee under any Relief Act;

(*c*) to store and transport wheat;

(*d*) to operate elevators, either directly or by means of agents, and subject to the provisions of *The Canada Grain Act* or any other statute or law, to pay such agents commissions, storage and other charges as the Board, with the approval of the Governor in Council, may deem proper;

(*e*) to make advances to producers and other persons delivering wheat at the time of delivery or at any time thereafter, such advances to be at such rate per bushel, according to grade or quality or place of delivery, as shall be determined by the Board with the approval of the Governor in Council; to issue to the aforesaid persons certificates entitling them to participate in the proceeds of the sale;

(*f*) generally to do all such other acts and things as may be necessary for the purpose of giving effect to the intent and meaning of this Act.

Grain other than wheat.

(2) The Board may also receive and take delivery of, buy, sell, store and transport oats, barley, rye and flax produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia.

Operation of elevators by Board only unless excepted by order.

8. Except as otherwise provided herein, every elevator shall be operated by or on behalf of the Board and no person other than the Board or an agent of the Board shall operate any elevator, unless such elevator has been excepted by order of the Board from the operation of this Act, and any elevator not excepted from the operation of this Act, operated otherwise than by the Board or an agent of the Board, shall be deemed to be operated in contravention of this Act.

Otherwise deemed contravention.

No receipt or delivery after notice of contravention.

9. No railway company or other person engaged in transportation shall receive or deliver any wheat from or to any elevator after notice has been given to it by the Board that such elevator is being operated in contravention of this Act.

No certificate of grade or weight after notice of contravention.

10. No certificate as to grade or weight shall be given by any inspecting officer under the *Canada Grain Act* in respect of grain stored in any elevator, after notice has been given by the Board that such elevator is being operated in contravention of this Act.

Form and contents of participation certificates and documents of title.

11. (1) The Board shall, with the approval of the Governor in Council, provide for the form and contents of participation certificates and other documents to be issued to producers and others delivering grain to the Board, for the conditions of negotiability of the same, for the substitution of such documents for others, and generally for establishing such system of dealing in grain as may be necessary to give effect to the provisions of this Act.

Approval and statement.

(2) No such document aforesaid shall be valid or effective unless it is in the form so approved and bears upon its face a statement to that effect.

Deductions from payments received by Board for all grain.

12. (1) As soon as the Board receives payment in full for all grain delivered during any crop year, there shall be deducted from the receipts all moneys disbursed by or on behalf of the Board for expenses, including all payments connected with or incident to the operations of the Board, including the remuneration, allowances, travelling and living expenses of the Commissioners, the members of the Advisory Committee and the officers, clerks and employees of the Board.

Distribution of balance.

(2) After deducting the aforesaid expenses, the balance shall be distributed *pro rata* amongst the persons holding participation certificates, in accordance with the regulations of the Board approved by the Governor in Council in that behalf.

Regulations.

13. The Board, with the approval of the Governor in Council, may make regulations prescribing the form of and the method by which any notice under this Act shall be given.

Penalties.

14. Every person who commits a breach of any provision of this Act or of any regulation made thereunder or who does anything in contravention thereof shall be guilty of an offence punishable on summary conviction by a fine not exceeding five hundred dollars or by imprisonment for a period not exceeding six months, or by both fine and imprisonment.

98.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to provide for the Constitution and Powers of the Canadian Grain Board.

REPRINTED AS AMENDED AND REPORTED BY THE SELECT SPECIAL COMMITTEE.

The PRIME MINISTER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1253 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to provide for the Constitution and Powers of the Canadian Wheat Board.

HIS 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 Wheat Board Act, 1935.*

INTERPRETATION.

Definitions.

2. (1) Unless the context otherwise requires,—

"Board."

(a) "Board" means the Canadian Wheat Board established under this Act;

"Elevator."

(b) "elevator" means a grain elevator or warehouse declared by section two hundred and thirty-three of the *Canada Grain Act*, being chapter eighty-six of the Revised Statutes of Canada, 1927, to be a work for the general advantage of Canada;

"Minister."

(c) "Minister" means the Minister of Trade and Commerce;

"Producer."

(d) "Producer" includes, as well as any person actually engaged in production of wheat, any person entitled, whether as landlord, vendor, mortgagee or otherwise, by contract or operation of law to the wheat grown by a producer or to any share therein;

"Wheat."

(e) "wheat" means wheat produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia.

Words and expressions.

(2) Unless it is otherwise provided in this Act or the context otherwise requires, words and expressions used in this Act shall be given the same meaning as is accorded to such words and expressions when used in *The Canada Grain Act.*

THE CANADIAN WHEAT BOARD.

Constitution of Board.

3. (1) There shall be a board to be known as The Canadian Wheat Board which shall consist of three members appointed by the Governor in Council.

Chief and Assistant Commissioners.

(2) One of the members shall be appointed Chief Commissioner and another Assistant Chief Commissioner and at sessions of the Board the Chief Commissioner shall preside and in his absence the Assistant Chief Commissioner.

Tenure of office.

(3) Each member shall hold office during good behaviour but may be removed for cause at any time by the Governor in Council, but no Commissioner shall hold office beyond the age of seventy years.

Salaries.

(4) The salaries of the members of the Board shall be fixed by the Governor in Council.

Quorum.

(5) Two members of the Board shall constitute a quorum.

Headquarters of Board.

(6) The headquarters of the Board shall be at the City of Winnipeg in the province of Manitoba.

Body corporate.

4. (1) The Board shall be a body corporate having capacity to contract and to sue and be sued in the name of the Board.

Power to hold real and personal property.

(2) The Board shall have power, solely for the purposes of this Act, to acquire, hold and dispose of real and personal property: Provided, however, that the Board shall not acquire or dispose of any real property without the approval of the Governor in Council.

Power of commercial banking and to borrow money. Guarantee of advances to Board.

(3) The Board shall have power to enter into ordinary commercial banking arrangements on its own credit, and to borrow money on the security of wheat delivered to it, and the Governor in Council may authorize the Minister of Finance to guarantee advances made to the Board hereunder or to make loans or advances to the Board on such terms and conditions as may be agreed upon.

Assistants and staff.

5. The Board may employ such technical, professional or other officers, clerks and employees as may be necessary for the conduct of its business.

Advisory Committee.

6. (1) The Governor in Council may appoint during pleasure an Advisory Committee to advise the Board, which committee shall consist of not more than seven members of whom four shall represent wheat producers.

Travelling and living expenses and honorarium.

(2) The members of the Advisory Committee shall not receive any salary but shall be paid their necessary travelling and living expenses and an honorarium of ten dollars per day for each day of absence from their homes while travelling to, attending and returning from the meetings of such Committee.

Meetings.

(3) The Board may call meetings of the Advisory Committee to be held at such time and place as the Board may decide, but not less often than once in each month.

Minister may call meetings.

(4) The Minister may call meetings of the Advisory Committee to be held at such time and place as he may determine.

Report of proceedings.

(5) The Advisory Committee, as soon as convenient after every meeting, shall report the proceedings thereof to the Minister.

Powers of Board respecting the marketing of wheat in interprovincial and export trade.

7. (1) The Board shall undertake the marketing of wheat in interprovincial and export trade and for such purposes shall have all the powers of a corporation and without limitation upon such powers the following:—

(a) to receive and take delivery of wheat for marketing as offered by the producers thereof;

(b) to buy and sell wheat: Provided that no wheat shall be purchased by the Board except from the producers thereof;

(c) to store and transport wheat;

(d) to operate elevators, either directly or by means of agents, and subject to the provisions of *The Canada Grain Act* or any other statute or law, to pay such agents commissions, storage and other charges, remuneration or compensation as may be agreed upon, with the approval of the Board of Grain Commissioners;

(e) to pay to producers delivering wheat at the time of delivery or at any time thereafter as may be agreed upon such fixed price per bushel, according to grade or quality or place of delivery, as may be determined by the Board with the approval of the Governor in Council; and to issue to such producers when such wheat is purchased certificates indicating the number of bushels purchased, the grade, quality and the price, which certificates shall entitle the producer named therein to a share in the equitable distribution of the surplus, if any, of the year's operations of the Board, it being the true intent and meaning of this section that each producer shall receive for the same grade and quality of wheat the same price on the Fort William basis. Such certificate shall not be transferable, and a statement to that effect shall be printed on the face thereof;

(f) notwithstanding anything hereinbefore contained, to acquire from Canadian Co-operative Wheat Producers Limited, upon terms to be approved by the Governor in Council, all wheat or contracts to purchase or take delivery of wheat in respect of which the Government of Canada has given a guarantee;

(g) generally to do all such other acts and things as may be necessary for the purpose of giving effect to the intent and meaning of this Act.

Duties of the Board.

8. It shall be the duty of the Board:—

(a) to fix a price to be paid to the producers for wheat delivered to the Board as by this Act provided, subject to the approval of the Governor in Council;

(b) to market from time to time all wheat or contracts for the purchase or delivery of wheat which the Board may acquire, for such price as it may consider reasonable, with the object of promoting the sale and use of Canadian wheat in world markets.

(c) to sell and dispose of stocks of wheat and contracts for the delivery of wheat acquired from Canadian Co-operative Wheat Producers Limited and the wheat represented by such contracts as speedily as may be reasonably possible, having regard to economic and other conditions;

(d) to keep proper books of account, giving such particulars therein as may be requisite for proper accounting in accordance with established practice;

(e) to report in writing on Friday of each week to the Minister, showing as at the end of the preceding week the purchases and sales of wheat during such period and the wheat on hand and contracts to take delivery of wheat then held, the cost of the same to the Board and the financial result of the Board's operations to the date of such report which report shall be certified by the Auditors of the Board;

(f) to make such other reports and furnish such other further information as the Minister may from time to time require;

(g) to appoint a responsible firm of Chartered Accountants for the purpose of auditing accounts and records and certifying the reports of the Board as the Governor in Council may require;

(h) to give effect to any Order in Council that may be passed with respect to its operations;

(i) in selling and disposing of wheat as by this Act provided, to utilize and employ without discrimination such marketing agencies, including commission merchants, brokers, elevator men, exporters and other persons engaged in or operating facilities for the selling and handling of wheat, as the Board in its discretion may determine;

(j) to offer continuously wheat for sale in the markets of the world through the established channels: Provided that the Board may, if in its opinion any existing agencies are not operating satisfactorily, take such steps as it deems expedient to establish, utilize and employ its own or other marketing agencies or channels;

(k) to make such investigations as from time to time it may deem necessary of the operations of the Winnipeg Grain and Produce Clearing Association and the

Winnipeg Grain Exchange in their dealings with wheat and other grains where such wheat and other grains are the subject of transactions affecting interprovincial or international trade, and for the purposes aforesaid the Board shall have, without the issue of any commission, all the power and authority conferred upon a commissioner appointed under the *Inquiries Act*, being chapter ninety-nine of the Revised Statutes of Canada, 1927, and shall from time to time report to the Minister the result of such investigations.

Operation of elevators by the Board.

9. (1) Except as otherwise provided herein, every elevator shall be operated for and on behalf of the Board and no person other than an agent of the Board shall operate any elevator, unless such elevator has been excepted by order of the Board from the operation of this Act, and any elevator not excepted from the operation of this Act, operated otherwise than for the Board or by an agent of the Board, shall be deemed to be operated in contravention of this Act.

Rescind or vary an order.

(2) The Board may from time to time rescind or vary any order made under this section.

Certificate is *prima facie* evidence.

(3) In any civil or criminal proceedings undertaken to enforce the provisions of this Act, a certificate given by the duly authorized officer of the Board that an elevator is being operated otherwise than by the Board or an agent of the Board shall be *prima facie* evidence that the elevator is being operated otherwise than by the Board or an agent of the Board.

No receipt or delivery after notice of contravention.

10. No railway company or other person engaged in transportation shall receive or deliver any wheat from or to any elevator after notice has been given to it by the Board that such elevator is being operated in contravention of this Act.

No certificate of grade or weight after notice of contravention.

11. No certificate as to grade or weight shall be given by any inspecting officer under the *Canada Grain Act* in respect of wheat stored in any elevator, after notice has been given by the Board that such elevator is being operated in contravention of this Act.

Form and contents of participation certificates, etc.

12. (1) The Board shall, with the approval of the Governor in Council, provide for the form and contents of certificates and other documents to be issued to producers delivering and selling wheat to the Board, for the substitution of such documents for others, and generally for establishing such system of dealing in wheat as may be necessary to give effect to the provisions of this Act.

Approval of documents.

(2) No such document aforesaid shall be valid or effective unless it is in the form so approved and bears upon its face printed words to that effect.

Deductions from receipts.

13. (1) As soon as the Board receives payment in full for all wheat delivered during any crop year, there shall be deducted from the receipts all moneys, disbursed by or on behalf of the Board for expenses, including all payments connected with or incident to the operations of the Board, including the remuneration, allowances, travelling and living expenses of the Commissioners, the members of the Advisory Committee and the officers, clerks and employees of the Board.

Distribution of balance.

(2) After deducting the aforesaid expenses, the balance shall be distributed *pro rata* amongst the producers holding certificates, in accordance with the regulations of the Board approved by the Governor in Council.

Application to oats, barley, rye and flax.

14. The Governor in Council may approve of the provisions of this Act being made applicable to oats, barley, rye and flax produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia, if the Board recommends that such approval be given, whereupon the provisions of this Act shall *mutatis mutandis* apply to oats, barley, rye and flax, or any one of them, as they apply to wheat.

Regulations.

15. (1) The Board may with the approval of the Governor in Council, make such regulations as may be necessary for the efficient operation and enforcement of this Act and for carrying out the provisions thereof according to their true intent and meaning, and prescribe penalties for the breach thereof punishable on summary conviction by a fine not exceeding one hundred dollars or by imprisonment for a period not exceeding one month.

Coming into force.

Publication.

(2) Regulations of the Governor in Council or of the Board approved by the Governor in Council shall come into force on publication in the *Canada Gazette* or on any date thereafter to be fixed in the regulations.

Penalties.

16. Every person who commits a breach of sections nine, ten or eleven of this Act or does anything in contravention thereof shall be guilty of an offence punishable on summary conviction by a fine not exceeding five hundred dollars or by imprisonment for a period not exceeding six months, or by both fine and imprisonment.

Operation of Act.

17. This Act, except sections nine, ten, eleven and sixteen shall come into force when assented to and sections nine, ten, eleven and sixteen shall come into force on proclamation of the Governor in Council.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to provide for the Constitution and Powers of the Canadian Wheat Board.

AS PASSED BY THE HOUSE OF COMMONS, 4th JULY, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
95266 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to provide for the Constitution and Powers of the Canadian Wheat Board.

HIS 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 Wheat Board Act, 1935.*

INTERPRETATION.

Definitions.

2. (1) Unless the context otherwise requires,—

"Board."

(a) "Board" means the Canadian Wheat Board established under this Act;

"Elevator."

(b) "elevator" means a grain elevator or warehouse declared by section two hundred and thirty-three of the *Canada Grain Act*, being chapter eighty-six of the Revised Statutes of Canada, 1927, to be a work for the general advantage of Canada;

"Minister."

(c) "Minister" means the Minister of Trade and Commerce;

"Producer."

(d) "Producer" includes, as well as any person actually engaged in production of wheat, any person entitled, whether as landlord, vendor, mortgagee or otherwise, by contract or operation of law to the wheat grown by a producer or to any share therein;

"Wheat."

(e) "wheat" means wheat produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia.

Words and expressions.

(2) Unless it is otherwise provided in this Act or the context otherwise requires, words and expressions used in this Act shall be given the same meaning as is accorded to such words and expressions when used in *The Canada Grain Act.*

THE CANADIAN WHEAT BOARD.

Constitution of Board.

3. (1) There shall be a board to be known as The Canadian Wheat Board which shall consist of three members appointed by the Governor in Council.

Chief and Assistant Commissioners.

(2) One of the members shall be appointed Chief Commissioner and another Assistant Chief Commissioner and at sessions of the Board the Chief Commissioner shall preside and in his absence the Assistant Chief Commissioner.

Tenure of office.

(3) Each member shall hold office during good behaviour but may be removed for cause at any time by the Governor in Council, but no Commissioner shall hold office beyond the age of seventy years.

Salaries.

(4) The salaries of the members of the Board shall be fixed by the Governor in Council.

Quorum.

(5) Two members of the Board shall constitute a quorum.

Headquarters of Board.

(6) The headquarters of the Board shall be at the City of Winnipeg in the province of Manitoba.

Body corporate.

4. (1) The Board shall be a body corporate having capacity to contract and to sue and be sued in the name of the Board.

Power to hold real and personal property.

(2) The Board shall have power, solely for the purposes of this Act, to acquire, hold and dispose of real and personal property: Provided, however, that the Board shall not acquire or dispose of any real property without the approval of the Governor in Council.

Power of commercial banking arrangements, to borrow money. Guarantee of advances to Board.

(3) The Board shall have power to enter into ordinary commercial banking arrangements on its own credit, and to borrow money on the security of wheat delivered to it, and the Governor in Council may authorize the Minister of Finance to guarantee advances made to the Board hereunder or to make loans or advances to the Board on such terms and conditions as may be agreed upon.

Assistants and staff.

5. The Board may employ such technical, professional or other officers, clerks and employees as may be necessary for the conduct of its business.

Advisory Committee.

6. (1) The Governor in Council may appoint during pleasure an Advisory Committee to advise the Board, which committee shall consist of not more than seven members of whom four shall represent wheat producers.

Travelling and living expenses and honorarium.

(2) The members of the Advisory Committee shall not receive any salary but shall be paid their necessary travelling and living expenses and an honorarium of ten dollars per day for each day of absence from their homes while travelling to, attending and returning from the meetings of such Committee.

Meetings.

(3) The Board may call meetings of the Advisory Committee to be held at such time and place as the Board may decide, but not less often than once in each month.

Minister may call meetings.

(4) The Minister may call meetings of the Advisory Committee to be held at such time and place as he may determine.

Report of proceedings.

(5) The Advisory Committee, as soon as convenient after every meeting, shall report the proceedings thereof to the Minister.

Powers of Board respecting the marketing of wheat in interprovincial and export trade.

7. The Board shall undertake the marketing of wheat in interprovincial and export trade and for such purposes shall have all the powers of a corporation and without limitation upon such powers the following:—

(a) to receive and take delivery of wheat for marketing as offered by the producers thereof;

(b) to buy and sell wheat: Provided that no wheat shall be purchased by the Board except from the producers thereof;

(c) to store and transport wheat;

(d) to operate elevators, either directly or by means of agents, and subject to the provisions of *The Canada Grain Act* or any other statute or law, to pay such agents commissions, storage and other charges, remuneration or compensation as may be agreed upon, with the approval of the Board of Grain Commissioners;

(e) to pay to producers delivering wheat at the time of delivery or at any time thereafter as may be agreed upon such fixed price per bushel, according to grade or quality or place of delivery, as may be determined by the Board with the approval of the Governor in Council; and to issue to such producers when such wheat is purchased certificates indicating the number of bushels purchased, the grade, quality and the price, which certificates shall entitle producers named therein to share in the equitable distribution of the surplus, if any, of the operations of the Board during the crop year, it being the true intent and meaning of this section that each producer shall receive for the same grade and quality of wheat the same price on the Fort William basis. Such certificate shall not be transferable, and a statement to that effect shall be printed on the face thereof;

(f) notwithstanding anything hereinbefore contained, to acquire from Canadian Co-operative Wheat Producers Limited, upon terms to be approved by the Governor in Council, all wheat or contracts to purchase or take delivery of wheat in respect of which the Government of Canada has given a guarantee;

(g) generally to do all such other acts and things as may be necessary for the purpose of giving effect to the intent and meaning of this Act.

Duties of the Board.

8. It shall be the duty of the Board:—

(a) to fix a price to be paid to the producers for wheat delivered to the Board as by this Act provided, subject to the approval of the Governor in Council;

(b) to sell and dispose of from time to time all wheat which the Board may acquire, for such price as it may consider reasonable, with the object of promoting the sale and use of Canadian wheat in world markets.

(c) to sell and dispose of stocks of wheat and contracts for the delivery of wheat acquired from Canadian Co-operative Wheat Producers Limited and the wheat represented by such contracts as speedily as may be reasonably possible, having regard to economic and other conditions;

(d) to keep proper books of account, giving such particulars therein as may be requisite for proper accounting in accordance with established practice;

(e) to report in writing to the Minister, on Friday of each week showing as at the end of the preceding week its purchases and sales of wheat during such week and the wheat on hand and contracts to take delivery of wheat then held, the cost of the same to the Board and the financial result of the Board's operations which report shall be certified by the auditors of the Board;

(f) to make such other reports and furnish such further information as the Minister may from time to time require;

(g) to appoint a responsible firm of Chartered Accountants for the purpose of auditing accounts and records and certifying the reports of the Board as the Governor in Council may require;

(h) to give effect to any Order in Council that may be passed with respect to its operations;

(i) in selling and disposing of wheat as by this Act provided, to utilize and employ without discrimination such marketing agencies, including commission merchants, brokers, elevator men, exporters and other persons engaged in or operating facilities for the selling and handling of wheat, as the Board in its discretion may determine;

(j) to offer continuously wheat for sale in the markets of the world through the established channels: Provided that the Board may, if in its opinion any existing agencies are not operating satisfactorily, take such steps as it deems expedient to establish, utilize and employ its own or other marketing agencies or channels;

(k) to make such investigations as from time to time it may deem necessary of the operations of the Winnipeg Grain and Produce Clearing Association and the

Winnipeg and Vancouver Grain Exchanges in their dealings in wheat and other grains where such wheat and other grains are the subject of transactions affecting interprovincial or international trade, and for the purposes aforesaid the Board shall have, without the issue of any commission, all the power and authority conferred upon a commissioner appointed under the *Inquiries Act*, being chapter ninety-nine of the Revised Statutes of Canada, 1927, and shall from time to time report to the Minister the result of such investigations.

Operation of elevators by the Board.

9. (1) Except as otherwise provided herein, every elevator shall be operated for and on behalf of the Board and no person other than an agent of the Board shall operate any elevator, unless such elevator has been excepted by order of the Board from the operation of this Act, and any elevator not excepted from the operation of this Act, operated otherwise than for the Board or by an agent of the Board, shall be deemed to be operated in contravention of this Act.

Rescind or vary an order.

(2) The Board may from time to time rescind or vary any order made under this section.

Certificate is *prima facie* evidence.

(3) In any civil or criminal proceedings undertaken to enforce the provisions of this Act, a certificate given by the duly authorized officer of the Board that an elevator is being operated otherwise than by the Board or an agent of the Board shall be *prima facie* evidence that the elevator is being operated otherwise than by the Board or an agent of the Board.

No receipt or delivery after notice of contravention.

10. No railway company or other person engaged in transportation shall receive or deliver any wheat from or to any elevator after notice has been given to it by the Board that such elevator is being operated in contravention of this Act.

No certificate of grade or weight after notice of contravention.

11. No certificate as to grade or weight shall be given by any inspecting officer under the *Canada Grain Act* in respect of wheat stored in any elevator, after notice has been given by the Board that such elevator is being operated in contravention of this Act.

Form and contents of participation certificates, etc.

12. (1) The Board shall, with the approval of the Governor in Council, provide for the form and contents of certificates and other documents to be issued to producers delivering and selling wheat to the Board, for the substitution of such documents for others, and generally for establishing such system of dealing in wheat as may be necessary to give effect to the provisions of this Act.

Approval of documents.

(2) No such document aforesaid shall be valid or effective unless it is in the form so approved and bears upon its face printed words to that effect.

Deductions from receipts.

13. (1) As soon as the Board receives payment in full for all wheat delivered during any crop year, there shall be deducted from the receipts all moneys, disbursed by or on behalf of the Board for expenses, including all payments connected with or incident to the operations of the Board, including the remuneration, allowances, travelling and living expenses of the Commissioners, the members of the Advisory Committee and the officers, clerks and employees of the Board.

Distribution of balance.

(2) After deducting the aforesaid expenses, the balance shall be distributed *pro rata* amongst the producers holding certificates issued pursuant to paragraph (*e*) of section seven of this Act, in accordance with the regulations of the Board approved by the Governor in Council.

Application to oats, barley, rye and flax.

14. The Governor in Council may approve of the provisions of this Act being made applicable to oats, barley, rye or flax produced in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia, if the Board recommends that such approval be given, whereupon the provisions of this Act shall *mutatis mutandis* apply to such kind of grain as they apply to wheat.

Regulations.

15. (1) The Board may with the approval of the Governor in Council, make such regulations as may be necessary for the efficient operation and enforcement of this Act and for carrying out the provisions thereof according to their true intent and meaning, and prescribe penalties for the breach thereof punishable on summary conviction by a fine not exceeding one hundred dollars or by imprisonment for a period not exceeding one month.

Coming into force.

Publication.

(2) Regulations of the Governor in Council or of the Board approved by the Governor in Council shall come into force on publication in the *Canada Gazette* or on any date thereafter to be fixed in the regulations.

Penalties.

16. Every person who commits a breach of sections nine, ten or eleven of this Act or does anything in contravention thereof shall be guilty of an offence punishable on summary conviction by a fine not exceeding five hundred dollars or by imprisonment for a period not exceeding six months, or by both fine and imprisonment.

Operation of Act.

17. This Act, except sections nine, ten, eleven and sixteen shall come into force when assented to and sections nine, ten, eleven and sixteen shall come into force on proclamation of the Governor in Council.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 99.

An Act respecting Radio Broadcasting.

First reading, June 12, 1935.

The Minister of Marine.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 99.

An Act respecting Radio Broadcasting.

1932, c. 51; 1932-33, c. 35; 1934, c. 60; 1934, c. 24.

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

Provisions of Act of 1932-33 re-enacted, for nine months.

1. The provisions of the Act to amend *The Canadian Radio Broadcasting Act, 1932*, chapter thirty-five of the statutes of 1932-33, as amended by chapter twenty-four of the statutes of the present session, are hereby re-enacted, except that in section four thereof the thirty-first day of March, 1936, shall be substituted for the thirtieth day of June, 1935.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 99.

An Act respecting Radio Broadcasting.

AS PASSED BY THE HOUSE OF COMMONS,
20th JUNE, 1935.

OTTAWA
J. O PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 99.

An Act respecting Radio Broadcasting.

1932, c. 51; 1932-33, c. 35; 1934, c. 60; 1934, c. 24.

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

Provisions of Act of 1932-33 re-enacted, for nine months.

1. The provisions of the Act to amend *The Canadian Radio Broadcasting Act, 1932*, chapter thirty-five of the statutes of 1932-33, as amended by chapter twenty-four of the statutes of the present session, are hereby re-enacted, except that in section four thereof the thirty-first day of March, 1936, shall be substituted for the thirtieth day of June, 1935.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend the Post Office Act.

First reading, June 12, 1935.

The MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

6th Session, 17th Parliament, 25-26 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend the Post Office Act.

R.S., c. 161; 1931, c. 45; 1932-33, c. 46.

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

1. Section seventy-seven of the *Post Office Act*, chapter one hundred and sixty-one, Revised Statutes of Canada, 1927, is repealed, and the following is substituted therefor with retroactive effect:—

No contract for more than four years.

"**77.** No contract shall be entered into for a longer term than four years; but the Postmaster General may, in special cases, when in his opinion the service has been satisfactorily performed under an expiring contract, and on conditions advantageous to the public interest, renew the contract with the same contractor for a further term, or terms, not exceeding four years each."

EXPLANATORY NOTES.

Section 77 as it now stands in the statutes reads as follows:—

"**77.** No contract shall be entered into for a longer term than four years; but the Postmaster General may, in special cases, when in his opinion the service has been satisfactorily performed under an expiring contract, and on conditions advantageous to the public interest, renew the contract with the same contractor for a further term not exceeding four years."

It is proposed to add after the word "term" in the second last line the words "or terms" to enable the Postmaster General, where it would be advantageous to do so and when it is in the public interest, to renew contracts for a further period of four years under the same terms and conditions as the original contract.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend the Post Office Act.

AS PASSED BY THE HOUSE OF COMMONS,
20th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

6th Session, 17th Parliament, 25-26 George V, 1935

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend the Post Office Act.

R.S., c. 161; 1931, c. 45; 1932-33, c. 46.

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EXPLANATORY NOTES.

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Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 101.

An Act respecting the establishment of an Exchange Fund.

First reading, June 13, 1935.

The PRIME MINISTER.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 101.

An Act respecting the establishment of an Exchange Fund.

Preamble.

WHEREAS, in view of the uncertainties of the international situation as to currencies and foreign exchange values, it is desirable that a fund should be constituted which will be available as occasion may arise to aid in the control and protection of the external value of the Canadian monetary unit: Therefore, His 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 Exchange Fund Act.*

INTERPRETATION.

Definitions.

"Current market price."

"Minister."

2. In this Act unless the context otherwise requires,—

(a) 'Current market price' means the amount realizable from the sale of gold in London or New York converted into Canadian dollars at the current rate of exchange;

(b) "Minister" means the Minister of Finance.

Valuation of gold held by Bank of Canada.

1934, c. 43.

3. Notwithstanding the provisions of section twenty-nine of the *Bank of Canada Act*, all gold held as reserve by the Bank of Canada shall be valued by the Bank at the current market price.

Profit to be credited to Minister.

R.S., c. 40.

Proviso in case of gold deposited by chartered banks.

4. (1) Any profit resulting from the valuation of the gold in accordance with the provisions of section three of this Act, being the difference between the value of such gold held by the Bank on the date of the coming into force of this Act as computed on the basis established by the *Currency Act* and its value at current market price, shall be credited by the Bank to a special account in the name of the Minister: Provided, however, that in the case of gold transferred under subsection one of section twenty-eight of the *Bank of Canada Act* which the Governor in Council has declared under the provisions of section thirty of the said

Explanatory Notes.

Sections 25, 26, 28, 29 and 30 of the Bank of Canada Act read as follows:—

REDEMPTION OF NOTES.

"**25.** (1) The Bank shall sell gold to any person who makes demand therefor at the head office of the Bank and tenders the purchase price in legal tender, but only in the form of bars containing approximately four hundred ounces of fine gold.

(2) The Governor in Council, from time to time and for such period as he may deem desirable, may suspend the operation of the next preceding subsection and remove such suspension.

(3) On the day on which the Bank is authorized to commence business the Minister shall transfer to the Bank

(a) gold held by the Minister for redemption of Dominion notes;

(b) silver held by the Minister for redemption of Dominion notes valued at the market price of the fine silver content thereof;

(c) securities of the Dominion of Canada bearing interest at three per centum per annum, payable half-yearly and having a maturity not exceeding five years, valued at par;

to the amount of Dominion notes outstanding on that day, except notes issued under the authority of the *Finance Act.*

(4) On and after the day on which the Bank is authorized to commence business the Bank shall be responsible for the redemption of all Dominion notes then issued and outstanding and such notes shall be and continue to be legal tender.

(5) On the day on which the Bank is authorized to commence business, the chartered banks shall repay all advances then outstanding under the *Finance Act.*

(6) The Minister, for the purposes of paragraph *(c)* of subsection three of this section, is authorized to issue securities under the provisions of *The Consolidated Revenue and Audit Act, 1931,* and payment of the principal of and interest on such securities shall be made out of the Consolidated Revenue Fund."

Act was at the time of the transfer being held by a chartered bank against liabilities elsewhere than in Canada, the said profit shall belong to the chartered bank and the Bank of Canada shall determine the said profit on the basis of the current market price for gold on the date of the coming into force of this Act and shall pay such profit to the chartered bank and no further profit with respect thereto shall accrue to such chartered bank, notwithstanding anything to the contrary in section thirty of the *Bank of Canada Act*.

Audit Act not to apply.

1931, c. 27.

(2) The provisions of the *Consolidated Revenue and Audit Act, 1931*, shall not apply to the said special account during the period of its operation.

Subsequent increase or decrease—how dealt with

5. The amount of any increase or decrease in the value of gold arising from fluctuations in the market price for gold after the coming into force of section three of this Act shall either be credited or debited, as the case may be, by the Bank to the special account.

Control of exchange.

6. (1) For the purpose of endeavouring to control the external value of the Canadian monetary unit or of checking undue fluctuations in its exchange value the Minister may directly or through such agencies as he may designate cause any balances in the special account to be invested in

(a) gold;

(b) foreign exchange as defined in section twenty-six, subsection two *(b)* of the Bank of Canada Act; and

(c) balances with any bank in London or New York designated by the Minister of Finance.

Resale.

(2) Gold or other investments purchased under the provisions of the preceding subsection may be resold on instructions from the Minister.

When this section to come into force.

(3) This section shall not come into force until a date to be fixed by proclamation of the Governor in Council, published in the *Canada Gazette*.

Surplus funds how dealt with.

7. The Minister may from time to time cause any portion of the balances in the special account to be employed by the Bank of Canada in the purchase of securities of or guaranteed by the Dominion of Canada. In the exercise of the powers conferred by this section the Minister is authorized to make such arrangements as in his opinion will conduce to the immediate availability of the funds employed as aforesaid. The proceeds of all sales of investments made under the authority of this Act, and all earnings and interest accruing thereon, shall be paid into the special account and shall be available for the purposes of the account.

"**26.** (1) The Bank shall always maintain a reserve, as hereinafter provided, as security against its outstanding notes and deposit liabilities.

(2) The reserve required by this section to be maintained shall consist of gold coin and bullion in the unrestricted ownership of the Bank equal to an amount not less than twenty-five per centum of the notes and deposit liabilities aforesaid; and may in addition include

(a) silver bullion received from the Minister under the next preceding section or purchased under the authority of subsection four hereof, valued at the market price of the fine silver content thereof; and

(b) foreign exchange, which shall mean

(i) balances with the Bank of England, the Bank for International Settlements, the Federal Reserve Bank of New York, and a central bank in any country whose currency by law and in fact is convertible on demand at a fixed price into exportable gold;

(ii) Treasury bills or other obligations of the United Kingdom or the United States of America having a maturity not exceeding three months from the date of acquisition by the Bank;

(iii) Bills of exchange having a maturity not exceeding ninety days excluding days of grace, or not exceeding ninety days after sight excluding days of grace from the date of acquisition by the Bank payable in London or New York or in a country whose currency by law and in fact is convertible on demand at a fixed price into exportable gold,

less any liabilities of the Bank payable in the currency of the United Kingdom, the United States of America, or any country, whose currency is by law and in fact convertible on demand at a fixed price into exportable gold.

(3) At the request in writing of the Board, the Governor in Council may suspend the operation of this section insofar as it requires the Bank to maintain a reserve of gold equal to an amount not less than twenty-five per centum of its notes and deposit liabilities. Such suspension shall be for such period not exceeding sixty days as may be specified by the Governor in Council, but on the further request in writing of the Board may be extended from time to time for further periods not exceeding sixty days each, provided, however, that no such suspension shall continue for a period longer than one year without the sanction of Parliament.

(4) The Bank shall during the years 1935, 1936 and 1937 purchase and hold newly-mined Canadian silver as and when required so to do by the Minister but the Bank shall never be required to purchase more than 1,671,802 fine ounces in any year."

Winding up of account.

8. The Minister may, if at any time he thinks it expedient so to do, cause the said special account to be wound up forthwith, and the said account shall in any event be wound up not later than six months after the date on which Parliament resolves that the account is no longer required for the purpose for which it was established.

Audit by Auditor General.

9. An annual audit of the special account shall be made by the Auditor General in such manner as he thinks proper, with a view to ascertaining whether the transactions in connection with the account have been in accordance with the provisions of this Act, and he shall certify to the House of Commons that in his opinion, having regard to the examination, the transactions in connection with the account have or have not been in accordance with the provisions of this Act, and that the records of the said account do or do not show truly and clearly the state of the said account.

Information not to be disclosed.

10. (1) No person employed in the service of His Majesty or of the Bank of Canada shall communicate or allow to be communicated to any person not legally entitled thereto under the provisions of this Act or by direction of the Minister, any information with respect to the operation of the said special account, or allow any such person to inspect or have access to any written statement with respect to the said account.

Penalty.

(2) Any person violating any of the provisions of this section shall be liable on summary conviction to a penalty not exceeding one thousand dollars, or to imprisonment for a period not exceeding six months or to both fine and imprisonment.

Expenses of operation of account.

11. Any expenses incurred in connection with the operation of the special account shall be paid out of the said account.

"**28.** (1) Every chartered bank shall, on the day on which the Bank is authorized to commence business, transfer to the Bank all gold coin or bullion owned and held by it in Canada.

(2) The Governor in Council may from time to time thereafter require every chartered bank or every other person to transfer to the Bank any or all gold coin or bullion held in Canada which is owned by such chartered bank or by such other person; and the Governor in Council may authorize all measures deemed necessary or expedient to enforce any such transfer and to impose and recover penalties in respect of any neglect or refusal to make any transfer so required."

VALUATION OF GOLD.

"**29.** Whenever gold is sold by, transferred to, held as reserve by, or deposited with the Bank pursuant to subsections one or three of section twenty-five, section twenty-six, or section twenty-eight of this Act, the value of the said gold shall be computed on the basis established by the *Currency Act* at the date of the relevant transaction."

"**30.** Any profits resulting from the sale by the Bank of gold coin and bullion transferred to the Bank pursuant to subsection three of section twenty-five, or section twenty-eight of this Act, or from an increase in the value of such gold resulting from any change in the monetary standard of Canada shall be paid by the Bank to the Receiver General for the Consolidated Revenue Fund: Provided, however, that the aforesaid provisions of this section shall not apply in the case of gold transferred under subsection one of section twenty-eight, if the Governor in Council is satisfied that the said gold was at the time of the transfer being held by a chartered bank against liabilities elsewhere than in Canada, and in such case the said profit shall belong to the chartered bank."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 101.

An Act respecting the establishment of an Exchange Fund.

AS PASSED BY THE HOUSE OF COMMONS,
17th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 101.

An Act respecting the establishment of an Exchange Fund.

Preamble.

WHEREAS, in view of the uncertainties of the international situation as to currencies and foreign exchange values, it is desirable that a fund should be constituted which will be available as occasion may arise to aid in the control and protection of the external value of the Canadian monetary unit: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

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1934, c. 43.

Profit to be credited to Minister.

R.S., c. 40.

Proviso in case of gold deposited by chartered banks.

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(2) The Governor in Council, from time to time and for such period as he may deem desirable, may suspend the operation of the next preceding subsection and remove such suspension.

(3) On the day on which the Bank is authorized to commence business the Minister shall transfer to the Bank

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(c) securities of the Dominion of Canada bearing interest at three per centum per annum, payable half-yearly and having a maturity not exceeding five years, valued at par;

to the amount of Dominion notes outstanding on that day, except notes issued under the authority of the *Finance Act.*

(4) On and after the day on which the Bank is authorized to commence business the Bank shall be responsible for the redemption of all Dominion notes then issued and outstanding and such notes shall be and continue to be legal tender.

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Act was at the time of the transfer being held by a chartered bank against liabilities elsewhere than in Canada, the said profit shall belong to the chartered bank and the Bank of Canada shall determine the said profit on the basis of the current market price for gold on the date of the coming into force of this Act and shall pay such profit to the chartered bank and no further profit with respect thereto shall accrue to such chartered bank, notwithstanding anything to the contrary in section thirty of the *Bank of Canada Act*.

Audit Act not to apply.

1931, c. 27.

(2) The provisions of the *Consolidated Revenue and Audit Act, 1931*, shall not apply to the said special account during the period of its operation.

Subsequent increase or decrease—how dealt with

5. The amount of any increase or decrease in the value of gold arising from fluctuations in the market price for gold after the coming into force of section three of this Act shall either be credited or debited, as the case may be, by the Bank to the special account.

Control of exchange.

6. (1) For the purpose of endeavouring to control the external value of the Canadian monetary unit or of checking undue fluctuations in its exchange value the Minister may directly or through such agencies as he may designate cause any balances in the special account to be invested in

(a) gold;

(b) foreign exchange as defined in section twenty-six, subsection two *(b)* of the *Bank of Canada Act*; and

(c) balances with any bank in London or New York designated by the Minister of Finance.

Resale.

(2) Gold or other investments purchased under the provisions of the preceding subsection may be resold on instructions from the Minister.

When this section to come into force.

(3) This section shall not come into force until a date to be fixed by proclamation of the Governor in Council, published in the *Canada Gazette*.

Surplus funds how dealt with.

7. The Minister may from time to time cause any portion of the balances in the special account to be employed by the Bank of Canada in the purchase of securities of or guaranteed by the Dominion of Canada. In the exercise of the powers conferred by this section the Minister is authorized to make such arrangements as in his opinion will conduce to the immediate availability of the funds employed as aforesaid. The proceeds of all sales of investments made under the authority of this Act, and all earnings and interest accruing thereon, shall be paid into the special account and shall be available for the purposes of the account.

"**26.** (1) The Bank shall always maintain a reserve, as hereinafter provided, as security against its outstanding notes and deposit liabilities.

(2) The reserve required by this section to be maintained shall consist of gold coin and bullion in the unrestricted ownership of the Bank equal to an amount not less than twenty-five per centum of the notes and deposit liabilities aforesaid; and may in addition include

(a) silver bullion received from the Minister under the next preceding section or purchased under the authority of subsection four hereof, valued at the market price of the fine silver content thereof; and

(b) foreign exchange, which shall mean

(i) balances with the Bank of England, the Bank for International Settlements, the Federal Reserve Bank of New York, and a central bank in any country whose currency by law and in fact is convertible on demand at a fixed price into exportable gold;

(ii) Treasury bills or other obligations of the United Kingdom or the United States of America having a maturity not exceeding three months from the date of acquisition by the Bank;

(iii) Bills of exchange having a maturity not exceeding ninety days excluding days of grace, or not exceeding ninety days after sight excluding days of grace from the date of acquisition by the Bank payable in London or New York or in a country whose currency by law and in fact is convertible on demand at a fixed price into exportable gold,

less any liabilities of the Bank payable in the currency of the United Kingdom, the United States of America, or any country, whose currency is by law and in fact convertible on demand at a fixed price into exportable gold.

(3) At the request in writing of the Board, the Governor in Council may suspend the operation of this section insofar as it requires the Bank to maintain a reserve of gold equal to an amount not less than twenty-five per centum of its notes and deposit liabilities. Such suspension shall be for such period not exceeding sixty days as may be specified by the Governor in Council, but on the further request in writing of the Board may be extended from time to time for further periods not exceeding sixty days each, provided, however, that no such suspension shall continue for a period longer than one year without the sanction of Parliament.

(4) The Bank shall during the years 1935, 1936 and 1937 purchase and hold newly-mined Canadian silver as and when required so to do by the Minister but the Bank shall never be required to purchase more than 1,671,802 fine ounces in any year."

Winding up of account.

8. The Minister may, if at any time he thinks it expedient so to do, cause the said special account to be wound up forthwith, and the said account shall in any event be wound up not later than six months after the date on which Parliament resolves that the account is no longer required for the purpose for which it was established.

Audit by Auditor General.

9. An annual audit of the special account shall be made by the Auditor General in such manner as he thinks proper, with a view to ascertaining whether the transactions in connection with the account have been in accordance with the provisions of this Act, and he shall certify to the House of Commons that in his opinion, having regard to the examination, the transactions in connection with the account have or have not been in accordance with the provisions of this Act, and that the records of the said account do or do not show truly and clearly the state of the said account.

Information not to be disclosed.

10. (1) No person employed in the service of His Majesty or of the Bank of Canada shall communicate or allow to be communicated to any person not legally entitled thereto under the provisions of this Act or by direction of the Minister, any information with respect to the operation of the said special account, or allow any such person to inspect or have access to any written statement with respect to the said account.

Penalty.

(2) Any person violating any of the provisions of this section shall be liable on summary conviction to a penalty not exceeding one thousand dollars, or to imprisonment for a period not exceeding six months or to both fine and imprisonment.

Expenses of operation of account.

11. Any expenses incurred in connection with the operation of the special account shall be paid out of the said account.

"**28.** (1) Every chartered bank shall, on the day on which the Bank is authorized to commence business, transfer to the Bank all gold coin or bullion owned and held by it in Canada.

(2) The Governor in Council may from time to time thereafter require every chartered bank or every other person to transfer to the Bank any or all gold coin or bullion held in Canada which is owned by such chartered bank or by such other person; and the Governor in Council may authorize all measures deemed necessary or expedient to enforce any such transfer and to impose and recover penalties in respect of any neglect or refusal to make any transfer so required."

VALUATION OF GOLD.

"**29.** Whenever gold is sold by, transferred to, held as reserve by, or deposited with the Bank pursuant to subsections one or three of section twenty-five, section twenty-six, or section twenty-eight of this Act, the value of the said gold shall be computed on the basis established by the *Currency Act* at the date of the relevant transaction."

"**30.** Any profits resulting from the sale by the Bank of gold coin and bullion transferred to the Bank pursuant to subsection three of section twenty-five, or section twenty-eight of this Act, or from an increase in the value of such gold resulting from any change in the monetary standard of Canada shall be paid by the Bank to the Receiver General for the Consolidated Revenue Fund: Provided, however, that the aforesaid provisions of this section shall not apply in the case of gold transferred under subsection one of section twenty-eight, if the Governor in Council is satisfied that the said gold was at the time of the transfer being held by a chartered bank against liabilities elsewhere than in Canada, and in such case the said profit shall belong to the chartered bank."

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act to amend The Dominion Elections Act, 1934.

First reading, June 14, 1935.

THE MINISTER OF JUSTICE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act to amend The Dominion Elections Act, 1934.

1934, c. 50.

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

Deposits of candidates, how dealt with.

1. Subsection thirteen of section nineteen of *The Dominion Elections Act, 1934*, is amended by adding at the end thereof the following words:—"except in the province of Saskatchewan, and in that province the sum so deposited by any candidate in an election shall be returned to him in the event of his being elected or of his obtaining a number of first preference votes at least equal to fifty per cent of the total number of first preference votes balloted, otherwise except in the case hereinafter provided for it shall belong to His Majesty for the public use of Canada."

Instructions to voters on receiving ballot paper.

2. (1) Subsection two of section forty-six of the said Act is amended by placing at the beginning thereof the words "Except in the province of Saskatchewan."

Mode of voting.

(2) Subsection three of the said section is amended by placing at the beginning thereof the words "Except in the province of Saskatchewan."

3. The said Act is further amended by adding after section forty-six, the following as section 46A:—

"Manner of Voting in Saskatchewan.

Mode of marking, folding and depositing ballot paper.

"**46A.** In the province of Saskatchewan every voter shall have one vote only which shall be transferable in the manner hereinafter provided.

The voter on receiving his ballot paper, which shall be as in Form No. 15A, shall forthwith proceed into one of the compartments of the polling place and there mark his ballot paper with the black lead pencil provided, as follows,

Explanatory Notes.

The object of these amendments, except as to clauses 6, 7, 11 and 12, is to provide for the use of the "alternative vote" in the Province of Saskatchewan.

(a) he shall place the figure 1 on the ballot paper within the white space containing the name of the candidate who is his first choice and every vote given by placing the said figure 1 in such white space shall be a first preference vote;

(b) if the ballot paper contains the names of more than two candidates, he shall in addition to the figure 1 authorized by this section, place on his ballot paper the figure 2 within the white space containing the name of his second choice, and if the ballot paper contains the names of more than three candidates the figure 3 within the white space containing the name of his third choice and so on in the order of the candidates he would prefer. If the candidate of his prior choice does not need his vote or cannot be elected, he shall thus express as many choices as there are candidates less one. For example: if there are three candidates he shall express two choices and so on, as shown in the form of ballot paper given for illustration at the end of Form No. 16;

(c) he shall then fold the ballot paper so that the initials and stamp on the back of it and the number on the counterfoil can be seen without opening it and hand it to the deputy returning officer, who shall without unfolding it ascertain by examining his initials and the stamp and the number of the counterfoil that it is the same ballot paper that he furnished to the voter and shall then in full view of all present including the voter, remove the counterfoil and tear up or otherwise destroy it and place the ballot paper in the ballot box."

4. The said Act is further amended by inserting immediately after section fifty thereof the following sections and headings:—

"Counting and Reporting the Vote in Saskatchewan.

Duties of deputy returning officer after close of poll.

"**50A.** (1) In the province of Saskatchewan immediately after the close of the poll the deputy returning officer shall in the following order:—

(a) place all the spoiled ballots in an envelope and seal it up;

(b) count the number of voters whose names appear on the poll book as having voted and make an entry thereof on the line immediately below the name of the voter who voted last, thus: "The number of voters who voted at this election in this polling division is (stating the number)" and sign his name thereto.

Opening ballot box and counting number of ballots.

(2) The deputy returning officer shall then in the presence of the poll clerk and of such of the candidates or their agents as may then lawfully be present, open the ballot box and count the number of the ballot papers therein. The result shall be recorded.

Ballots without initials.

(3) If there are more ballots in the box than there should be according to the poll book, any ballot paper which has not on its back the initials of the deputy returning officer or which is otherwise invalid according to the provisions of this Act shall be set aside.

Rejection of ballot papers.

(4) He shall reject any ballot papers—

(a) which have not been supplied by him; or

(b) on which a cross or X is marked; or

(c) on which 1 is not marked; or

(d) on which the figure 1 standing alone indicating a first preference is marked for more than one candidate; or

(e) on which the figure 1 standing alone indicating a first preference and some other figure are marked for the same candidate; or

(f) on which there is any writing or mark by which the voter can be identified, but no word, letter or mark written or made or omitted to be written or made by the deputy returning officer on the ballot paper shall void the same or warrant its rejection.

Noting objection.

(5) He shall make a note in the poll book of every objection taken to a ballot paper by an agent of any of the candidates or a voter present and shall decide any question arising out of such objection; but the decision of the deputy returning officer may be reversed or modified by the returning officer, whose decision shall be final, subject only to reversal on an appeal, recount or final addition of votes as hereinafter provided for. Each objection shall be numbered and a corresponding number placed on the back of the ballot paper and initialed by the deputy returning officer.

Valid ballots arranged in parcels.

(6) All the valid ballot papers remaining shall be examined and arranged in parcels according to the name of each candidate marked with the figure 1.

First preference votes counted.

(7) The deputy returning officer shall then count the number of ballot papers in each parcel of valid ballot papers and credit each candidate with one vote in respect of each valid ballot on which a first preference has been recorded for him.

Result announced.

(8) After the number of votes recorded for each candidate as a first preference has been ascertained the result may be announced to the public.

Statement in triplicate.

(9) He shall make out a statement in triplicate in Form No. 31, which statement shall forthwith be signed by him and the poll clerk and such of the agents of the candidate as may be present and desire to sign it. One copy of the statement shall be attached to the poll book, another shall be retained by him and the third shall be enclosed by him in a separate envelope supplied for the purpose, and placed in the ballot box. After making the statement last mentioned the deputy returning officer shall deliver to the agents of

Certificate to candidates.

each of the candidates, or in the absence of agents, to the voters present representing the candidates, a certificate in Form No. 32.

First preference ballots in envelopes.

(10) He shall then place the ballots having first preference votes for each of the candidates in a separate envelope provided, marking on the outside of the envelopes the names of each of the candidates respectively and shall then place the said envelopes in a large envelope provided and shall indorse same so as to indicate the contents.

Rejected and unused ballots put in separate envelope.

(11) He shall put the rejected and unused ballot papers into separate envelopes and shall indorse each so as to indicate the contents and shall seal same and any agent present may write his signature across the flap of the envelope or parcel and may affix his seal.

Placing of poll book and documents in larger envelope.

(12) The voters' list, the different envelopes containing the ballot papers, the poll book and other documents which served at the election shall then be placed in a large envelope supplied for the purpose, sealed with the seal of the deputy returning officer and the seals of such of the agents of the candidates as desire to affix their seals, and placed in the ballot box, which the deputy returning officer shall immediately lock and seal.

Oath of poll clerk.

(13) The poll clerk immediately after the completion of the counting of the votes shall take and subscribe the oath in Form No. 30.

Advance polls ballot boxes when to be opened and counted.

(14) At the hour fixed for the closing of the poll on election day the deputy returning officer of an advance poll and his poll clerk shall attend with the ballot box at the place where the advance poll was held and then, and not sooner, in the presence of the candidates or their agents who may attend, shall open the ballot box, count the ballots showing the first preference votes for each of the candidates and take all other proceedings as near as may be provided herein for the deputy returning officer in connection with the conduct of an election after the closing of the poll.

"Return of Ballot Boxes in Saskatchewan.

Delivery of ballot box and key to returning officer.

"**50**B. (1) The deputy returning officer after locking and sealing the ballot box shall enclose the key in an envelope supplied for the purpose and as soon as possible thereafter personally deliver the ballot box and key to the returning officer, or if the returning officer lives a distance away and a post office or express office is nearer at hand he shall send the ballot box and key to the returning officer by registered mail, or the box by express and the key by registered mail.

Procedure in case of illness of deputy returning officer.

(2) If the deputy returning officer is unable to attend to the return of the ballot box and key owing to illness or other imperative cause he shall deliver them to the poll clerk, or where the poll clerk is unable to act, to some reliable messenger and shall write on the box or on a ticket attached

thereto the name of the person to whom the box and key have been delivered and shall take a receipt therefor in Form No. 32A and the poll clerk or person so chosen shall without delay deliver or mail the ballot box and key or mail the key and express the ballot box to the returning officer and shall take before the returning officer, election clerk, a justice of the peace, a commissioner for oaths or a notary public, the oath in Form No. 33 and deliver or transmit it by registered mail to the returning officer.

Oath of deputy returning officer.

(3) The deputy returning officer after the closing of the poll shall take and subscribe before the returning officer, election clerk, a justice of the peace, a commissioner for oaths or a notary public the oath in Form No. 29, and shall personally deliver or transmit it by registered mail to the returning officer.

Vouchers in duplicate for fees, expenses and rent.

(4) The deputy returning officer before leaving the polling place shall see that vouchers in duplicate for all fees and expenses of poll officials, and rent are properly filled out and certified, and not put in the ballot box but delivered or mailed to the returning officer.

"Count by Returning Officer where One Member is to be elected and only Two Candidates go to the Poll (in Saskatchewan).

Count where only two candidates go to poll.

"**50C.** (1) The returning officer of an electoral division where one member is to be elected and only two candidates go to the poll shall at the place, day and hour appointed by the proclamation and after having received all the ballot boxes, open them and the sealed envelopes containing the statement of poll in each and the envelopes containing the ballots and shall in the presence of the election clerk or clerks and the candidates or their representatives if present check the statement of the deputy returning officer with the ballots contained in the respective parcels, make a note in the poll book of every objection taken to a ballot paper by a candidate or his representative and decide any question arising out of such objection irrespective of whether such objection had been decided by the deputy returning officer or not or of the nature of such decision, if given, and the decision of the returning officer shall be final subject to appeal, recount or final addition of votes as hereinafter provided for.

Candidate with majority of first preference votes elected.

(2) He shall then add up the first preference votes given for each candidate and if one of the candidates is found to have received a majority of all the first preference votes cast, the returning officer shall at once declare such candidate duly elected.

Casting vote of returning officer.

(3) Where, on the addition of first preference votes an equality of votes is found to exist between the two candidates and an additional vote would entitle one of them to

be declared elected, the returning officer shall forthwith give the additional or casting vote to one of the candidates and shall thereupon declare such candidate duly elected.

Certificate of number of votes counted for each candidate.

"**50D.** (1) The returning officer shall prepare a statement in duplicate in Form No. 32B of the votes counted for each candidate at each poll and such other information as may be required by said form, and shall deliver to the agent of each candidate or in the absence of agents, to the voters present representing the candidates, a certificate in Form 32 of the number of votes so counted for each candidate.

Retained for 10 days.

(2) The statement prepared by the returning officer shall be retained by him for ten days to allow an application to be made for an appeal, recount or final addition of the votes as hereinafter provided.

After declaration election papers to be sealed and placed in ballot boxes.

(3) After the counting of the votes has been completed, the candidate declared elected, and the statement made out, the voters' list, the different envelopes containing the ballots, the poll book and other documents which served at the election shall be sealed with the seal of the returning officer and the seals of such of the candidates or their agents as desire to affix their seals, and placed in their respective ballot boxes which the returning officer shall immediately lock and seal.

"Count by Returning Officer where One Member is to be elected and more than Two Candidates go to the Poll (in Saskatchewan).

Count where one of more than two candidates is to be elected.

"**50E.** (1) The returning officer of an electoral division, where one member is to be elected and more than two candidates go to the poll shall at the place, day and hour appointed by the proclamation and after having received all the ballot boxes, open them and the sealed envelopes containing the statement of poll in each and the envelopes containing the ballots, and shall in the presence of the election clerk or clerks and the candidates or their representatives if present, check the statement of the deputy returning officer with the ballots contained in the respective parcels, making a note in the poll book of every objection taken to a ballot paper by a candidate or his representative and decide any question arising out of such objection irrespective of whether such objection had been decided by the deputy returning officer or not, or of the nature of such decision, if any, and the decision of the returning officer shall be final, subject to appeal, recount or final addition of votes as hereinafter provided for.

First preference votes to be counted.

(2) He shall then add up the first preference votes given for each candidate and if any candidate is found to have surplus votes, that is, if he has received an absolute majority of all the first preference or original votes cast, the returning officer shall declare such candidate duly elected.

Absolute majority.

(3) The term "absolute majority" shall mean as respects any count made under this and the following subsections, the next whole number greater than one-half of the total number of ballot papers reckoned at the closing of that count; no account being taken of "exhausted ballot papers" as defined in section 50F.

Casting vote in case of equality.

(4) If the first preference votes cast for any one candidate exactly equals the total number of first preference votes cast for all the other candidates, the returning officer shall forthwith give the casting vote in favor of such first mentioned candidate and he shall then be declared duly elected.

Second count where no candidate has absolute majority.

(5) If no candidate has received an absolute majority of the number of ballots showing first preference votes given, including the casting vote of the returning officer, if one is given, the returning officer shall forthwith proceed to a second count and shall exclude from the contest the candidate who received the lowest number of first preference votes.

Transfer of votes given to excluded candidate.

(6) The returning officer shall examine all the ballot papers credited to such excluded candidate and shall transfer, subject to subsection ten hereof, to each of the remaining or continuing candidates all the ballot papers in which such candidate has been given a second preference vote and those ballot papers having no second preference indicated thereon shall be set aside as being exhausted.

Candidate obtaining absolute majority declared elected.

(7) If on the second count any candidate obtains an absolute majority of the votes reckoned in that count he shall be declared elected. In case of an equal final total at the second count or any subsequent count the returning officer shall give the casting vote to and declare elected that candidate who has the greater number of first preference votes or where there is no difference in this respect, to that candidate who has the greater number of second preference votes and so on. Where there is an equality in all respects the returning officer at the final second count or any subsequent final count shall give the casting vote as provided in the case of the first count.

Casting vote, in case of equality.

Third count if no candidate has absolute majority.

(8) If on the second count no candidate obtains an absolute majority of the votes reckoned on that count, the returning officer shall exclude the candidate with the smallest number of votes reckoned on that count and shall transfer subject to subsections ten and eleven hereof the alternative vote shown on the ballot papers reckoned in favor of the excluded candidate on the second count and proceed as before to a third count and shall if necessary repeat the process until a candidate is found to have a majority on any count, and that candidate shall thereupon be declared elected.

How votes reckoned after first count.

(9) The votes reckoned in favor of a candidate on any count after the first shall be his first preference vote together with any votes transferred to him from excluded candidates.

When ballot paper of excluded candidate is exhausted.

(10) It shall be deemed that a ballot paper of an excluded candidate is "exhausted' in any case in which—

(a) no further preference for any candidate not exhausted is marked; or

(b) the names of two or more candidates whether excluded or not are marked with the same figure and are next in order of preference; or

(c) the name of the candidate next in order of preference whether excluded or not is marked: (i) by a figure not following consecutively after some other figure on the ballot paper, or, (ii) by two or more figures indicating different preferences.

What votes shall be transferred from excluded candidate.

(11) The votes transferred from an excluded candidate after any count shall be the votes, if any, indicated as next in order of preference on the ballot papers reckoned on that count in favor of the excluded candidate, but in no case shall a vote be transferred to a candidate who has already been excluded—the vote transferred shall be the vote, if any, next in order of preference to that given to an excluded candidate.

Method of fixing exclusion where votes equal.

(12) If at any time, two or more candidates, one of whom ought to be excluded, have an equal number of votes, that candidate shall be excluded the greater number of whose votes are transferred votes, but if there is no difference in this respect between the candidates, or if none of the votes of either of the candidates are transferred votes, the returning officer shall determine which of the candidates is to be excluded.

Statement of returning officer.

(13) The returning officer shall prepare a statement in duplicate in Form No. 32B of the votes counted for each candidate at each poll and of such other information as may be required by said form and also a statement in duplicate in Form No. 32C of the number of votes of first preference and the number of votes transferred under the foregoing subsections and of the total number of votes counted for each candidate after such transfer and shall deliver to the agents of each of the candidates or in the absence of the agents, to the voters present representing the candidates, a certificate in Form No. 32 of the total number of votes so counted for each candidate.

Retained for 10 days.

(14) The statement prepared by the returning officer shall be retained by him for ten days to allow an application to be made for an appeal, recount or final addition of the votes as hereinafter provided.

After candidate elected, election documents to be sealed.

(15) After the counting of the votes has been completed, the candidate declared elected and the statements made out, the voters' list, the different envelopes containing the ballots, the poll books and other documents which served at the election shall be sealed with the seal of the returning officer and the seal of such of the candidates or their agents

as desire to fix their seals, and placed in their respective ballot boxes which the returning officer shall immediately lock and seal:

Disposition of ballots when they cannot be restored to original envelopes.

Provided that where there has been such a transfer of ballots as would prevent their being restored to their original envelopes by polls, each of the parcels as shown by the last count shall be sealed with the seal of the returning officer and the seals of such of the candidates or their agents as desire to affix their seals, and placed in a ballot box or ballot boxes which the returning officer shall immediately lock and seal."

Interpretation.

Definitions.

50F. In the five preceding sections of this Act

"Ballot."

(1) The expressions "ballot-paper," "ballot," "paper," mean ballot papers of the form provided by section 46A of this Act.

"First preference."

(2) The expression "first preference" means the figure "1"; the expression "second preference" means the figure "2;" and the expression "third preference" means the figure "3," set opposite the name of any candidate, and so on.

"Original vote."

(3) The expression "original vote" in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate.

"Transferred vote."

(4) The expression "transferred vote" in regard to any candidate means a vote derived from a ballot paper on which a second or subsequent transferable preference is recorded for that candidate.

"Surplus."

(5) The expression "surplus" means the number of votes by which the total number of the votes, original and transferred, credited to any candidate, exceeds the quota, and the total of such credited to all candidates.

"Continuing candidate."

(6) The expression "continuing candidate" means any candidate not elected and not excluded from the poll.

"Exhausted ballot paper."

(7) The expression "exhausted ballot paper" means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate.

When paper deemed to be an exhausted ballot paper.

(8) A paper shall be deemed to be an exhausted ballot paper in any case in which—

(a) the names of two or more candidates (whether continuing or not) are marked with the same figure, and are next in order of preference; or

(b) the name of the candidate next in order of preference (whether continuing or not) is marked—

(i) by a figure not following consecutively after some other figures on the ballot paper; or

(ii) by two or more figures indicating different preferences.

5. The said Act is further amended by adding to section fifty-two thereof, the following subsection:—

Sections 50, 51 and 52 not to apply.

"(9) The provisions of sections fifty, fifty-one and fifty-two of this Act shall not apply to the province of Saskatchewan."

6. Subsection nine of section ninety-four of the said Act is repealed, and the following is substituted therefor:—

Advance polls.

"(9) 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."

7. The said Act is further amended by adding after section one hundred and twelve, the following section:—

When writ for by-election after date of dissolution deemed to be superseded.

"**112**A. Notwithstanding anything in this or any other Act, if a writ of election has been issued for a by-election to be held on a date likely to be subsequent, in the opinion of the Chief Electoral Officer, to the dissolution of Parliament, such writ shall, upon notice to that effect being published in the *Canada Gazette* by the Chief Electoral Officer, be deemed to have been superseded and withdrawn."

6. Section 94 (9) reads as follows:—

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

7. The object of this amendment is to enable the Chief Electoral Officer to avoid unnecessary expenses in certain cases.

Form added.

8. The said Act is amended by inserting immediately after Form No. 15 the following form therein which shall apply in the province of Saskatchewan:

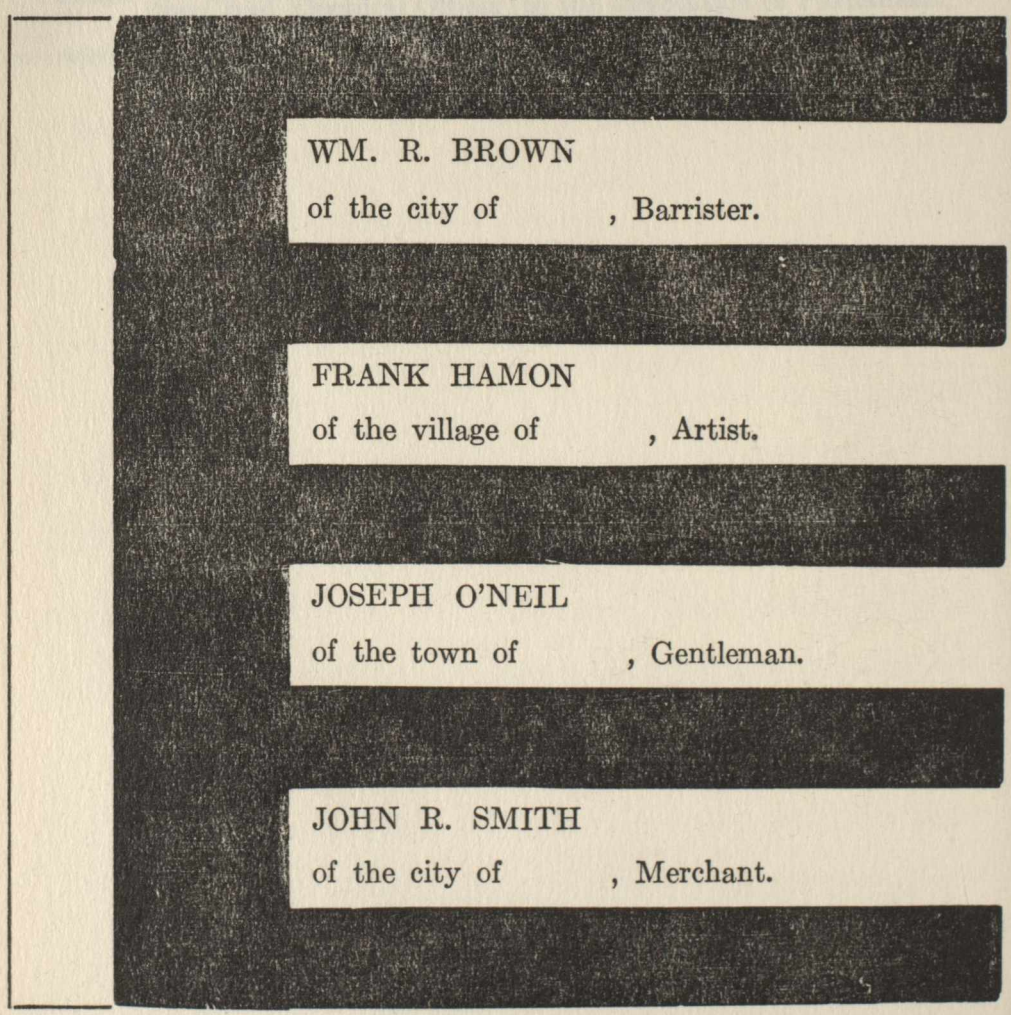
FORM No. 15A.

FORM OF BALLOT PAPER (Sec. 46A).

Front

The black line above the first name shall extend to the upper edge and the black line below the last name shall extend to the lower edge of the ballot paper and all black lines be prolonged to the edge of the paper. The black margin to the left is the counterfoil and the space to the left of the counterfoil is the stub. There shall be a line of perforations between the ballot and the counterfoil and between the counterfoil and the stub.

The names of the candidates alphabetically arranged in the order of their surnames, with the address and occupation of each, shall be printed on the ballot paper as close as possible to the black margin at the left.



FORM No. 15A—*Continued*

FORM OF BALLOT PAPER.

Back.

No. 325

(Line of Perforations here.)

No. 325

P. B. No.....

(Line of Perforations here.)

D.-R.-O.

INITIALS

R. O.
STAMP.

ELECTORAL DISTRICT OF

, 19

JAMES BROWN, Printer,
Ottawa.

Form 16 amended.

9. Form No. 16 of the said Act, being the directions for voters, is amended as follows:—

(1) Add at the end of the second paragraph of the form: "This paragraph shall not apply to the province of Saskatchewan."

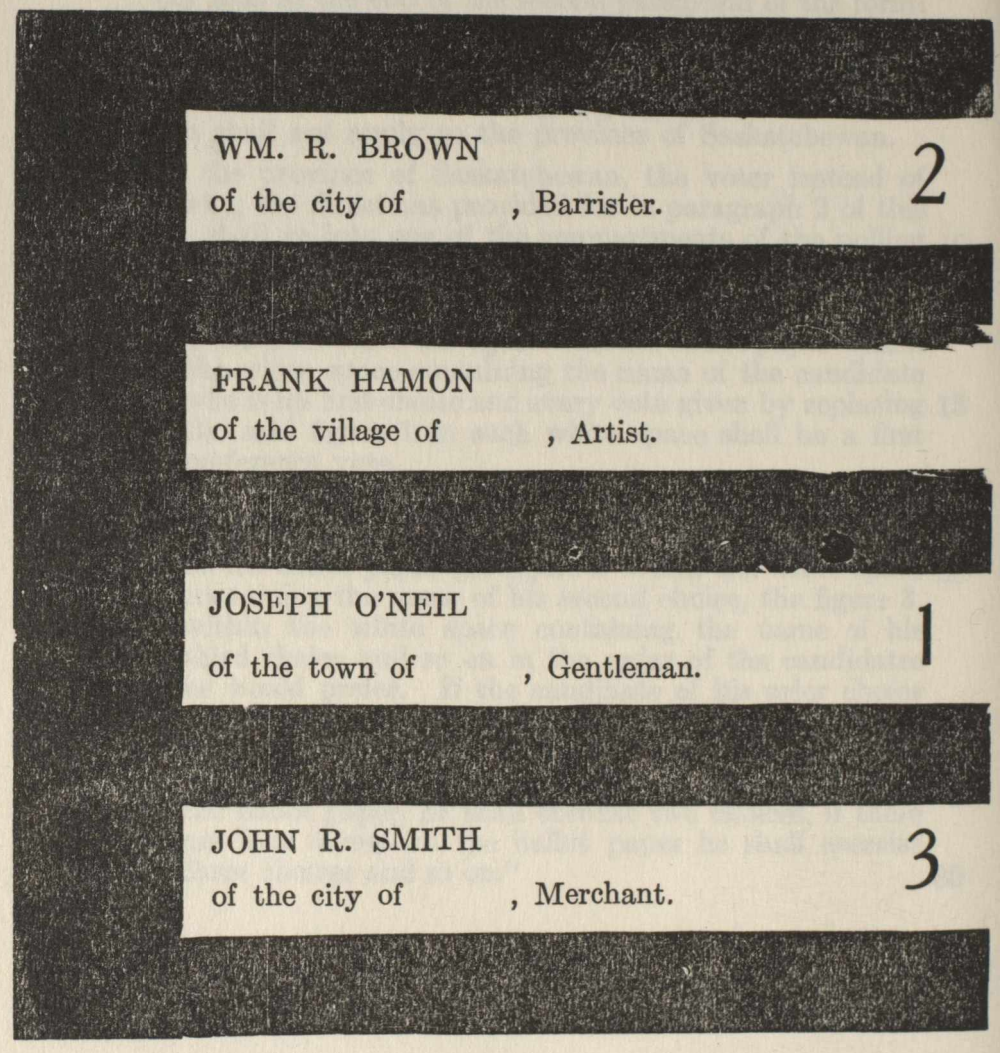
(2) At the end of the last paragraph add: "This paragraph shall not apply to the province of Saskatchewan.

In the province of Saskatchewan, the voter instead of following the directions provided for in paragraph 2 of this form, shall go into one of the compartments of the polling place, there mark his ballot paper with the black pencil provided, as follows:—

(a) He shall place the figure 1 on the ballot paper within the white space containing the name of the candidate who is his first choice and every vote given by replacing the said figure 1 in such white space shall be a first preference vote.

(b) If the ballot paper contains the names of more than two candidates, he shall in addition to the figure 1, place on his ballot paper the figure 2 within the white space containing the name of his second choice, the figure 3, within the white space containing the name of his third choice and so on in the order of the candidates he would prefer. If the candidate of his prior choice does not need his vote or cannot be elected, he shall thus express as many choices as there are candidates less one. For example, if there are three names on the ballot paper, he shall exercise two choices, if there are four names on the ballot paper he shall exercise three choices and so on."

In the following form of ballot paper given for illustration, the candidates are



and the voter has marked his ballot in favour of Joseph O'Neil as his first preference vote, Wm. R. Brown as his second preference vote, and John R. Smith as the third preference vote.

Forms added.

10. The said Act is further amended by inserting immediately after Form No. 32 the following Forms which shall apply in the province of Saskatchewan.

FORM No. 32A.

(Section 50B, Subsection 2).

RECEIPT TO BE RETAINED BY DEPUTY RETURNING OFFICER WHEN HE EMPLOYS POLL CLERK OR MESSENGER TO RETURN BALLOT BOX.

Electoral Division of.....

Polling Division No..... 5

.....19....

Received from....., deputy returning officer at the above described polling division, the ballot box used at the poll held in the said polling division, together with the key thereof enclosed in an envelope, the said ballot box being locked and sealed as provided by *The Dominion Elections Act, 1934*, all to be delivered or sent by me in the same condition as I received them to..... .....of.....returning officer for the said electoral division of..... 10 15

.....

Witness.....

FORM No. 32B.

(Section 50D and 50E).

GENERAL STATEMENT BY RETURNING OFFICER.

(All blanks must be filled in, additions made and totals set down.)

Respecting Votes Polled and Ballot Papers used at the Polling Places of the Electoral Division of.....

at the Election held on the.....day of.....19....

Number and Names of Polling Places	Names of Candidates and number of first preference votes polled for each.					Votes at each Polling Place			Names on list.			Ballot papers sent out and how disposed of in each polling place.				Remarks
						Total Number of Votes polled.	Number of Votes polled by Men.	Number of Votes polled by Women.	Total Number of names on List.	Number of Names of Men on List.	Number of Names of Women on List.	Number of Ballot papers sent out to each poll.	Number used.	Number unused and returned.	Number rejected, cancelled, declined or taken from polls.	

FORM No. 32c.

(Section 50E, Subsection 13.)

EXTRA STATEMENT BY RETURNING OFFICER OF THE RESULT OF THE POLL AT AN ELECTION WHERE ONE MEMBER TO BE ELECTED, AND THERE ARE MORE THAN TWO CANDIDATES.

The Electoral Division of.....

Election held on the .....day of .....19...

Names of Candidates	First Count	Second Count		Third Count		Candidate elected.
		Transfer of —Votes	Result	Transfer of —Votes	Result	
A.....						
B.....						
C.....						
D.....						
Preference exhausted.....						
Total.....						

Form 20 amended.

11. Form number twenty of the said Act is repealed, and the following is substituted therefor:—

"FORM No. 20.

"OATH THAT VOTER IS THE PERSON REFERRED TO IN THE LIST OF ELECTORS (Section 42).

Electoral District of.....
Polling Division No.....
I, the undersigned....., do swear *(or solemnly affirm)*:

(1) That I am a British subject of the full age of twenty-one years;

(2) That I have been ordinarily resident in Canada for at least twelve months immediately preceding the commencement of the Annual Revision of the lists of electors on the fifteenth day of May last;

(3) That on said last mentioned date I resided in this Electoral District of.....
at No. *(here insert name of avenue or street.)*

(4) That I am the person intended to be referred to by the entry in the list of voters for this Polling Division No. ....., of the name of *(name as in list of voters)*.
whose occupation is given as *(occupation as in list of voters)*.
and whose address is given as *(address as in list of voters)*.

(5) That the signature which I have made to this deposition is in my usual handwriting, and is my true name.

SWORN (or affirmed) before me
at.....
this.....day of.....
19.....
.....
Justice of the Peace
(or as the case may be).

.....
Signature of Deponent

11. This is an extended and more adequate form in regard to the identification of the voter.

Notice of holding of advance poll.

12. Form number thirty-nine of the said Act is amended by striking out (beginning at line sixteen thereof) the words "And further take notice that the said polling station (s) will be opened between the hours of seven and ten o'clock in the evening of Thursday and Friday, the and days of , 19 , and between the hours of two and ten o'clock in the afternoon and evening of Saturday, the day of 19 ,"

Form 39 amended.

and substituting therefor the following:—

"And further take notice that the said polling station (s) will be open between the hours of two and ten o'clock in the afternoons and evenings of Thursday, Friday and Saturday, the and and days of , 19 ,".

12. These changes in form No. 39 are made necessary by the amendment of section 94.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act to amend The Dominion Elections Act, 1934.

AS PASSED BY THE HOUSE OF COMMONS,
5th JULY, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
96636 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act to amend The Dominion Elections Act, 1934.

1934, c. 50.

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

1. Subsection nine of section ninety-four of *The Dominion Elections Act, 1934*, is repealed, and the following is substituted therefor:—

Advance polls.

"(9) 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."

2. The said Act is further amended by adding after section one hundred and twelve, the following section:—

When writ for by-election after date of dissolution deemed to be superseded.

"**112**A. Notwithstanding anything in this or any other Act, if a writ of election has been issued for a by-election to be held on a date subsequent to the dissolution of Parliament, as provided by section fifty of the British North America Act, 1867, such writ shall, upon notice to that effect being published in the *Canada Gazette* by the Chief Electoral Officer, be deemed to have been superseded and withdrawn."

Form 20 amended.

3. Form number twenty of the said Act is repealed, and the following is substituted therefor:—

"FORM No. 20.

"OATH THAT VOTER IS THE PERSON REFERRED TO IN THE LIST OF ELECTORS (Section 42).

Electoral District of.....
Polling Division No.....
I, the undersigned....., do swear *(or solemnly affirm)*:

Explanatory Notes.

1. Section 94 (9) reads as follows:—

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

2. The object of this amendment is to enable the Chief Electoral Officer to avoid unnecessary expenses in certain cases.

3. This is an extended and more adequate form in regard to the identification of the voter.

(1) That I am a British subject of the full age of twenty-one years;

(2) That I have been ordinarily resident in Canada for at least twelve months immediately preceding the commencement of the Annual Revision of the lists of electors on the fifteenth day of May last;

(3) That on said last mentioned date I resided in this Electoral District of.....
at No. *(here insert name of avenue or street.)*

(4) That I am the person intended to be referred to by the entry in the list of voters for this Polling Division No....., of the name of *(name as in list of voters).* whose occupation is given as *(occupation as in list of voters),* and whose address is given as *(address as in list of voters).*

(5) That is my true name and that the signature hereto is in my usual handwriting (or *in case of an illiterate voter*—that the mark placed hereto is my usual method of signing my name).

SWORN (or affirmed) before me
at.....
this.....day of.....
19.....
.....
Justice of the Peace
(or as the case may be).

.....
Signature of Deponent

Notice of holding of advance poll.

4. Form number thirty-nine of the said Act is amended by striking out (beginning at line sixteen thereof) the words "And further take notice that the said polling station (s) will be opened between the hours of seven and ten o'clock in the evening of Thursday and Friday, the and days of , 19 , and between the hours of two and ten o'clock in the afternoon and evening of Saturday, the day of 19 ,"

Form 39 amended.

and substituting therefor the following:—

"And further take notice that the said polling station (s) will be open between the hours of two and ten o'clock in the afternoons and evenings of Thursday, Friday and Saturday, the and and days of , 19 ,".

Deputy returning officers.

5. Section twenty-four of the said Act is hereby amended by striking out the first seven words of the section and by substituting therefor the following words "immediately after the issue of the writ of election."

4. These changes in form No. 39 are made necessary by the amendment of section 94.

French version amended.

6. The French version of paragraph *(f)* of subsection one of section thirty of the said Act is amended by striking out the words "le sous-officier-rapporteur" in the fifth line and substituting therefor the following:—

"l'officier-rapporteur"

6. The effect of this amendment is to substitute "returning officer" for "deputy returning officer" to correct a clerical error in the French version.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 109.

An Act to amend The Dominion Franchise Act.

First reading, June 17, 1935.

The SECRETARY OF STATE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 109.

An Act to amend The Dominion Franchise Act.

1934, c. 51.

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

1. Subsection five of section thirty-two of *The Dominion Franchise Act*, chapter fifty-one of the statutes of 1934, is repealed and the two following subsections are substituted therefor:—

Judge may not rescind final ruling of Registrar, or add, retain or remove names, except upon certain adduced evidence at hearing.

"(5) Upon the hearing of any such appeal from any final ruling which the Registrar of Electors, sitting as a Court of Revision, may, in the exercise of his discretion, have made, placing, retaining or removing the name of any person on or from the list of electors of any polling division in the electoral district of such Registrar, the Judge shall not rescind such final ruling of the Registrar nor order that the name of such person shall be placed, retained or removed on or from the list of electors for any polling division of such electoral district, except evidence satisfactory to the Judge has been adduced at such hearing that such person is a qualified elector whose place of residence is in the said polling division and that his name should be placed or retained on such list, or that such person is not a qualified elector whose place of residence is in said polling division and that his name should be removed from such list.

Report of Judge.

"(6) The Judge shall report in writing to the Registrar of Electors the result of each such appeal as relates to any polling division of such Registrar's electoral district, and the Registrar shall be governed in placing, retaining or removing any name on or from the list of electors of any such polling division by the decision in writing of such Judge concerning the same."

Explanatory Notes.

1. The proposed subsection (5) to be added to section 32 is new.

Subsection (6) is to replace the existing subsection (5), which reads as follows:—

"(5) The judge shall report in writing to the Registrar of Electors the result of all such appeals as relate to such Registrar's electoral district, and the Registrar shall be governed in placing, retaining or removing any name on or from the list of electors by the decision of such judge concerning that name."

French version amended.

2. Section twenty-five of the French version of the said Act is amended by striking out the word "destitution" in the fourteenth line thereof and substituting therefor the word "déménagement".

2. This is only a clerical correction. In the English version the word used is "removal", which in the present case should be translated by the French word "déménagement" in preference to "destitution".

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 109.

An Act to amend The Dominion Franchise Act.

AS PASSED BY THE HOUSE OF COMMONS,
24th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

472

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 109.

An Act to amend The Dominion Franchise Act.

1934, c. 51.

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

1. Subsection five of section thirty-two of *The Dominion Franchise Act*, chapter fifty-one of the statutes of 1934, is repealed and the two following subsections are substituted therefor:—

Judge may not rescind final ruling of Registrar, or add, retain or remove names, except upon certain adduced evidence at hearing.

"(5) Upon the hearing of any such appeal from any final ruling which the Registrar of Electors, sitting as a Court of Revision, may, in the exercise of his discretion, have made, placing, retaining or removing the name of any person on or from the list of electors of any polling division in the electoral district of such Registrar, the Judge shall not rescind such final ruling of the Registrar nor order that the name of such person shall be placed, retained or removed on or from the list of electors for any polling division of such electoral district, except evidence satisfactory to the Judge has been adduced at such hearing that such person is a qualified elector whose place of residence is in the said polling division and that his name should be placed or retained on such list, or that such person is not a qualified elector whose place of residence is in said polling division and that his name should be removed from such list.

Report of Judge.

"(6) The Judge shall report in writing to the Registrar of Electors the result of each such appeal as relates to any polling division of such Registrar's electoral district, and the Registrar shall be governed in placing, retaining or removing any name on or from the list of electors of any such polling division by the decision in writing of such Judge concerning the same."

Explanatory Notes.

1. The proposed subsection (5) to be added to section 32 is new.

Subsection (6) is to replace the existing subsection (5), which reads as follows:—

"(5) The judge shall report in writing to the Registrar of Electors the result of all such appeals as relate to such Registrar's electoral district, and the Registrar shall be governed in placing, retaining or removing any name on or from the list of electors by the decision of such judge concerning that name."

French version amended.

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Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 110.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

First reading, June 17, 1935.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 110.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

HIS 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 Loan Act, 1935.*

Loan authorized.

1931, c. 27.

2. 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 Consolidated Revenue and Audit Act, 1931*, 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 as may be required, not to exceed in the whole the sum of seven hundred and fifty million dollars, for paying or redeeming the whole or any portion of loans or obligations of Canada, and also for purchasing and withdrawing from circulation from time to time unmatured securities of Canada, and for public works and general purposes.

Charge upon Consolidated Revenue Fund.

3. The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 110.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

AS PASSED BY THE HOUSE OF COMMONS, 18th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
184 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 110.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

HIS 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 Loan Act, 1935.*

Loan authorized.

1931, c. 27.

2. 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 Consolidated Revenue and Audit Act, 1931*, 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 as may be required, not to exceed in the whole the sum of seven hundred and fifty million dollars, for paying or redeeming the whole or any portion of loans or obligations of Canada, and also for purchasing and withdrawing from circulation from time to time unmatured securities of Canada, and for public works and general purposes.

Charge upon Consolidated Revenue Fund.

3. The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 112.

An Act to assist the Construction of Houses.

First reading, June 18, 1935.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
99324 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 112.

An Act to assist the Construction of Houses.

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

1. This Act may be cited as *The Dominion Housing Act, 1935.*

INTERPRETATION.

Definitions.

2. In this Act unless the context otherwise requires,—

"Approved lending institution".

(a) "Approved lending institution" means a lending institution approved by the Governor in Council;

"Cost of construction".

(b) "Cost of construction" includes, as well as the actual expenditure for building, the cost of the land, legal expenses connected with any loan and any other expense necessary to complete the house;

"House".

(c) "House" means a building intended exclusively for human habitation comprising one or more self-contained dwelling places;

"Housing scheme".

(d) "Housing scheme" means a scheme for the construction of houses and their occupation by tenants or purchasers;

"Lending institution".

(e) "Lending institution" means a loan, insurance or other company authorized to lend money on the security of real or immovable property;

"Local authority".

(f) "Local authority" means any province, municipality, society, association or corporation having authority to undertake a housing scheme;

"Minister".

(g) "Minister" means the Minister of Finance.

INVESTIGATION BY ECONOMIC COUNCIL

Duties.

3. The Economic Council established by *The Economic Council of Canada Act, 1935*, when so required by the Governor in Council, shall study, investigate, report and advise:—

(a) as to housing conditions and the adequacy of existing housing accommodation in Canada or any part of Canada, and as to the best means to be adopted to improve housing conditions;

(b) upon a proposal for a housing scheme in any urban or rural locality, submitted by a local authority, and particularly as to the necessity for and feasibility of, establishing a housing scheme in any locality for the construction of houses, with the assistance of the state, to be leased to low-wage earners;

(c) as to plans or proposals that have been adopted elsewhere than in Canada to improve housing conditions and the results that have been achieved;

(d) upon the necessity for and as to the feasibility of undertaking clearance and redevelopment of overcrowded areas in any city or town;

(e) as to the factors that enter into the cost of construction of houses and as to the feasibility by any means of securing economies and increased efficiency in such construction.

Advances.

4. (1) The Minister may, with the approval of the Governor in Council, enter into a contract with an approved lending institution to join with such institution in the making of loans to assist in the building of houses under conditions hereinafter mentioned.

Conditions.

(2) The conditions upon which a loan may be made under this section shall be as follows:—

(a) A loan shall be made only for the purpose of assisting the construction of a house, according to sound standards approved by the Minister and subject to supervision by the lending institution or the Minister;

(b) The advance made by the Minister shall not exceed twenty per cent of the cost of construction of the house or its appraised value, whichever is the lesser, and the interest payable to His Majesty in respect of the advance shall be at a rate to be fixed by the terms of the contract;

(c) The advance by the Minister shall be made only if the lending institution lends, in addition to the amount of the advance, sixty per cent of the cost of construction of the house or the appraised value, whichever is the lesser;

(d) The rate of interest to be charged the borrower in respect of any loan shall be subject to approval by the Minister;

(e) The loan shall be for such period and upon such terms as to payment of principal, interest and taxes by monthly instalments as the Minister shall determine and shall be secured by a first mortgage on the house, given in favour of the Minister representing His Majesty, and the lending institution jointly;

(f) Any loss sustained in respect of any loan shall be borne by His Majesty and the lending institution in such proportions as are fixed by the terms of the contract;

(g) Such other conditions as are stipulated in the contract between the Minister and the lending institution as will safeguard the interest of His Majesty.

Loans by lending institutions.

5. Notwithstanding any restriction on its power to lend money, contained in any other statute or law, any lending institution subject to the jurisdiction of Parliament, may lend on the security of a first mortgage given in favour of the Minister and the lending institution jointly pursuant to the provisions of this Act, an amount equal to eighty per cent of the cost of construction of a house or its appraised value, whichever is the lesser.

Payment of advances, salaries and expenditure.

6. The Minister may make advances and pay salaries and other necessary expenses out of unappropriated moneys in the Consolidated Revenue Fund to the extent of ten million dollars.

Regulations.

7. The Governor in Council may make regulations for the purpose of determining what shall be included in the cost of construction and by whom and in what manner the appraisal of the value of a house shall be made, to require any department of the Government of Canada to furnish to the Minister advice and assistance upon his request, and otherwise for the efficient enforcement and operation of this Act and for carrying out the provisions thereof according to their true intent and meaning.

Annual report.

Laid before Parliament.

8. The Minister shall annually prepare a report with regard to loans made under the provisions of this Act during the preceding fiscal year, and the report shall be laid before Parliament within fifteen days, or if Parliament is not then sitting, within fifteen days after the beginning of the next session.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 112.

An Act to assist the Construction of Houses.

AS PASSED BY THE HOUSE OF COMMONS, 25th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
99326 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 112.

An Act to assist the Construction of Houses.

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

1. This Act may be cited as *The Dominion Housing Act, 1935.*

INTERPRETATION.

Definitions.

2. In this Act unless the context otherwise requires,—

"Approved lending institution".

(a) "Approved lending institution" means a lending institution approved by the Governor in Council;

"Cost of construction".

(b) "Cost of construction" includes, as well as the actual expenditure for building, the cost of the land, legal expenses connected with any loan and any other expense necessary to complete the house;

"House".

(c) "House" means a building intended exclusively for human habitation comprising one or more self-contained dwelling places;

"Housing scheme".

(d) "Housing scheme" means a scheme for the construction of houses and their occupation by tenants or purchasers;

"Lending institution".

(e) "Lending institution" means a loan, insurance or other company authorized to lend money on the security of real or immovable property;

"Local authority".

(f) "Local authority" means any province, municipality, society, association or corporation having authority to undertake a housing scheme;

"Minister".

(g) "Minister" means the Minister of Finance.

INVESTIGATION BY ECONOMIC COUNCIL

Duties.

3. The Economic Council established by *The Economic Council of Canada Act, 1935*, when so required by the Governor in Council, shall study, investigate, report and advise:—

(a) as to housing conditions and the adequacy of existing housing accommodation in Canada or any part of Canada, and as to the best means to be adopted to improve housing conditions;

(b) upon a proposal for a housing scheme in any urban or rural locality, submitted by a local authority, and particularly as to the necessity for and feasibility of, establishing a housing scheme in any locality for the construction of houses, with the assistance of the state, to be leased to low-wage earners;

(c) as to plans or proposals that have been adopted elsewhere than in Canada to improve housing conditions and the results that have been achieved;

(d) upon the necessity for and as to the feasibility of undertaking clearance and redevelopment of overcrowded areas in any city or town;

(e) as to the factors that enter into the cost of construction of houses and as to the feasibility by any means of securing economies and increased efficiency in such construction.

Advances.

4. (1) The Minister may, with the approval of the Governor in Council, enter into a contract with an approved lending institution or local authority to join with such institution or local authority in the making of loans to assist in the building of houses under conditions hereinafter mentioned.

Conditions.

(2) The conditions upon which a loan may be made under this section shall be as follows:—

(a) A loan shall be made only for the purpose of assisting the construction of a house, according to sound standards approved by the Minister and subject to supervision by the lending institution or local authority or the Minister;

(b) The advance made by the Minister shall not exceed twenty per cent of the cost of construction of the house or its appraised value, whichever is the lesser, and the interest payable to His Majesty in respect of the advance shall be at a rate to be fixed by the terms of the contract;

(c) The advance by the Minister shall be made only if the lending institution or local authority lends, in addition to the amount of the advance, sixty per cent of the cost of construction of the house or the appraised value, whichever is the lesser: provided that the Governor in Council may in any class of cases fix the percentage at less than the sixty per cent aforesaid;

(d) The rate of interest and other charge to be charged the borrower in respect of any loan shall be subject to approval by the Minister;

(e) The loan shall be for such period and upon such terms as to payment of principal, interest and taxes by monthly instalments as the Minister shall determine and shall be secured by a first mortgage or hypothec on the house, given in favour of the Minister representing His Majesty, and the lending institution or local authority jointly;

(f) Any loss sustained in respect of any loan shall be borne by His Majesty and the lending institution or local authority in such proportions as are fixed by the terms of the contract;

(g) Such other conditions as are stipulated in the contract between the Minister and the lending institution or local authority as will safeguard the interest of His Majesty.

Loans by lending institutions.

5. Notwithstanding any restriction on its power to lend money, contained in any other statute or law, any lending institution subject to the jurisdiction of Parliament, may lend on the security of a first mortgage or hypothec given in favour of the Minister and the lending institution jointly pursuant to the provisions of this Act, an amount up to eighty per cent of the cost of construction of a house or its appraised value, whichever is the lesser.

Payment of advances, salaries and expenditure.

6. The Minister may make advances and pay salaries and other necessary expenses out of unappropriated moneys in the Consolidated Revenue Fund to the extent of ten million dollars.

Regulations.

7. The Governor in Council may make regulations for the purpose of determining what shall be included in the cost of construction and by whom and in what manner the appraisal of the value of a house shall be made, to require any department of the Government of Canada to furnish to the Minister advice and assistance upon his request, and otherwise for the efficient enforcement and operation of this Act and for carrying out the provisions thereof according to their true intent and meaning.

Annual report.

Laid before Parliament.

8. The Minister shall annually prepare a report with regard to loans made under the provisions of this Act during the preceding fiscal year, and the report shall be laid before Parliament within fifteen days, or if Parliament is not then sitting, within fifteen days after the beginning of the next session.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 114.

An Act relating to the application of The Farmers' Creditors Arrangement Act, 1934, in the Province of British Columbia.

First reading, June 21, 1935.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
683 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 114.

An Act relating to the application of The Farmers' Creditors Arrangement Act, 1934, in the Province of British Columbia.

1934, c. 53.

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

Operation of Act in B.C. to cease on 1st July, 1935.

Exception.

1. On and after the first day of July, 1935, *The Farmers' Creditors Arrangement Act, 1934*, shall cease to be in force in the Province of British Columbia, except in the case of a proposal approved by the court or confirmed by the Board of Review before the aforesaid first day of July, and in the case of any such proposal the said *The Farmers' Creditors Arrangement Act, 1934*, shall continue to be in force as if this Act had not been enacted.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 114.

An Act relating to the application of The Farmers' Creditors Arrangement Act, 1934, in the Province of British Columbia.

AS PASSED BY THE HOUSE OF COMMONS, 27th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
685 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 114.

An Act relating to the application of The Farmers' Creditors Arrangement Act, 1934, in the Province of British Columbia.

1934, c. 53.

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

Operation of Act in B.C. to cease on 1st July, 1935.

Exception.

1. On and after the first day of July, 1935, *The Farmers' Creditors Arrangement Act, 1934*, shall cease to be in force in the Province of British Columbia, except in the case of a proposal approved by the court or confirmed by the Board of Review before the aforesaid first day of July, and in the case of any such proposal the said *The Farmers' Creditors Arrangement Act, 1934*, shall continue to be in force as if this Act had not been enacted.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 116.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

First reading, June 24, 1935.

The MINISTER OF FINANCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
93207 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 116.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable the Earl of Bessborough, 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 thirty-first day of March, one thousand nine hundred and thirty-six, 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 King'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, 1935.*

$138,642,370.82 granted for 1935-36.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and thirty-eight million, six hundred and forty-two thousand, three hundred and seventy dollars and eighty-two cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being the amount of each of the items to be voted set forth in Schedule A to this Act, less the amounts voted on account for the said items in the Appropriation Acts, Nos. 1, 3 and 4, passed at the present session of Parliament.

$2,502,750.01 granted for 1935-36 on certain items.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two million, five hundred and two thousand, seven hundred and fifty dollars and one cent towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being three-fourths of the amount of each of the several items to be voted set forth in Schedule B to this Act.

Power to raise loan of $200,000,000 for public works and general purposes.

1931, c. 27.

4. (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 Consolidated Revenue and Audit Act, 1931*, 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 as may be required, not to exceed in the whole the sum of two hundred million dollars, for public works and general purposes.

Chargeable to Consolidated Revenue Fund.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Lapse of prior borrowing powers.

(3) All borrowing powers authorized by section five of chapter twenty-three of the statutes of 1934 which are outstanding and unused shall expire on the date of the coming into force of this Act.

Account to be rendered in detail.

5. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

SCHEDULE A.

Based on the Main Estimates, 1935-36. The amount hereby granted is $138,642,370.82, 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 in the Appropriation Acts, Nos. 1, 3 and 4 of the present session.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CHARGES OF MANAGEMENT		
1	Printing, advertising, inspection, express, etc.	31,389 00	
	Commission for payment of interest on public debt, purchase of sinking funds, auditing, English bill stamps, postage, etc.	155,000 00	
	To provide for temporary clerical work in connection with the transfer and registration of bonds, etc., and the flotation of loans and authority for these purposes to employ a temporary staff, fix their rates of remuneration and otherwise wholly regulate their services without reference to and notwithstanding anything in the Civil Service Act	13,600 00	
			199,989 00
	CIVIL GOVERNMENT		
2	Office of the Secretary to the Governor General—		
	Salaries	27,370 00	
	Contingencies, including house allowance of $1,500 per annum to the Secretary to the Governor General	70,500 00	
3	Agriculture—		
	Salaries	659,338 00	
	Contingencies	109,700 00	
4	Auditor General's Office—		
	Salaries	296,010 00	
	Contingencies	75,950 00	
5	Civil Service Commission—		
	Salaries	183,286 00	
	Contingencies	27,000 00	
6	External Affairs—		
	Salaries	85,056 00	
	Contingencies	63,800 00	
7	Finance—		
	Salaries	293,957 00	
	Contingencies	33,026 00	
	Inspector General of Banks—		
	Salaries and Contingencies	22,000 00	
8	Fisheries—		
	Salaries	95,490 00	
	Contingencies	27,900 00	
9	Immigration and Colonization—		
	Salaries	178,850 00	
	Contingencies	15,300 00	
10	Indian Affairs—		
	Salaries	117,655 00	
	Contingencies	18,000 00	
11	Insurance—		
	Salaries	92,812 00	
	Contingencies	64,000 00	
12	Interior—		
	Salaries	503,158 50	
	Contingencies	20,000 00	
13	Justice—		
	Salaries	198,798 00	
	Contingencies, including the Solicitor General's Office	45,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT—*Concluded*		
14	Labour—		
	Salaries	192,972 00	
	Contingencies	26,000 00	
15	Marine—		
	Salaries	258,570 00	
	Contingencies	46,800 00	
16	Mines—		
	Salaries	485,910 00	
	Contingencies	20,000 00	
17	National Defence—		
	Salaries	402,692 00	
	Contingencies	45,948 00	
18	National Revenue—		
	Salaries	798,709 00	
	Contingencies	92,700 00	
19	Office of the Prime Minister—		
	Salaries	24,904 00	
20	Pensions and National Health—		
	Salaries	149,390 00	
	Contingencies	30,300 00	
21	Post Office—		
	Salaries, including amounts required to pay allowances to Office Appliance Operators, Grade 2, operating mechanical audit card punching machines in accordance with the terms of Order in Council P.C. 280/383, dated February 17, 1930, and to pay allowances to typists, Grade 1, employed cutting stencils in accordance with regulattions approved by Order in Council; and to provide for continuance in office of G. C. Anderson, as Superintendent of Mail contracts from April 1, 1935 to March 31, 1936	1,130,102 00	
	Contingencies	172,720 00	
22	Privy Council—		
	Salaries	39,894 00	
	Contingencies	5,000 00	
23	Public Archives—		
	Salaries, and to provide for the continuance in office of J. B. Noble, Senior Bookbinder, from April 1, 1935 to March 31, 1936	84,898 00	
	Contingencies	9,200 00	
24	Public Printing and Stationery—		
	Salaries	31,500 00	
	Contingencies	10,000 00	
25	Public Works—		
	Salaries	444,056 00	
	Contingencies	49,800 00	
26	Railways and Canals—		
	Salaries	163,408 00	
	Contingencies	26,500 00	
27	Royal Canadian Mounted Police—		
	Salaries	16,200 00	
	Contingencies	12,500 00	
28	Secretary of State—		
	Salaries	289,538 00	
	Contingencies	73,655 00	
29	Trade and Commerce—		
	Salaries	545,724 00	
	Contingencies	43,703 60	
			9,047,250 10
	ADMINISTRATION OF JUSTICE		
30	Miscellaneous expenditure, including remuneration to members of the Mounted Police Force (to be expended under Order-in-Council, and not to exceed $1,300) for assistance in the Remission Service of the Department of Justice	15,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	ADMINISTRATION OF JUSTICE—*Concluded*		
	Supreme Court of Canada		
31	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding $350	4,100 00	
	Law books and books of reference for Library, and binding of same	7,000 00	
	Printing, binding and distributing Supreme Court Reports	8,000 00	
	Exchequer Court of Canada		
32	Contingencies—Judges' and Court officials' travelling expenses; remuneration to sheriffs, etc., printing, stationery, etc.; and $150 for judges' books	7,000 00	
	Printing, binding and distributing Court Reports	3,000 00	
	Yukon Territory		
33	Miscellaneous expenditure, including salaries and allowances of court officers, etc	9,500 00	53,600 00
	PENITENTIARIES		
34	Amount required for cost of administration, construction, purchase of land, supplies and equipment, maintenance and discharge of inmates at Kingston, St. Vincent de Paul, Dorchester, Manitoba, British Columbia, Piers Island, Saskatchewan and Collin's Bay Penitentiaries	2,830,947 75	2,830,947 75
	LEGISLATION		
	SENATE		
35	Salaries and contingent expenses	162,241 50	
	HOUSE OF COMMONS		
36	Salaries	116,246 00	
	Expenses of committees, etc	15,000 00	
	Clerical Assistance, etc	107,203 50	
	Contingencies	44,099 00	
	Publishing debates, including salaries of amanuenses, etc	63,000 00	
	Estimates of the Sergeant-at-Arms	195,635 25	
	LIBRARY OF PARLIAMENT		
37	Salaries, and to authorize payment of M. C. MacCormac from April 1, 1935	42,498 00	
	Books for the General Library, including binding	15,000 00	
	Books for the Library of American History	1,000 00	
	Contingencies	12,000 00	
	To provide for the cost of printing reports	1,000 00	
	GENERAL		
38	Printing, printing paper and binding, including salaries of staff in joint distribution office	75,000 00	849,923 25
	AGRICULTURE		
39	Dairying	249,000 00	
40	Cold Storage Warehouses	43,696 34	
41	Fruit, including grant of $4,500 to Canadian Horticultural Council	464,280 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
42	Seed, feed and fertilizer control, including grants to seed fairs, etc., also grant of $17,010 to Canadian Seed Growers' Association	393,200 00	
43	Live Stock, including assistance to Fairs and Exhibitions	1,628,302 00	
44	Experimental Farms, including investigations concerning plant diseases	1,937,898 00	
45	Health of Animals, administration of Animal Contagious Diseases Act and Meat and Canned Foods Act	1,833,189 00	
46	Entomology, including investigations and inspections relating to destructive insects and pests	380,128 00	
47	Publications	32,197 60	
48	Farm Economics, including agricultural co-operative marketing	29,680 00	
49	International Institute of Agriculture	12,000 00	
50	Contributions to Empire Bureaux	21,535 00	
			7,025,105 94
	IMMIGRATION AND COLONIZATION		
51	Immigration Salaries and Contingencies	1,175,361 00	
52	Empire Settlement Scheme, including grants authorized by the Governor in Council	34,250 00	
53	Relief of Distressed Canadians	2,000 00	
			1,211,611 00
	SOLDIER AND GENERAL LAND SETTLEMENT		
54	Amount required for Soldier Land Settlement Advances, for advances under the British Family Schemes recoverable from the British Government, for the cost of administration of Soldier Settlement and General Land Settlement, and for the cost of administration of Soldier Settlement staff, performing investigations for the War Veterans Allowance Committee and Farmers' Creditors Arrangement Act	1,162,400 00	
55	To provide for payment to the British Government on account of ascertained losses sustained under the 3,000 British Family Agreement of August 20, 1924	3,913 28	
			1,166,313 28
	PENSIONS		
56	Annuity to Sir Frederick G. Banting	7,500 00	
57	Annuity to Sir Charles E. Saunders	5,000 00	
	Pensions to—		
58	The unmarried sister of the late Col. Harry Baker, M.P.	700 00	
59	J. Langlois Bell	600 00	
60	James Elliott	672 00	
61	Alice Morson Smith	600 00	
62	Elizabeth Swinford	600 00	
63	Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885	808 86	
64	Families of members of the Mounted Police Force who lost their lives while on duty—		
	Mrs. Mary Emma Bossange	457 50	
	Mrs. Margaret Johnson Brooke	823 50	
	Mrs. Margaret Cox	501 75	
	Mrs. Elizabeth Fitzgerald	525 00	
	Mrs. Letitia Kennedy	423 50	
	Mrs. Nora Jean Massan	300 00	
	Mrs. Margaret Nicholson	609 00	
	Mrs. Catharine Mildred Ralls	797 10	
	Mrs. Myrtle L. Richards	900 00	
	Mrs. Doris Freda Sampson	816 00	
	Mrs. Amy Lilian Searle	408 09	
	Mrs. Madeleine Mary Schoebothom	810 00	
65	Pensions payable to men on active service, Northwest Rebellion, 1885, and general pensions, and Civil Flying	21,000 00	
66	European War—Naval, Militia and Air Forces after the War	42,000,000 00	
67	Salaries and contingent expenses of the Canadian Pension Commission	446,023 00	
			42,490,875 30

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	SUPERANNUATION	$ cts.	$ cts.
68	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery	7,780 00	7,780 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
69	Administration	359,000 00	
70	Cadet Services	150,000 00	
71	Contingencies	31,500 00	
72	Engineer Services and works	297,500 00	
73	General Stores	937,800 00	
74	Non-Permanent Active Militia	2,000,000 00	
75	Permanent Force	4,964,700 00	
76	Royal Military College	359,500 00	
	NAVAL SERVICES		
77	Naval Services—To provide for the maintenance of the ships and establishments of the Naval Service, including the Royal Canadian Navy, the Royal Canadian Naval Reserve, and the Royal Canadian Naval Volunteer Reserve	2,250,000 00	
	GENERAL		
78	Civil Pensions—		
	Life pension to Robert Allen	269 52	
	Life pension to Walter Pettipas	515 90	
	Life pension to Florence Walker and child	375 75	
	Life pension to Arnold Truman Townsend	420 00	
	Life pension to Michael Mountain	420 00	11,252,001 17
	AVIATION		
79	Royal Canadian Air Force—Expenses in connection with the general maintenance and training of the Permanent and Non-Permanent Active Air Force, and provision of facilities therefor	2,630,000 00	
80	Civil Government Air Operations—For Preventive Service and other Air Operations	120,000 00	
81	Civil Aviation—Expenses in connection with the Control of Civil Aviation, Airways, Government and Public Airports and Grants to Aeroplane Clubs	250,000 00	3,000,000 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
82	Hudson Bay Railway and Terminals: Construction and Betterments (including E. B. Jost at $2,250)	302,000 00	
	CANALS		
83	Welland Ship Canal: Construction and Betterments	125,000 00	
84	Welland Ship Canal; To provide for settlement of the claims totalling $364,827, of J. P. Porter in connection with contract No. 24275 entered into August 18th, 1921, for the construction of sections 1 and 2	89,438 60	
85	Welland Ship Canal: To provide for settlement of the claims, totalling $633,620.67, of Atlas Construction Co., Ltd., and E. O. Leahey, Ltd., in connection with contract No. 26376 entered into October 12th, 1925, for construction of Section 6	25,755 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS AND CANALS—*Concluded*		
	(Chargeable to Capital)—Concluded		
	CANALS—Concluded		
86	Welland Ship Canal: To provide for settlement of the claims, totalling $62,721.05, of the Canadian Dredging Co., Ltd., in connection with contract No. 26070, entered into December 30, 1924, for the construction of Section 7	11,762 64	
87	Welland Ship Canal; To provide for settlement of the claims, totalling $385,021.41, of A. W. Robertson, Ltd., in connection with contract No. 25856, entered into February 27, 1924, for the construction of Section 8	37,228 77	
88	Welland Ship Canal: To provide for settlement of claims, totalling $126,696.09, of Collingwood Shipyards, Limited, in connection with contract No. 27896, entered into December 23, 1929, for the construction of a pontoon gate lifter	16,426 06	
			607,611 07
	RAILWAYS AND CANALS		
	(Chargeable to Income)		
	CANALS		
89	Improvements	518,820 00	
90	Welland Ship Canal: To provide for settlement of the claims, totalling $3,025 of Messrs. Aiken, Innes & MacLachlan, in connection with contract No. 28645, entered into October 10, 1931, for construction of a Pile Dock and Turning Basin at St. Catharines	1,546 30	
	MISCELLANEOUS		
91	Board of Railway Commissioners: Maintenance and Operation	228,648 00	
92	Miscellaneous Services	46,000 00	
93	Printing and Stationery	5,000 00	
94	Surveys and Inspections, Canals	6,000 00	
95	Railway Employees' Provident Fund: To supplement pension allowances payable under 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, 1935, to March 31, 1936, the sum of $30 per month instead of $20 per month as fixed by the said Act	27,500 00	
			833,514 30
	PUBLIC WORKS		
	(Chargeable to Capital)		
	PUBLIC BUILDINGS		
96	Tokyo, Japan—Canadian Legation	200,000 00	
	HARBOURS AND RIVERS		
	Under Contract—		
97	St. John—Channel improvements	100,000 00	
			300,000 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Nova Scotia		
98	Bridgetown—Public building	30,000 00	
	Halifax—Maintenance of Immigration quarters	25,000 00	
	New Waterford—Public building	44,000 00	
	Oxford—Public building	30,000 00	
		129,000 00	
	Prince Edward Island		
99	Alberton—Public building	6,500 00	
	New Brunswick		
100	Rexton—Public building	12,000 00	
	St. Andrews—Public building	45,000 00	
	St. George—Public building	29,000 00	
	St. John—Addition to armoury	20,000 00	
	St. John Quarantine Station—Partridge Island—Improvements, alterations and repairs	6,000 00	
		112,000 00	
	Maritime Provinces Generally		
101	Dominion Public Buildings—Improvements and repairs	50,000 00	
	Quebec		
102	Amqui—Public building	19,000 00	
	Asbestos—Public building	8,000 00	
	Bagotville—Public building	25,500 00	
	Dolbeau—Public building	22,000 00	
	Dominion Public Buildings—Improvements and repairs	100,000 00	
	Grosse Isle Quarantine Station—Improvements, alterations and repairs	7,800 00	
	Montreal—Instalment on purchase of armoury	15,200 00	
	Montreal—Addition to 4th Division Engineer's armoury	7,000 00	
	Quebec Citadel—Improvements and maintenance	15,000 00	
	Quebec Examining Warehouse—Repairs and renewals	1,200 00	
	Ste. Anne de Beaupre—Public building	25,000 00	
	Westmount—Instalment on purchase of armoury	12,700 00	
		258,400 00	
	Ontario		
103	Belleville Public Building—Addition to site	17,500 00	
	Belleville—New gun shed	9,600 00	
	Burlington—Public building	35,000 00	
	Campbellford—Public building	35,000 00	
	Dominion Public Buildings—Improvements and repairs	125,000 00	
	Dunnville—Public building	60,000 00	
	Fenelon Falls—Public building	25,000 00	
	Gananoque—Gun shed and caretaker's quarters	11,700 00	
	Hamilton—Addition to armoury	75,000 00	
	Kingston—Machine shop	35,000 00	
	Kingston—Addition to armoury	12,000 00	
	Kingston—R.S.A. and Brigade building	52,000 00	
	London—Royal school building	25,000 00	
	Meaford—Public building	40,000 00	
	Perth—Purchase of property for armoury purposes	6,500 00	
	Toronto—Instalment on purchase of armoury	29,400 00	
	Toronto Postal Station "A"—Improvements, etc	5,500 00	
		599,200 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Manitoba		
104	Dominion Public Buildings—Improvements and repairs	25,000 00	
	Elkhorn—Public building	22,000 00	
	Rivers—Public building	12,000 00	
	Russell—Public building	22,500 00	
		81,500 00	
	Saskatchewan		
105	Broadview—Public building	15,000 00	
	Dominion Public Buildings—Improvements and repairs	25,000 00	
	Regina—Instalment on purchase of armoury	31,000 00	
	Whitewood—Public building	12,000 00	
		83,000 00	
	Alberta		
106	Calgary—Instalment on purchase of property for Ordnance Stores	9,000 00	
	Dominion Public Buildings—Improvements and repairs	17,000 00	
	Peace River—Public building	31,500 00	
	Red Deer—Addition to armoury	7,000 00	
	Vermilion—Purchase of building for postal purposes	8,000 00	
		72,500 00	
	British Columbia		
107	Armstrong—Purchase of building for postal purposes, etc	7,000 00	
	Chemainus—Public building	37,000 00	
	Creston—Public building	30,000 00	
	Dominion Public Buildings—Improvements and repairs	35,000 00	
	Hollyburn—Public building	50,700 00	
	Kelowna—Public building	65,300 00	
	Mission City—Public building	30,000 00	
	Penticton—Public building	61,000 00	
	Vancouver—Instalment on purchase of armoury	17,100 00	
	Vancouver Public Building—To meet one year's interest at 5% on mortgage of $400,000	20,000 00	
		353,100 00	
	Generally		
108	Experimental Farms—Replacements, repairs and improvements	100,000 00	
	Flags for Dominion Public Buildings	3,500 00	
	Military Buildings—Repairs, fittings and additions	25,000 00	
	Military Hospitals—Repairs, improvements and alterations	80,000 00	
	Public Buildings Generally	30,000 00	
	Ottawa Central Heating Plant—Improvements	30,000 00	
	Ottawa Departmental Buildings—Fittings, etc	35,000 00	
	Ottawa—Extension of Ore Dressing and Metallurgical Laboratory of Department of Mines	25,000 00	
	Tractors for postal purposes	15,600 00	
		344,100 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—Concluded		
	Rents, Repairs, Furniture, Heating, etc.		
	Ottawa Public Buildings and Grounds—		
	Elevator attendants	108,000 00	
	Departments Generally—Char Service, including $150 for firing the noon gun	449,400 00	
	Heating, including salaries of engineers, firemen and watchmen	395,000 00	
109	Light and Power, including roads and bridges	178,000 00	
	Repairs, improvements, additions and maintenance	343,000 00	
	Rideau Hall—Allowance for fuel and light	19,000 00	
	Rideau Hall—Improvements, furniture and maintenance	40,700 00	
	Telephone Service	85,500 00	
	Water	67,000 00	
	Dominion Public Buildings—		
	Dominion Immigration Buildings—Repairs, improvements, additions and furniture	10,000 00	
	Dominion Quarantine Stations—Maintenance and repairs	16,000 00	
	Fittings, general supplies and furniture	75,000 00	
110	Heating	405,000 00	
	Light and Power	300,000 00	
	Rents	1,500,000 00	
	Salaries of caretakers, engineers, firemen, etc	1,062,000 00	
	Supplies for caretakers, engineers, firemen, etc	47,000 00	
	Water	75,000 00	
	Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries	20,000 00	
		5,195,600 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Under Contract—		
	Phinney's Green—Wharf—To complete payments	900 00	
	Essential Undertakings—		
	Charlos Cove—Wharf	5,600 00	
	Diligent River—Wharf enlargement	12,000 00	
	Dingwall (Aspy Bay)—Harbour improvements	41,000 00	
	Halifax—Repairs and improvements to wharfs and buildings and extension of Barracks at R.C.N. Barracks and H.M.C. Dockyards	60,000 00	
111	Janvrin's Island—Wharf	8,800 00	
	Malagash—Dredging	52,000 00	
	Mink Cove—Breakwater	5,800 00	
	North West Cove (Scatari Island)—Breakwater	9,000 00	
	Pictou—Repairs to wharfs	21,000 00	
	Stoney Island—Breakwater reconstruction	11,800 00	
	Sydney—Harbour improvements	30,000 00	
	Westport—Wharf extension	12,800 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	250,000 00	
		520,700 00	
	Prince Edward Island		
	Essential Undertakings—		
	Beach Point—Wharf extension	9,500 00	
112	Charlottetown—Wharf repairs and improvements	7,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	50,000 00	
		67,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	New Brunswick		
	Essential Undertakings—		
	Bathurst—Dredging	35,000 00	
	Campbellton—Wharf repairs	10,000 00	
	Caraquet (Young Wharf)—Enlargement and repairs	16,000,00	
	Harshman's Brook—Completion of harbour improvements	7,100 00	
	Little Shippigan—Breakwater-wharf	30,000 00	
	Lower Caraquet—Wharf repairs	25,000 00	
113	Mace's Bay—(Lepreau Basin)—Dredging	12,600 00	
	McEachern's Point—Wharf	6,000 00	
	Mills Point—Wharf repairs	22,000 00	
	Miramichi Bay—Dredging	43,000 00	
	Negro Point—Breakwater repairs	20,000 00	
	Newcastle—Wharf	34,000 00	
	Richibucto—Wharf reconstruction and improvements	30,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		391,200 00	
	Quebec		
	Essential Undertakings—		
	Anse a Beaufils—Repairs to breastworks	43,000 00	
	Anse au Griffon (River)—Extension to breastwork	6,100 00	
	Baie des Rochers—Wharf repairs	5,500 00	
	Baie Lavalliere—Dredging	15,700 00	
	Baie St. Paul (Riviere du Gouffre)—Extension of protection wall	8,800 00	
	Black Cape (Howatson's Point)—Wharf	38,800 00	
	Bonaventure—Wharf repairs and improvements	8,500 00	
	Cape Cove (Anse du Cap)—Wharf reconstruction	50,000 00	
	Carleton—Wharf reconstruction	30,000 00	
	Champlain—Extension of protection work	27,000 00	
	Cross Point—Wharf repairs and improvements	14,200 00	
	Deschaillons—Dredging	11,200 00	
	Donnacona—Dredging	42,000 00	
	Doucet's Landing (Ste. Angele de Laval)—Dredging	15,000 00	
	Dune du Sud, M.I.—Breakwater	6,500 00	
	Gascons—Wharf reconstruction	3,100 00	
	Grand Anse—Wharf	2,500 00	
	Grande Entree, M.I.—Wharf extension and reconstruction of breastwork	17,600 00	
	Havre Aubert, M.I.—Strengthening and widening wharf	31,800 00	
114	Havre St. Pierre—Wharf reconstruction	75,000 00	
	La Malbaie (St. Etienne)—Wharf extension	39,000 00	
	Little River St. Lambert—Dredging—The Provincial Government to contribute a like amount	4,000 00	
	Manicouagan—Wharf extension—One-third of the cost to be contributed jointly by the Ontario Paper Co., Ltd., and the Anglo Canadian Pulp and Paper Co	100,000 00	
	New Carlisle—Wharf reconstruction	50,000 00	
	Notre Dame du Lac—Wharf extension	9,000 00	
	Peninsula—Wharf extension	5,800 00	
	Port Daniel East—Wharf repairs and reinforcement	33,000 00	
	Quebec—Extension of Kings Wharf	200,000 00	
	Richelieu River—Improvements	180,000 00	
	Riviere au Renard—Wharf repairs	5,900 00	
	Riviere des Hurons—Dredging—The Provincial Government to contribute a like amount	60,000 00	
	Riviere du Loup—Wharf enlargement	139,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	Riviere la Guerre—Contribution towards completion of improvement, the Provincial Government to bear a like amount	37,500 00	
114	St. Antoine de Tilly—Wharf reconstruction	20,500 00	
	St. Juste du Lac—Wharf extension	8,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	400,000 00	
		1,744,500 00	
	Ontario		
	Under Contract—		
	Byng Inlet—Dredging—To complete payments	12,000 00	
	Essential Undertakings—		
	Fort William—Harbour improvements	100,000 00	
	Goderich—Dredging	32,300 00	
	Hudson—Wharf	14,000 00	
	Kincardine—Reconstruction of North wall	11,400 00	
	Kingsville—Harbour improvements	85,000 00	
	Meaford—Harbour improvements	40,000 00	
	Midland—Harbour repairs and improvements	55,000 00	
	Oshawa—Harbour improvements	40,000 00	
115	Owen Sound—Harbour improvements	60,000 00	
	Port Arthur—Harbour improvements	98,000 00	
	Port Colborne—Repairs to breakwaters	24,000 00	
	Port Hope—Harbour improvement	15,000 00	
	Providence Bay—Harbour improvements	15,000 00	
	Rondeau—Repairs to West Pier	11,000 00	
	Saugeen River—Dredging	18,000 00	
	Sault Ste. Marie—Dredging	15,800 00	
	Thames River Mouth—Repairs to Lighthouse wharf	14,000 00	
	Toronto—Maintenance of Eastern channel	15,000 00	
	Wallaceburg—Extension to wharf and warehouse	5,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	200,000 00	
		880,500 00	
	Manitoba		
	Essential Undertakings—		
	Grand Rapids—Wharf	4,500 00	
116	Silver Bay—Wharf	5,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	40,000 00	
		49,500 00	
	Saskatchewan, Alberta and Northwest Territories		
	Essential Undertakings—		
	Cowan River—Replacement of dam	21,500 00	
	Fort Chipewyan—Wharf replacement	7,000 00	
117	Prince Albert—Reconstruction of retaining wall	21,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	15,000 00	
		64,500 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Concluded*		
	British Columbia		
	Essential Undertakings—		
	Esquimalt—R.C.N. Barracks and H.M.C. Dockyard—New buildings, repairs and improvements	91,000 00	
	Fraser River—North Arm—Extension to jetty	31,000 00	
	Fraser River (Sapperton)—Construction of Dyke No. 1	18,000 00	
118	Fraser River—Contribution towards protection work near Agassiz, B.C., the Provincial Government to contribute a like amount	5,250 00	
	Fraser, Skeena and Naas rivers—Operation and maintenance of snagboats	35,000 00	
	Port Alberni Assembly wharf—Replacement of crane	26,000 00	
	Trail—Extension of retaining wall	10,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		316,250 00	
	Yukon		
119	*Essential Undertakings*—		
	Stewart and Yukon Rivers—Improvements	15,000 00	
	Generally		
120	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	25,000 00	
	DREDGING		
121	Maritime Provinces	300,000 00	
	Ontario and Quebec	320,000 00	
	Manitoba, Saskatchewan and Alberta	50,000 00	
	British Columbia	160,000 00	
		830,000 00	
	ROADS AND BRIDGES		
	Burlington Channel Bridge—Maintenance and repairs	15,000 00	
	Dominion Roads and Bridges—Generally	5,000 00	
	Great Bear River Rapids—Improvement of portage road and dock	6,000 00	
122	Kingston—Wharfs and bridges—Maintenance and repairs	18,000 00	
	Ottawa—Maintenance and repairs to bridges and approaches	8,400 00	
	Perley Bridge over Ottawa River at Hawkesbury	5,200 00	
		57,600 00	
	TELEGRAPH AND TELEPHONE LINES		
	Quebec		
123	Reconstruction of North Shore St. Lawrence Telegraph System from Shelter Bay eastward—Under construction	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Income)—Concluded		
	TELEGRAPH AND TELEPHONE LINES—*Concluded*		
	Saskatchewan and Alberta		
124	Saskatchewan and Alberta Telegraph and Telephone Lines—Repairs and improvements	10,000 00	
	British Columbia		
125	British Columbia Northern District—Repairs and improvements	4,000 00	
	British Columbia Vancouver Island District—Repairs and improvements	8,000 00	
	Telephone line from Pouce Coupe, B.C., to Bonanza, Alta	4,000 00	
	Telephone line from Pouce Coupe to Gundy	1,500 00	
		17,500 00	
	Yukon		
126	Yukon Telegraph System—Repairs and improvements	15,000 00	
	MISCELLANEOUS		
127	Architectural Branch—Salaries of Architects, Clerks of Works, Inspectors, Draftsmen, Clerks and Messengers of outside service	66,000 00	
	Engineering Branch—Salaries of Engineers, Clerks, etc., of outside service	365,000 00	
	Inspection boats—Maintenance and operation	10,000 00	
	Water storage dams on Ottawa River and tributaries—Maintenance and operation	33,900 00	
	National Gallery of Canada	30,000 00	
	National Monument on Connaught Place	100,000 00	
	Surveys and inspections	65,000 00	
	Balance of expenditure for works already authorized, provided amount for any one work does not exceed $200	5,000 00	
	Miscellaneous works not otherwise provided for, not more than $3,000 to be expended upon any one work	50,000 00	
		724,900 00	
			13,024,050 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN		
	Canada and the United Kingdom, on the Atlantic, service between	500,000 00	
	Canada and South Africa, service between	112,500 00	
	PACIFIC OCEAN		
	British Columbia and Australia and/or China, service between	118,800 00	
	British Columbia and South Africa, service between	84,000 00	
128	Canada, China and Japan, service between	690,000 00	
	Canada and New Zealand, on the Pacific service between	200,000 00	
	Prince Rupert, B.C., and Queen Charlotte Islands, service between	12,000 00	
	Vancouver and the British West Indies, service between	36,000 00	
	Vancouver and Northern ports of British Columbia, service between	18,000 00	
	Victoria, Vancouver, way ports and Skagway, service between	12,000 00	
	Victoria and West Coast Vancouver Island, service between	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—*Concluded*		
	LOCAL SERVICES		
	Baddeck and Iona, service between	8,000 00	
	Charlottetown and Pictou, service between	25,000 00	
	Charlottetown, Victoria and Holliday's Wharf, service between	4,600 00	
	Grand Manan and the Mainland, service between	33,000 00	
	Halifax and Bay St. Lawrence, service between	2,000 00	
	Halifax, Canso and Guysboro, service between	6,750 00	
	Halifax and Sherbrooke, service between	900 00	
	Halifax, LaHave and LaHave River ports, service between	2,000 00	
	Halifax, South Cape Breton and Bras d'Or Lake ports, service between	3,500 00	
	Halifax, Spry Bay and Cape Breton ports, service between	4,000 00	
	Halifax and West Coast of Cape Breton, service between	4,000 00	
	Ile-aux-Coudres and Les Eboulements, service between	1,100 00	
	Mulgrave, Arichat and Canso, service between	33,750 00	
	Mulgrave and Guysboro, calling at intermediate ports, service between	9,500 00	
	Murray Bay and North Shore, winter service between	40,000 00	
	Parrsboro, Kingsport and Wolfville, service between	2,000 00	
	Pelee Island and the Mainland, service between	8,250 00	
128	Pictou, Mulgrave and Cheticamp, service between	11,000 00	
	Pictou, Souris and the Magdalen Islands, service between	37,500 00	
	Quebec, Natashquan and Harrington, service between	76,500 00	
	Quebec, or Montreal, and Gaspe, calling at way ports, service between	60,000 00	
	Rimouski and Matane and points on the North Shore of the St. Lawrence, service between	50,000 00	
	Riviere-du-Loup and Tadoussac, and other North Shore ports, service between	12,000 00	
	St. Catherine's Bay and Tadoussac, service between	2,558 26	
	St. John, Bear River, Annapolis and Granville, and other way ports, service between	2,000 00	
	St. John and Bridgetown, service between	1,000 00	
	St. John and Margaretville, and other ports on the Bay of Fundy, service between	2,800 00	
	St. John and Minas Basin ports, service between	3,500 00	
	St. John and St. Andrews, calling at way ports, service between.	3,000 00	
	St. John, Westport and Yarmouth and other way ports, service between	13,000 00	
	St. John and Weymouth, service between	1,000 00	
	Summerville, Burlington and Windsor, N.S., service between	750 00	
	Sydney and Bay St. Lawrence, calling at way ports, service between	18,000 00	
	Sydney and Bras d'Or Lake ports, and West Coast of Cape Breton and Prince Edward Island, service between	20,000 00	
	Sydney and Whycocomagh, service between	12,000 00	
	Inspection of subsidized steamship services	4,000 00	
			2,312,258 26
	OCEAN AND RIVER SERVICE		
129	Maintenance and repairs to Dominion steamers and icebreakers.	1,500,000 00	
130	Miscellaneous services relating to Navigation and Shipping	43,572 00	
131	Amount required to reimburse the British Board of Trade for expenditure incurred in the relief of distressed Canadian seamen not authorized by the Canada Shipping Act	300 00	
132	To provide subsidies for wrecking plants—Quebec and British Columbia	40,000 00	
133	Miscellaneous and Unforeseen expenses	8,000 00	
134	Life Saving Service, including rewards for saving life	58,000 00	
135	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic steamers	400,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	OCEAN AND RIVER SERVICE—*Concluded*		
136	Radio Service, to provide for the maintenance and construction of Radio Direction Finding Stations, Radio Beacons and Radiotelegraph Stations and the general administration of the provisions of the Radio Act and Regulations throughout the Dominion	590,550 00	
137	Radio Service, to provide for the suppression of local electrical interferences and for the issue of radio receiving licenses	263,038 00	
138	To provide for compassionate allowance to Lawrence Larson, formerly employed as Caretaker at the Esquimalt Workshop of the Radiotelegraph Service	500 00	
			2,903,960 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
139	River St. Lawrence Ship Channel Dredging—		
	(a) To provide for contract dredging	3,500,000 00	
	(b) To provide for the maintenance and operation of the Government Ship Channel fleet and the Government Shipyard, including all necessary repairs and reconditioning	1,140,000 00	
140	To provide for the maintenance and repair of retaining dams in the St. Lawrence River	100,000 00	
141	To provide for the investigation of water levels in the St. Lawrence River	40,000 00	
			4,780,000 00
	LIGHTHOUSE AND COAST SERVICE		
142	Agencies, Rents and Contingencies	196,300 00	
143	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers	1,781,000 00	
144	Amount required to pay compassionate allowance to John Davidson, formerly lightkeeper at Cape Mudge, B.C.	500 00	
145	Amount required to pay compassionate allowance to W. P. Flewin, father of the late Walter James Flewin, mess-boy on the C.G.S. "Newington"	1,000 00	
146	To provide for compassionate allowance to recoup the Workmen's Compensation Board of British Columbia in continuation of a pension granted and to be paid by that Board up to the 31st March, 1936, in the sum of $35 per month, to the widow of the late E. J. McCoskrie, who was formerly employed as Port Warden at Prince Rupert, B.C., and who was killed while in the performance of his duties	420 00	
147	Marine Signal Service	93,750 00	
148	Administration of Pilotage	118,000 00	
149	Maintenance and repairs to wharves	7,500 00	
150	To provide for breaking ice in Thunder Bay, Lake Superior and other points deemed advisable in the interests of navigation	40,500 00	
151	Amount required to pay pensions to Pilots—Berthelemi Lachance, Alphonse Gosselin, Joseph Plante, Raymond Baquet, Victor Vezina, Alfred Larochelle, Alphonse Pouliot, John I. Irvine, Adjutor Baillergeon, J. Alphonse Lachance, Joseph Pouliot, Raoul Lachance, Arthur Baillergeon, Arthur Koenig, J. Eugene Lachance, Phileas Lachance, J. H. Talbot, Jules Asselin, Joseph Vezina, Treffle Delisle	6,000 00	
			2,244,970 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
	Dominion Observatory		
152	Expenses connected with the Dominion Observatory at Ottawa	40,200 00	
	Dominion Astrophysical Observatory		
153	Expenses connected with the Dominion Astrophysical Observatory at Victoria, B.C.	20,000 00	
	Topographical and Air Service Bureau		
154	From topographical and air surveys, compiling, drawing, printing and distributing geographical base maps for all purposes, issuing technical instructions for air photography and reconnaissance, under supervision of Committee on Air Surveys and Base Maps; land and mining claim surveys of all remaining Dominion Lands (Northwest Territories, Dominion Parks, Ordnance Lands); preparing electoral district maps; maintaining central office for indexing, filing and recording of survey notes and plans, and the distribution of maps, etc.	110,000 00	
	Amount required to provide for the purchase of air photographs or negatives for adding to the National Air Photographic Library	5,000 00	
	Amount required to pay the fees of the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of room and furniture, etc. (the fees of Messrs. F. H. Peters, W. M. Tobey, and Harry Parry, Members of the Board, and J. A. Cote, Secretary, are to be paid out of this sum)	900 00	
	To assist in printing the publications of the Canadian Institute of Surveying (formerly the Association of Dominion Land Surveyors)	350 00	
	Geodetic Survey of Canada		
155	Control Operations—Precise levelling based on sea level, triangulation, geodetic astronomy and investigations—all basic for correlation of water areas, power developments, charts and maps and for the scientific study of the earth's crust, curvature, figure and dimensions. The above is the recognized basis of operations for federal and provincial departments, municipal authorities and engineering projects over the whole country	130,000 00	
	To recoup the Temiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin	240 00	
	International Boundary Commission		
156	Expenses connected with the maintenance in a state of effective demarcation of the international boundary, including $1,000 to Noel J. Ogilvie as International Boundary Commissioner	39,000 00	
	DEPARTMENT OF MARINE		
157	Meteorological Service, including Magnetic Observatory, grants of $450 each to Kingston and Montreal Observatories and allowance of $360 to L. F. Gorman, Observer at Ottawa	360,000 00	
			705,690 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	STEAMBOAT INSPECTION		
158	Steamboat Inspection	133,072 00	133,072 00
	FISHERIES		
159	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services	985,328 00	
160	Building Fishways and Clearing Rivers	6,000 00	
161	Legal and Incidental Expenses	6,000 00	
162	To assist in the Conservation and development of the Deep-Sea Fisheries and the Demand for Fish	85,000 00	
163	Fish Culture	240,000 00	
164	Oyster Culture	10,000 00	
165	To provide for an investigation into the life history of the Pacific Halibut by an International Fisheries Commission appointed under the Pacific Halibut Treaty of the 2nd March, 1923	25,000 00	
166	Marine Biological Board of Canada	186,000 00	
167	To provide, subject to the approval of the Governor in Council, for a grant to the United Maritime Fishermen	4,050 00	1,547,378 00
	MINES		
	Department		
168	For administration of the Explosives Act (Chap. 62, R.S. 1927)	8,000 00	
	Mines Branch		
169	For investigations of mineral resources and deposits; of the mining and metallurgical industries, and of mineral technology; wages, and expenses of testing and research laboratories; for publications, English and French; for purchase of books and instruments; for miscellaneous assistance and contingencies; and for investigations by the Dominion Fuel Board, including salaries and all other expenses	220,000 00	
	Geological Survey		
170	For explorations, surveys, and investigations; for publication of English and French editions of reports, maps, illustrations, etc., relating thereto; and for salaries and wages of explorers, topographers and others	190,000 00	
	For maintenance of offices and museum; for purchase of instruments, chemicals, books of reference, museum equipment and specimens, and related supplies; for expenses of the Geographic Board of Canada; and for miscellaneous assistance and contingencies	75,502 00	493,502 00
	LABOUR		
171	Annuities Act	85,000 00	
172	Combines Investigation Act	22,000 00	
173	Conciliation and Labour Act	32,000 00	
174	Administration, Employment Offices Co-ordination Act	8,000 00	
175	Fair Wages and Inspection	11,000 00	
176	Industrial Disputes Investigation Act	10,000 00	
177	International Labour Conference	10,000 00	
178	Administration of Old Age Pensions Act	2,000 00	180,000 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC PRINTING AND STATIONERY		
179	Printing, Binding, etc., the Annual Statutes	8,500 00	
180	Canada Gazette	27,000 00	
181	Plant—Repairs and Renewals	10,000 00	
182	Distribution of Official Documents	39,000 00	
183	Printing and binding official publications for sale and distribution to departments and the public	42,750 00	
			127,250 00
	INDIANS		
184	To provide for expenses connected with the administration of Indian Affairs, including salaries, supplies, relief, medical attendance, hospitalization, dwellings, agricultural activities, surveys, roads, bridges, irrigation, dyking, education, etc., and a grant of $100,000 approved by Parliament in session of 1926-27	4,260,000 00	
			4,260,000 00
	ROYAL CANADIAN MOUNTED POLICE		
185	Pay of Force and Allowances: (including salaries of two Constables, Ellesmere Island District at $2.25 per diem to assure Department against loss through death) arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal expenses, criminal investigation branch, enforcement of federal statutes, fuel and light, transport horses and dogs, transport mechanical, dental, medical and hospital, miscellaneous (including grants to Royal Canadian Mounted Police messes and publication of Royal Canadian Mounted Police Quarterly for instructional purposes) special services Opium and Narcotic Drug Act, printing and stationery, transport railway, rations, rents, travelling expenses, transport water	5,893,595 75	
186	To compensate members of the Royal Canadian Mounted Police for injuries received whilst in the performance of duty	12,000 00	
			5,905,595 75
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
187	Salaries and expenses connected with the administration of the Northwest Territories Act and Ordinances, Northwest Game Act and Regulations, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf bounties, exploration, investigation and development of natural resources, fire protection, construction and maintenance of buildings, schools, hospitals and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.	202,000 00	
	DEPARTMENT OF NATIONAL DEFENCE		
188	*Radio Services*—For the maintenance and operation of the Northwest Territories Radio System	199,425 00	
			401,425 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE YUKON TERRITORY		
	Salaries and expenses connected with the administration of the Territory, including surveys	42,000 00	
189	Grant to Yukon Council for local purposes, the construction and maintenance of roads and such other expenditures as the Commissioner is authorized to expend by and with the advice and consent of the Council or any Committee thereof; and the accounts with respect to such expenditure shall be subject to examination and audit by the Auditor General as provided by Section 22, Chapter 215, Revised Statutes 1927	60,000 00	102,000 00
	DOMINION LANDS AND PARKS		
	Dominion Lands, Seed Grain, Mining Lands and Ordnance, Admiralty and Public Lands, Salaries and expenses, etc.	90,797 96	
	Advancement of forest conservation; national inventory of forest resources; investigation of forest conditions and rates of growth, and development of scientific management methods; forest protection studies, technical and economic investigations of forest industries; the operation of forest experiment stations, demonstration forests, and forest products laboratories; co-operative undertakings in forestry and forest products, etc	250,000 00	
	Grant to Canadian Forestry Association	1,620 00	
	Investigation of Water and Power Resources and of International Waterway Problems, The Dominion Hydrometric Survey and for the Administration of the Dominion Water Power and Irrigation Acts, etc	165,000 00	
190	Amount required to meet expenses of Lake of the Woods Control Board	7,000 00	
	To provide for the expenses connected with the National Parks of Canada, historic sites, care of indigents in the parks, the appointment of stipendiary magistrates in the parks and the payment of their remuneration	1,105,188 00	
	Administration of the Migratory Birds Convention Act	35,500 00	
	Costs of litigation and legal expenses	4,000 00	
	Amount to provide for expenses in connection with determination of location and boundaries of Ordnance and Admiralty Lands in the Province of British Columbia	3,000 00	
	Amount required to cover the payment of retiring leave to officials other than those on Civil Government	7,350 00	
	Salaries of Revenue Staff	8,856 00	1,678,311 96
	PENSIONS AND NATIONAL HEALTH		
191	Care of patients and medical examination respecting pensions; hospital allowances (compensation)	3,200,000 00	
192	Salaries— Departmental staff	2,375,000 00	
193	Unemployment relief	2,100,000 00	
194	Operating expense and working capital	225,000 00	
195	Employers' liability compensation	40,000 00	
196	Sheltered Employment	50,000 00	
197	Grant to Canadian Legion, B.E.S.L.	9,000 00	
198	Grant to Last Post Fund	60,000 00	
199	Pension Appeal Court	19,800 00	
200	War Veterans' Allowances	2,250,000 00	
201	War Veterans' Allowance Committee	14,400 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PENSIONS AND NATIONAL HEALTH—*Concluded*		
	National Health		
	The administration of the Acts respecting Food and Drugs, Opium and Narcotic Drugs and Proprietary or Patent Medicines, including the Laboratory of Hygiene	130,000 00	
202	Public Health Engineering	15,880 00	
	Marine Hospitals, including burial expenses of destitute deceased mariners, and grants to institutions assisting sailors	163,500 00	
	The administration of the Acts respecting Quarantine and Leprosy	150,000 00	
	Immigration Medical Service	126,920 00	
			10,929,500 00
	EXTERNAL AFFAIRS		
	LONDON		
203	Salaries and expenses of the Office of the High Commissioner for Canada, including $1,800 additional salary for the High Commissioner to that authorized by Chap. 15, R.S.C.	121,160 00	
	WASHINGTON		
204	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act, or any of its amendments	100,000 00	
	PARIS		
205	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	75,700 00	
	TOKYO		
206	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	68,800 00	
	GENEVA		
207	Salaries and expenses of the Office of the Canadian Advisory Officer	28,000 00	
208	Canada's contribution to the expenses of the League of Nations for 1935, including Secretariat, International Labour Organization and Permanent Court of International Justice	204,640 00	
209	Expenses of Canadian Delegates to the Assembly, Conferences and Commissions of the League of Nations	12,500 00	
210	Publications of the League of Nations for distribution to Members of Parliament and a grant to the League of Nations Society in Canada	3,000 00	
			613,800 00
	MISCELLANEOUS		
211	To provide for hospitality in connection with visitors from abroad	5,000 00	
212	Canada's contribution to the expenses of the International Commission for Air Navigation for 1935	1,720 00	
213	Amount required to meet loss on exchange, subject to approval of the Treasury Board	200,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	MISCELLANEOUS—*Continued*	$ cts.	$ cts.
214	Canada's portion of expenditure of the Imperial Economic Committee and Imperial Shipping Committee and the Executive Council of the Imperial Agricultural Bureau for 1935	18,690 00	
215	Advertising and Publicity in the United Kingdom and Europe to be administered by the High Commissioner	250,000 00	
216	Expenses in connection with the negotiation of treaties	9,000 00	
217	Grant in aid of the Canadian General Council of the Boy Scouts Association	9,000 00	
218	Subscriptions to publications of the Empire Parliamentary Association to be distributed to Members of the House of Commons	2,000 00	
219	Grant to the Dominion Council of the Girl Guides	4,860 00	
220	Contribution to aid in carrying on the work of the Royal Astronomical Society	1,620 00	
221	Royal Canadian Academy of Arts	2,025 00	
222	Grant to the Royal Society of Canada	4,500 00	
223	Grant to the Montreal Association for the Blind	4,050 00	
224	Grant to l'Institut Nazareth de Montreal to assist in work with the blind	4,050 00	
225	Amount required to provide for grants to be made to the Provinces of—		
	Nova Scotia	875,000 00	
	New Brunswick	600,000 00	
	Prince Edward Island	125,000 00	
	British Columbia	750,000 00	
	pending consideration of Provincial Subsidies.		
226	Unforeseen expenses, expenditure thereof to be subject to the approval of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next Session	80,000 00	
227	To provide for expenses of the Comptroller of the Treasury's Office	1,576,851 00	
228	To provide for the administration of the Royal Canadian Mint, including salaries, contingencies, retiring and other allowances, and general expenses	195,000 00	
229	To provide for the maintenance of the Dominion of Canada Assay Office, Vancouver, B.C.	17,560 00	
230	To provide for salaries and expenses of the Tariff Board—Payments may be made notwithstanding anything in the Civil Service Act or regulations	120,000 00	
231	To provide for the administration of the Bankruptcy Act	35,000 00	
232	Federal District Commission—To provide for maintenance and improvement of properties under the control of the Federal District Commission	124,400 00	
233	To provide for the expenses of work in the interests of fire prevention to be carried on by the Department of Insurance	9,300 00	
234	To provide for salaries and expenses of the office of the Salvage Officer, including L. H. Beer at $4,500	10,622 00	
235	Chief Electoral Officer—Salaries and contingencies of office	28,724 00	
236	Dominion Franchise Commissioner—Salaries and contingencies of office, etc	600,000 00	
237	To pay Mrs. E. B. Hutcheson as Matron, notwithstanding the fact that, owing to advanced age, she may not be able to continue the regular performance of such duties, in recognition of the valuable services rendered by her late husband as Exhibition Commissioner	1,200 00	
238	Grant to John Thomas (Jack) Miner to assist him in his wild life conservation work	3,500 00	
239	Expenses of litigated matters—Department of Justice	25,000 00	
240	Annual contribution to the Canadian Law Library, London, England	500 00	
241	Canadian Radio Broadcasting Service	1,500,000 00	
242	Loan to Harbour Commissioners of Montreal with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, and to be applied in payment of deficits resulting from the operations of the Jacques Cartier Bridge	430,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS—*Concluded*		
243	Loan to the Saint John Harbour Commissioners with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, to provide for payment of principal and interest due in the fiscal year 1935-36 on debentures of the City of Saint John assumed by the Saint John Harbour Commissioners and debentures of the said Commissioners issued to the City of Saint John, under Section 15 of the Saint John Harbour Commissioners Act, 1927	114,572 65	
244	To appoint David Ballantyne Carswell as Superintendent of the Government Shipyard at Sorel and Superintendent of the dredging fleet at a salary of $8,000 per annum less such deduction as may be provided	8,000 00	
245	To provide for payments in connection with the movements of coal under conditions prescribed by the Governor in Council and for the cost of administration thereof	2,450,000 00	
246	Battlefields Memorials	86,789 00	
247	To provide for the Book of Remembrance of members of the Canadian Forces, and Canadians in the Forces of the British Empire who lost their lives in the Great War	5,500 00	
248	Grant to the Canadian Council on Child and Family Welfare	12,600 00	
249	Grant to the Canadian National Institute for the Blind	16,200 00	
250	Grant to the Canadian Tuberculosis Association	20,250 00	
251	Grant to the Victorian Order of Nurses	13,100 00	
252	Grant to assist the Canadian Branch of the St. John Ambulance Association	4,050 00	
253	Grant to the Canadian Red Cross Society	8,100 00	
254	Grant to the Canadian Dental Hygiene Council	750 00	
255	To provide for payment of salaries and expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations, including D. W. McLachlan at $1,350 and G. W. Yates at $648	20,599 00	
256	Grant to the Chief Constables Association	500 00	
257	Patent Record	35,000 00	
258	International Office for the protection of Industrial Property, International Copyright Union Office and Union for the Protection of Literary and Artistic Works	2,600 00	
259	Public Archives	71,000 00	
260	To provide for salaries and expenses of the Bureau for Translations	206,671 00	
261	Expenses under the Naturalization Act	18,680 00	
262	Expenses under the Canada Temperance Act	5,000 00	
263	Natural Products Marketing Act, 1934	545,500 00	
264	To assist in promoting tourist business in Canada	200,000 00	
265	To provide for report on cultural conditions in Canada (literature, art, drama, education, etc.)	2,500 00	
266	To provide, subject to the approval of the Treasury Board for salaries, reclassifications and increases	100,000 00	
			11,572,133 65
	NATIONAL REVENUE		
	Salaries and contingent expenses of the several Ports of the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act, and temporary buildings and rentals	6,150,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit and the Preventive Service Undervaluation Services	971,708 00	
267	Miscellaneous, including printing and stationery; subscriptions to commercial papers; flags; dating stamps; locks; instruments; express charges on samples; legal forms; legal expenses; premiums on guarantee bonds; uniforms for Customs-Excise Officers; laboratory equipment and supplies, etc.	560,000 00	
	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for Customs-Excise Secret Investigation Service	15,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL REVENUE—*Concluded*		
267	To provide for the administration of the Income War Tax Act 1917 and Amendments thereof, and authority for this purpose to create positions and make appointments notwithstanding anything contained in the Civil Service Act and the said positions and staff so appointed are hereby wholly excluded from the operation of the said Act, and salary of $9,000, (less statutory deduction) for the Commissioner of Income Tax	2,025,000 00	
	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for the Income Tax Secret Investigation Service	10,000 00	9,731,708 00
	RAILWAYS AND CANALS		
	(Chargeable to Collection of Revenue)		
	CANALS		
268	Canals, Elevators and Harbours— Operation and Maintenance	2,500,000 00	
269	*Lachine canal*— To provide for the settlement of the claims, totalling $8,021.66, of the Campbell Construction Company, Ltd., in connection with the contract No. 29378 dated February 7, 1934, for the repairs to the Upper Entrances of North and South Locks No. 2	3,488 89	
	RAILWAYS		
270	Hudson Bay Railway: Amount to provide for difference between expenditures for operation and maintenance and the revenues accruing from operation during the year ending March 31, 1936, not exceeding	226,000 00	2,729,488 89
	PUBLIC WORKS		
	(Chargeable to Collection of Revenue)		
	GRAVING DOCKS		
271	Champlain Graving Dock	75,000 00	
	Esquimalt Graving Dock	69,800 00	
	Lorne Graving Dock	36,900 00	
	Selkirk—Repair slip	3,000 00	
	TELEGRAPH AND TELEPHONE LINES		
272	Land and Cable Telegraph Lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels for cable service	132,000 00	
	Alberta and Saskatchewan	84,500 00	
	British Columbia—Northern District	59,000 00	
	British Columbia—Vancouver Island District	88,000 00	
	Yukon System—Main Line	108,000 00	
	Telegraph and Telephone Services Generally	6,000 00	662,200 00

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	POST OFFICE—OUTSIDE SERVICE		
	Salaries and allowances	15,169,603 00	
	Mail Services, including mail service by air	14,002,450 00	
273	Miscellaneous, including $5,000 to provide for payment of compassionate allowances to employees injured while in the performance of their duties or to other persons injured while performing duties in any way connected with the Postal Service or in protecting His Majesty's mails, or to the dependents of such employees or other persons who may be killed while so engaged, payments to be made only on the specific authority of the Governor in Council	1,084,600 00	
			30,256,653 00
	TRADE AND COMMERCE		
274	British and Foreign News Service	15,000 00	
275	An Act to place Canadian coal used in the manufacture of iron or steel on a basis of equality with imported coal, Administration of	600 00	
276	The Canada Grain Act, including management, operation and maintenance, also equipment of Elevators, Administration of	1,981,006 90	
277	Commercial Intelligence Service, including, miscellaneous expenditure in connection with Canada's trade	696,251 00	
278	Dominion Bureau of Statistics	380,428 00	
279	Electricity and Fluid Exportation Act, Administration of	750 00	
280	Electricity and Gas Inspection Service	209,954 00	
281	Exhibitions and Fairs	195,000 00	
282	International Customs Tariffs Bureau	3,000 00	
283	Motion Picture Bureau	40,000 00	
284	National Research Council	400,000 00	
285	The Precious Metals Marking Act, Administration of	5,192 00	
286	Printing of Parliamentary and Departmental Publications	102,675 00	
287	Publicity and Advertising in Canada and Abroad	100,000 00	
288	Weights and Measures Inspection Service, including the International Bureau of Weights and Measures	314,396 00	
289	International Bureau of Exhibitions	2,300 00	
290	Conference of Commonwealth Statisticians (Revote)	5,000 00	
			4,451,552 90
	ADJUSTMENT OF WAR CLAIMS		
291	National Defence	68,707 00	
292	Secretary of State	6,000 00	
			74,707 00
	Total		*192,697,728 57

Net Total, $138,642,370.82.

SCHEDULE B.

Based on Estimates, 1935-36. The amount hereby granted is $2,502,750.01, being three-fourths of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	DEFICIT OF CANADIAN NATIONAL STEAMSHIPS		
	CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
293	Amount to provide for the payment from time to time to The Canadian National (West Indies) Steamships, Limited, (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash items and interest on Dominion Government advances, occurring during the year ending December 31st, 1935, in the operations of the company and of the vessels under the control of the company, as certified to by the auditors of the company, and upon applications made by the company to the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding.....	316,000 00	
	CANADIAN GOVERNMENT MERCHANT MARINE, LIMITED		
294	Amount to provide for the payment from time to time to The Canadian Government Merchant Marine, Limited (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash items and interest on Dominion Government advances, occurring during the year ending December 31st, 1935, in the operations of the company and of the vessels under the control of the company, as certified to by the auditors of the company and upon applications made by the company to the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding.....	45,000 00	361,000 00
	LOAN TO CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
295	Loan to Canadian National (West Indies) Steamships, Limited, repayable on demand with interest at a rate to be fixed by the Governor in Council, upon such terms and conditions as the Governor in Council may determine and to be applied in payment of Capital expenditure in connection with vessels under the Company's control during the year ending December 31st, 1935 (revote $178,500).....	.....	196,000 00
	MARITIME FREIGHT RATES ACT		
296	Amount required to provide for payment from time to time during the fiscal year 1935-36 of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Railways and Canals, as and when required by him, occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in section 9 of the said Act) on all traffic moved during 1935, under the tariffs approved, by the following companies:		

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MARITIME FREIGHT RATES ACT—*Concluded*		
	Canada and Gulf Terminal Railway. Canadian Pacific Railway, including Fredericton & Grand Lake Coal & Railway Company. New Brunswick Coal & Railway Company. Cumberland Railway & Coal Company. Dominion Atlantic Railway. Maritime Coal, Railway & Power Company. Sydney & Louisburg Railway. Temiscouata Railway Company.....	900,000 00	
297	To hereby authorize and provide for the payment from time to time during the fiscal year 1935-36 to the Canadian National Railway Company of the difference (estimated by the Auditors of the said Company and certified by the said Auditors to the Minister of Railways and Canals as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as set out in section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the year 1935, under the tariffs approved, on the Eastern Lines (as referred to in section 1 of the said Act) of the Canadian National Railways.....	1,880,000 00	2,780,000 00
	Total.....	.....	*3,337,000 00

*Net total $2,502,750.01.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 116.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

AS PASSED BY THE HOUSE OF COMMONS, 5th JULY, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
93207 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 116.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, the Right Honourable the Earl of Bessborough, 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 thirty-first day of March, one thousand nine hundred and thirty-six, 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 King'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, 1935.*

$138,642,370.82 granted for 1935-36.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and thirty-eight million, six hundred and forty-two thousand, three hundred and seventy dollars and eighty-two cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being the amount of each of the items to be voted set forth in Schedule A to this Act, less the amounts voted on account for the said items in the Appropriation Acts, Nos. 1, 3 and 4, passed at the present session of Parliament.

$2,502,750.01 granted for 1935-36 on certain items.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two million, five hundred and two thousand, seven hundred and fifty dollars and one cent towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, and being three-fourths of the amount of each of the several items to be voted set forth in Schedule B to this Act.

Power to raise loan of $200,000,000 for public works and general purposes.

1931, c. 27.

4. (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 Consolidated Revenue and Audit Act, 1931*, 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 as may be required, not to exceed in the whole the sum of two hundred million dollars, for public works and general purposes.

Chargeable to Consolidated Revenue Fund.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Lapse of prior borrowing powers.

(3) All borrowing powers authorized by section five of chapter twenty-three of the statutes of 1934 which are outstanding and unused shall expire on the date of the coming into force of this Act.

Account to be rendered in detail.

5. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

SCHEDULE A.

Based on the Main Estimates, 1935-36. The amount hereby granted is $138,642,370.82, 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 in the Appropriation Acts, Nos. 1, 3 and 4 of the present session.

SUMS granted to Mis Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CHARGES OF MANAGEMENT		
1	Printing, advertising, inspection, express, etc.	31,389 00	
	Commission for payment of interest on public debt, purchase of sinking funds, auditing, Englisn bill stamps, postage, etc..	155,000 00	
	To provide for temporary clerical work in connection with the transfer and registration of bonds, etc., and the flotation of loans and authority for these purposes to employ a temporary staff, fix their rates of remuneration and otherwise wholly regulate their services without reference to and notwithstanding anything in the Civil Service Act.	13,600 00	
			199,989 00
	CIVIL GOVERNMENT		
2	Office of the Secretary to the Governor General—		
	Salaries.	27,370 00	
	Contingencies, including house allowance of $1,500 per annum to the Secretary to the Governor General.	70,500 00	
3	Agriculture—		
	Salaries.	659,338 00	
	Contingencies.	109,700 00	
4	Auditor General's Office—		
	Salaries.	296,010 00	
	Contingencies.	75,950 00	
5	Civil Service Commission—		
	Salaries.	183,286 00	
	Contingencies.	27,000 00	
6	External Affairs—		
	Salaries.	85,056 00	
	Contingencies.	63,800 00	
7	Finance—		
	Salaries.	293,957 00	
	Contingencies.	33,026 00	
	Inspector General of Banks— Salaries and Contingencies.	22,000 00	
8	Fisheries—		
	Salaries.	95,490 00	
	Contingencies.	27,900 00	
9	Immigration and Colonization—		
	Salaries.	178,850 00	
	Contingencies.	15,300 00	
10	Indian Affairs—		
	Salaries.	117,655 00	
	Contingencies.	18,000 00	
11	Insurance—		
	Salaries.	92,812 00	
	Contingencies.	64,000 00	
12	Interior—		
	Salaries.	503,158 50	
	Contingencies.	20,000 00	
13	Justice—		
	Salaries.	198,798 00	
	Contingencies, including the Solicitor General's Office.	45,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT—*Concluded*		
14	Labour—		
	Salaries	192,972 00	
	Contingencies	26,000 00	
15	Marine—		
	Salaries	258,570 00	
	Contingencies	46,800 00	
16	Mines—		
	Salaries	485,910 00	
	Contingencies	20,000 00	
17	National Defence—		
	Salaries	402,692 00	
	Contingencies	45,948 00	
18	National Revenue—		
	Salaries	798,709 00	
	Contingencies	92,700 00	
19	Office of the Prime Minister—		
	Salaries	24,904 00	
20	Pensions and National Health—		
	Salaries	149,390 00	
	Contingencies	30,300 00	
21	Post Office—		
	Salaries, including amounts required to pay allowances to Office Appliance Operators, Grade 2, operating mechanical audit card punching machines in accordance with the terms of Order in Council P.C. 280/383, dated February 17, 1930, and to pay allowances to typists, Grade 1, employed cutting stencils in accordance with regulattions approved by Order in Council; and to provide for continuance in office of G. C. Anderson, as Superintendent of Mail contracts from April 1, 1935 to March 31, 1936	1,130,102 00	
	Contingencies	172,720 00	
22	Privy Council—		
	Salaries	39,894 00	
	Contingencies	5,000 00	
23	Public Archives—		
	Salaries, and to provide for the continuance in office of J. B. Noble, Senior Bookbinder, from April 1, 1935 to March 31, 1936	84,898 00	
	Contingencies	9,200 00	
24	Public Printing and Stationery—		
	Salaries	31,500 00	
	Contingencies	10,000 00	
25	Public Works—		
	Salaries	444,056 00	
	Contingencies	49,800 00	
26	Railways and Canals—		
	Salaries	163,408 00	
	Contingencies	26,500 00	
27	Royal Canadian Mounted Police—		
	Salaries	16,200 00	
	Contingencies	12,500 00	
8	Secretary of State—		
	Salaries	289,538 00	
	Contingencies	73,655 00	
29	Trade and Commerce—		
	Salaries	545,724 00	
	Contingencies	43,703 60	
			9,047,250 10
	ADMINISTRATION OF JUSTICE		
30	Miscellaneous expenditure, including remuneration to members of the Mounted Police Force (to be expended under Order-in-Council, and not to exceed $1,300) for assistance in the Remission Service of the Department of Justice	15,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	ADMINISTRATION OF JUSTICE—*Concluded*		
	Supreme Court of Canada		
31	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding $350	4,100 00	
	Law books and books of reference for Library, and binding of same	7,000 00	
	Printing, binding and distributing Supreme Court Reports	8,000 00	
	Exchequer Court of Canada		
32	Contingencies—Judges' and Court officials' travelling expenses; remuneration to sheriffs, etc., printing, stationery, etc.; and $150 for judges' books	7,000 00	
	Printing, binding and distributing Court Reports	3,000 00	
	Yukon Territory		
33	Miscellaneous expenditure, including salaries and allowances of court officers, etc	9,500 00	
			53,600 00
	PENITENTIARIES		
34	Amount required for cost of administration, construction, purchase of land, supplies and equipment, maintenance and discharge of inmates at Kingston, St. Vincent de Paul, Dorchester, Manitoba, British Columbia, Piers Island, Saskatchewan and Collin's Bay Penitentiaries	2,830,947 75	
			2,830,947 75
	LEGISLATION		
	SENATE		
35	Salaries and contingent expenses	162,241 50	
	HOUSE OF COMMONS		
36	Salaries	116,246 00	
	Expenses of committees, etc	15,000 00	
	Clerical Assistance, etc	107,203 50	
	Contingencies	44,099 00	
	Publishing debates, including salaries of amanuenses, etc	63,000 00	
	Estimates of the Sergeant-at-Arms	195,635 25	
	LIBRARY OF PARLIAMENT		
37	Salaries, and to authorize payment of M. C. MacCormac from April 1, 1935	42,498 00	
	Books for the General Library, including binding	15,000 00	
	Books for the Library of American History	1,000 00	
	Contingencies	12,000 00	
	To provide for the cost of printing reports	1,000 00	
	GENERAL		
38	Printing, printing paper and binding, including salaries of staff in joint distribution office	75,000 00	
			849,923 25
	AGRICULTURE		
39	Dairying	249,000 00	
40	Cold Storage Warehouses	43,696 34	
41	Fruit, including grant of $4,500 to Canadian Horticultural Council	464,280 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
42	Seed, feed and fertilizer control, including grants to seed fairs, etc., also grant of $17,010 to Canadian Seed Growers' Association	393,200 00	
43	Live Stock, including assistance to Fairs and Exhibitions	1,628,302 00	
44	Experimental Farms, including investigations concerning plant diseases	1,937,898 00	
45	Health of Animals, administration of Animal Contagious Diseases Act and Meat and Canned Foods Act	1,833,189 00	
46	Entomology, including investigations and inspections relating to destructive insects and pests	380,128 00	
47	Publications	32,197 60	
48	Farm Economics, including agricultural co-operative marketing	29,680 00	
49	International Institute of Agriculture	12,000 00	
50	Contributions to Empire Bureaux	21,535 00	
			7,025,105 94
	IMMIGRATION AND COLONIZATION		
51	Immigration Salaries and Contingencies	1,175,361 00	
52	Empire Settlement Scheme, including grants authorized by the Governor in Council	34,250 00	
53	Relief of Distressed Canadians	2,000 00	
			1,211,611 00
	SOLDIER AND GENERAL LAND SETTLEMENT		
54	Amount required for Soldier Land Settlement Advances, for advances under the British Family Schemes recoverable from the British Government, for the cost of administration of Soldier Settlement and General Land Settlement, and for the cost of administration of Soldier Settlement staff, performing investigations for the War Veterans Allowance Committee and Farmers' Creditors Arrangement Act	1,162,400 00	
55	To provide for payment to the British Government on account of ascertained losses sustained under the 3,000 British Family Agreement of August 20, 1924	3,913 28	
			1,166,313 28
	PENSIONS		
56	Annuity to Sir Frederick G. Banting	7,500 00	
57	Annuity to Sir Charles E. Saunders	5,000 00	
	Pensions to—		
58	The unmarried sister of the late Col. Harry Baker, M.P.	700 00	
59	J. Langlois Bell	600 00	
60	James Elliott	672 00	
61	Alice Morson Smith	600 00	
62	Elizabeth Swinford	600 00	
63	Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885	808 86	
64	Families of members of the Mounted Police Force who lost their lives while on duty—		
	Mrs. Mary Emma Bossange	457 50	
	Mrs. Margaret Johnson Brooke	823 50	
	Mrs. Margaret Cox	501 75	
	Mrs. Elizabeth Fitzgerald	525 00	
	Mrs. Letitia Kennedy	423 50	
	Mrs. Nora Jean Massan	300 00	
	Mrs. Margaret Nicholson	609 00	
	Mrs. Catharine Mildred Ralls	797 10	
	Mrs. Myrtle L. Richards	900 00	
	Mrs. Doris Freda Sampson	816 00	
	Mrs. Amy Lilian Searle	408 09	
	Mrs. Madeleine Mary Schoebothom	810 00	
65	Pensions payable to men on active service, Northwest Rebellion, 1885, and general pensions, and Civil Flying	21,000 00	
66	European War—Naval, Militia and Air Forces after the War	42,000,000 00	
67	Salaries and contingent expenses of the Canadian Pension Commission	446,023 00	
			42,490,875 30

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	SUPERANNUATION	$ cts.	$ cts.
68	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery	7,780 00	7,780 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
69	Administration	359,000 00	
70	Cadet Services	150,000 00	
71	Contingencies	31,500 00	
72	Engineer Services and works	297,500 00	
73	General Stores	937,800 00	
74	Non-Permanent Active Militia	2,000,000 00	
75	Permanent Force	4,964,700 00	
76	Royal Military College	359,500 00	
	NAVAL SERVICES		
77	Naval Services—To provide for the maintenance of the ships and establishments of the Naval Service, including the Royal Canadian Navy, the Royal Canadian Naval Reserve, and the Royal Canadian Naval Volunteer Reserve.	2,250,000 00	
	GENERAL		
78	Civil Pensions—		
	Life pension to Robert Allen	269 52	
	Life pension to Walter Pettipas	515 90	
	Life pension to Florence Walker and child	375 75	
	Life pension to Arnold Truman Townsend	420 00	
	Life pension to Michael Mountain	420 00	11,252,001 17
	AVIATION		
79	Royal Canadian Air Force—Expenses in connection with the general maintenance and training of the Permanent and Non-Permanent Active Air Force, and provision of facilities therefor	2,630,000 00	
80	Civil Government Air Operations—For Preventive Service and other Air Operations	120,000 00	
81	Civil Aviation—Expenses in connection with the Control of Civil Aviation, Airways, Government and Public Airports and Grants to Aeroplane Clubs	250,000 00	3,000,000 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
82	Hudson Bay Railway and Terminals: Construction and Betterments (including E. B. Jost at $2,250)	302,000 00	
	CANALS		
83	Welland Ship Canal: Construction and Betterments	125,000 00	
84	Welland Ship Canal; To provide for settlement of the claims totalling $364,827, of J. P. Porter in connection with contract No. 24275 entered into August 18th, 1921, for the construction of sections 1 and 2	89,438 60	
85	Welland Ship Canal: To provide for settlement of the claims, totalling $633,620.67, of Atlas Construction Co., Ltd., and E. O. Leahey, Ltd., in connection with contract No. 26376 entered into October 12th, 1925, for construction of Section 6	25,755 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS AND CANALS—*Concluded*		
	(Chargeable to Capital)—Concluded		
	CANALS—Concluded		
86	Welland Ship Canal: To provide for settlement of the claims, totalling $62,721.05, of the Canadian Dredging Co., Ltd., in connection with contract No. 26070, entered into December 30, 1924, for the construction of Section 7	11,762 64	
87	Welland Ship Canal; To provide for settlement of the claims, totalling $385,021.41, of A. W. Robertson, Ltd., in connection with contract No. 25856, entered into February 27, 1924, for the construction of Section 8	37,228 77	
88	Welland Ship Canal: To provide for settlement of claims, totalling $126,696.09, of Collingwood Shipyards, Limited, in connection with contract No. 27896, entered into December 23, 1929, for the construction of a pontoon gate lifter	16,426 06	
			607,611 07
	RAILWAYS AND CANALS		
	(Chargeable to Income)		
	CANALS		
89	Improvements	518,820 00	
90	Welland Ship Canal: To provide for settlement of the claims, totalling $3,025 of Messrs. Aiken, Innes & MacLachlan, in connection with contract No. 28645, entered into October 10, 1931, for construction of a Pile Dock and Turning Basin at St. Catharines	1,546 30	
	MISCELLANEOUS		
91	Board of Railway Commissioners: Maintenance and Operation	228,648 00	
92	Miscellaneous Services	46,000 00	
93	Printing and Stationery	5,000 00	
94	Surveys and Inspections, Canals	6,000 00	
95	Railway Employees' Provident Fund: To supplement pension allowances payable under 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, 1935, to March 31, 1936, the sum of $30 per month instead of $20 per month as fixed by the said Act	27,500 00	
			833,514 30
	PUBLIC WORKS		
	(Chargeable to Capital)		
	PUBLIC BUILDINGS		
96	Tokyo, Japan—Canadian Legation	200,000 00	
	HARBOURS AND RIVERS		
	Under Contract—		
97	St. John—Channel improvements	100,000 00	
			300,000 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Nova Scotia		
98	Bridgetown—Public building	30,000 00	
	Halifax—Maintenance of Immigration quarters	25,000 00	
	New Waterford—Public building	44,000 00	
	Oxford—Public building	30,000 00	
		129,000 00	
	Prince Edward Island		
99	Alberton—Public building	6,500 00	
	New Brunswick		
100	Rexton—Public building	12,000 00	
	St. Andrews—Public building	45,000 00	
	St. George—Public building	29,000 00	
	St. John—Addition to armoury	20,000 00	
	St. John Quarantine Station—Partridge Island—Improvements, alterations and repairs	6,000 00	
		112,000 00	
	Maritime Provinces Generally		
101	Dominion Public Buildings—Improvements and repairs	50,000 00	
	Quebec		
102	Amqui—Public building	19,000 00	
	Asbestos—Public building	8,000 00	
	Bagotville—Public building	25,500 00	
	Dolbeau—Public building	22,000 00	
	Dominion Public Buildings—Improvements and repairs	100,000 00	
	Grosse Isle Quarantine Station—Improvements, alterations and repairs	7,800 00	
	Montreal—Instalment on purchase of armoury	15,200 00	
	Montreal—Addition to 4th Division Engineer's armoury	7,000 00	
	Quebec Citadel—Improvements and maintenance	15,000 00	
	Quebec Examining Warehouse—Repairs and renewals	1,200 00	
	Ste. Anne de Beaupre—Public building	25,000 00	
	Westmount—Instalment on purchase of armoury	12,700 00	
		258,400 00	
	Ontario		
103	Belleville Public Building—Addition to site	17,500 00	
	Belleville—New gun shed	9,600 00	
	Burlington—Public building	35,000 00	
	Campbellford—Public building	35,000 00	
	Dominion Public Buildings—Improvements and repairs	125,000 00	
	Dunnville—Public building	60,000 00	
	Fenelon Falls—Public building	25,000 00	
	Gananoque—Gun shed and caretaker's quarters	11,700 00	
	Hamilton—Addition to armoury	75,000 00	
	Kingston—Machine shop	35,000 00	
	Kingston—Addition to armoury	12,000 00	
	Kingston—R.S.A. and Brigade building	52,000 00	
	London—Royal school building	25,000 00	
	Meaford—Public building	40,000 00	
	Perth—Purchase of property for armoury purposes	6,500 00	
	Toronto—Instalment on purchase of armoury	29,400 00	
	Toronto Postal Station "A"—Improvements, etc	5,500 00	
		599,200 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Manitoba		
104	Dominion Public Buildings—Improvements and repairs	25,000 00	
	Elkhorn—Public building	22,000 00	
	Rivers—Public building	12,000 00	
	Russell—Public building	22,500 00	
		81,500 00	
	Saskatchewan		
105	Broadview—Public building	15,000 00	
	Dominion Public Buildings—Improvements and repairs	25,000 00	
	Regina—Instalment on purchase of armoury	31,000 00	
	Whitewood—Public building	12,000 00	
		83,000 00	
	Alberta		
106	Calgary—Instalment on purchase of property for Ordnance Stores	9,000 00	
	Dominion Public Buildings—Improvements and repairs	17,000 00	
	Peace River—Public building	31,500 00	
	Red Deer—Addition to armoury	7,000 00	
	Vermilion—Purchase of building for postal purposes	8,000 00	
		72,500 00	
	British Columbia		
107	Armstrong—Purchase of building for postal purposes, etc	7,000 00	
	Chemainus—Public building	37,000 00	
	Creston—Public building	30,000 00	
	Dominion Public Buildings—Improvements and repairs	35,000 00	
	Hollyburn—Public building	50,700 00	
	Kelowna—Public building	65,300 00	
	Mission City—Public building	30,000 00	
	Penticton—Public building	61,000 00	
	Vancouver—Instalment on purchase of armoury	17,100 00	
	Vancouver Public Building—To meet one year's interest at 5% on mortgage of $400,000	20,000 00	
		353,100 00	
	Generally		
108	Experimental Farms—Replacements, repairs and improvements	100,000 00	
	Flags for Dominion Public Buildings	3,500 00	
	Military Buildings—Repairs, fittings and additions	25,000 00	
	Military Hospitals—Repairs, improvements and alterations	80,000 00	
	Public Buildings Generally	30,000 00	
	Ottawa Central Heating Plant—Improvements	30,000 00	
	Ottawa Departmental Buildings—Fittings, etc	35,000 00	
	Ottawa—Extension of Ore Dressing and Metallurgical Laboratory of Department of Mines	25,000 00	
	Tractors for postal purposes	15,600 00	
		344,100 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—Concluded		
	Rents, Repairs, Furniture, Heating, etc.		
	Ottawa Public Buildings and Grounds—		
	Elevator attendants	108,000 00	
	Departments Generally—Char Service, including $150 for firing the noon gun	449,400 00	
	Heating, including salaries of engineers, firemen and watchmen	395,000 00	
109	Light and Power, including roads and bridges	178,000 00	
	Repairs, improvements, additions and maintenance	343,000 00	
	Rideau Hall—Allowance for fuel and light	19,000 00	
	Rideau Hall—Improvements, furniture and maintenance	40,700 00	
	Telephone Service	85,500 00	
	Water	67,000 00	
	Dominion Public Buildings—		
	Dominion Immigration Buildings—Repairs, improvements, additions and furniture	10,000 00	
	Dominion Quarantine Stations—Maintenance and repairs	16,000 00	
	Fittings, general supplies and furniture	75,000 00	
110	Heating	405,000 00	
	Light and Power	300,000 00	
	Rents	1,500,000 00	
	Salaries of caretakers, engineers, firemen, etc	1,062,000 00	
	Supplies for caretakers, engineers, firemen, etc	47,000 00	
	Water	75,000 00	
	Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries	20,000 00	
		5,195,600 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Under Contract—		
	Phinney's Green—Wharf—To complete payments	900 00	
	Essential Undertakings—		
	Charlos Cove—Wharf	5,600 00	
	Diligent River—Wharf enlargement	12,000 00	
	Dingwall (Aspy Bay)—Harbour improvements	41,000 00	
	Halifax—Repairs and improvements to wharfs and buildings and extension of Barracks at R.C.N. Barracks and H.M.C. Dockyards	60,000 00	
111	Janvrin's Island—Wharf	8,800 00	
	Malagash—Dredging	52,000 00	
	Mink Cove—Breakwater	5,800 00	
	North West Cove (Scatari Island)—Breakwater	9,000 00	
	Pictou—Repairs to wharfs	21,000 00	
	Stoney Island—Breakwater reconstruction	11,800 00	
	Sydney—Harbour improvements	30,000 00	
	Westport—Wharf extension	12,800 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	250,000 00	
		520,700 00	
	Prince Edward Island		
	Essential Undertakings—		
	Beach Point—Wharf extension	9,500 00	
112	Charlottetown—Wharf repairs and improvements	7,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	50,000 00	
		67,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	New Brunswick		
	Essential Undertakings—		
	Bathurst—Dredging	35,000 00	
	Campbellton—Wharf repairs	10,000 00	
	Caraquet (Young Wharf)—Enlargement and repairs	16,000,00	
	Harshman's Brook—Completion of harbour improvements	7,100 00	
	Little Shippigan—Breakwater-wharf	30,000 00	
	Lower Caraquet—Wharf repairs	25,000 00	
113	Mace's Bay—(Lepreau Basin)—Dredging	12,600 00	
	McEachern's Point—Wharf	6,000 00	
	Mills Point—Wharf repairs	22,000 00	
	Miramichi Bay—Dredging	43,000 00	
	Negro Point—Breakwater repairs	20,000 00	
	Newcastle—Wharf	34,000 00	
	Richibucto—Wharf reconstruction and improvements	30,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		391,200 00	
	Quebec		
	Essential Undertakings—		
	Anse a Beaufils—Repairs to breastworks	43,000 00	
	Anse au Griffon (River)—Extension to breastwork	6,100 00	
	Baie des Rochers—Wharf repairs	5,500 00	
	Baie Lavalliere—Dredging	15,700 00	
	Baie St. Paul (Riviere du Gouffre)—Extension of protection wall	8,800 00	
	Black Cape (Howatson's Point)—Wharf	38,800 00	
	Bonaventure—Wharf repairs and improvements	8,500 00	
	Cape Cove (Anse du Cap)—Wharf reconstruction	50,000 00	
	Carleton—Wharf reconstruction	30,000 00	
	Champlain—Extension of protection work	27,000 00	
	Cross Point—Wharf repairs and improvements	14,200 00	
	Deschaillons—Dredging	11,200 00	
	Donnacona—Dredging	42,000 00	
	Doucet's Landing (Ste. Angele de Laval)—Dredging	15,000 00	
	Dune du Sud, M.I.—Breakwater	6,500 00	
	Gascons—Wharf reconstruction	3,100 00	
	Grand Anse—Wharf	2,500 00	
	Grande Entree, M.I.—Wharf extension and reconstruction of breastwork	17,600 00	
	Havre Aubert, M.I.—Strengthening and widening wharf	31,800 00	
114	Havre St. Pierre—Wharf reconstruction	75,000 00	
	La Malbaie (St. Etienne)—Wharf extension	39,000 00	
	Little River St. Lambert—Dredging—The Provincial Government to contribute a like amount	4,000 00	
	Manicouagan—Wharf extension—One-third of the cost to be contributed jointly by the Ontario Paper Co., Ltd., and the Anglo Canadian Pulp and Paper Co	100,000 00	
	New Carlisle—Wharf reconstruction	50,000 00	
	Notre Dame du Lac—Wharf extension	9,000 00	
	Peninsula—Wharf extension	5,800 00	
	Port Daniel East—Wharf repairs and reinforcement	33,000 00	
	Quebec—Extension of Kings Wharf	200,000 00	
	Richelieu River—Improvements	180,000 00	
	Riviere au Renard—Wharf repairs	5,900 00	
	Riviere des Hurons—Dredging—The Provincial Government to contribute a like amount	60,000 00	
	Riviere du Loup—Wharf enlargement	139,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	Riviere la Guerre—Contribution towards completion of improvement, the Provincial Government to bear a like amount	37,500 00	
114	St. Antoine de Tilly—Wharf reconstruction	20,500 00	
	St. Juste du Lac—Wharf extension	8,500 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	400,000 00	
		1,744,500 00	
	Ontario		
	Under Contract—		
	Byng Inlet—Dredging—To complete payments	12,000 00	
	Essential Undertakings—		
	Fort William—Harbour improvements	100,000 00	
	Goderich—Dredging	32,300 00	
	Hudson—Wharf	14,000 00	
	Kincardine—Reconstruction of North wall	11,400 00	
	Kingsville—Harbour improvements	85,000 00	
	Meaford—Harbour improvements	40,000 00	
	Midland—Harbour repairs and improvements	55,000 00	
	Oshawa—Harbour improvements	40,000 00	
115	Owen Sound—Harbour improvements	60,000 00	
	Port Arthur—Harbour improvements	98,000 00	
	Port Colborne—Repairs to breakwaters	24,000 00	
	Port Hope—Harbour improvement	15,000 00	
	Providence Bay—Harbour improvements	15,000 00	
	Rondeau—Repairs to West Pier	11,000 00	
	Saugeen River—Dredging	18,000 00	
	Sault Ste. Marie—Dredging	15,800 00	
	Thames River Mouth—Repairs to Lighthouse wharf	14,000 00	
	Toronto—Maintenance of Eastern channel	15,000 00	
	Wallaceburg—Extension to wharf and warehouse	5,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	200,000 00	
		880,500 00	
	Manitoba		
	Essential Undertakings—		
	Grand Rapids—Wharf	4,500 00	
116	Silver Bay—Wharf	5,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	40,000 00	
		49,500 00	
	Saskatchewan, Alberta and Northwest Territories		
	Essential Undertakings—		
	Cowan River—Replacement of dam	21,500 00	
	Fort Chipewyan—Wharf replacement	7,000 00	
117	Prince Albert—Reconstruction of retaining wall	21,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	15,000 00	
		64,500 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Concluded*		
	British Columbia		
	Essential Undertakings—		
	Esquimalt—R.C.N. Barracks and H.M.C. Dockyard—New buildings, repairs and improvements	91,000 00	
	Fraser River—North Arm—Extension to jetty	31,000 00	
	Fraser River (Sapperton)—Construction of Dyke No. 1	18,000 00	
118	Fraser River—Contribution towards protection work near Agassiz, B.C., the Provincial Government to contribute a like amount	5,250 00	
	Fraser, Skeena and Naas rivers—Operation and maintenance of snagboats	35,000 00	
	Port Alberni Assembly wharf—Replacement of crane	26,000 00	
	Trail—Extension of retaining wall	10,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		316,250 00	
	Yukon		
119	*Essential Undertakings*—		
	Stewart and Yukon Rivers—Improvements	15,000 00	
	Generally		
120	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	25,000 00	
	DREDGING		
	Maritime Provinces	300,000 00	
121	Ontario and Quebec	320,000 00	
	Manitoba, Saskatchewan and Alberta	50,000 00	
	British Columbia	160,000 00	
		830,000 00	
	ROADS AND BRIDGES		
	Burlington Channel Bridge—Maintenance and repairs	15,000 00	
	Dominion Roads and Bridges—Generally	5,000 00	
	Great Bear River Rapids—Improvement of portage road and dock	6,000 00	
122	Kingston—Wharfs and bridges—Maintenance and repairs	18,000 00	
	Ottawa—Maintenance and repairs to bridges and approaches	8,400 00	
	Perley Bridge over Ottawa River at Hawkesbury	5,200 00	
		57,600 00	
	TELEGRAPH AND TELEPHONE LINES		
	Quebec		
123	Reconstruction of North Shore St. Lawrence Telegraph System from Shelter Bay eastward—Under construction	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Income)—Concluded		
	TELEGRAPH AND TELEPHONE LINES—*Concluded*		
	Saskatchewan and Alberta		
124	Saskatchewan and Alberta Telegraph and Telephone Lines—Repairs and improvements	10,000 00	
	British Columbia		
125	British Columbia Northern District—Repairs and improvements	4,000 00	
	British Columbia Vancouver Island District—Repairs and improvements	8,000 00	
	Telephone line from Pouce Coupe, B.C., to Bonanza, Alta	4,000 00	
	Telephone line from Pouce Coupe to Gundy	1,500 00	
		17,500 00	
	Yukon		
126	Yukon Telegraph System—Repairs and improvements	15,000 00	
	MISCELLANEOUS		
127	Architectural Branch—Salaries of Architects, Clerks of Works, Inspectors, Draftsmen, Clerks and Messengers of outside service	66,000 00	
	Engineering Branch—Salaries of Engineers, Clerks, etc., of outside service	365,000 00	
	Inspection boats—Maintenance and operation	10,000 00	
	Water storage dams on Ottawa River and tributaries—Maintenance and operation	33,900 00	
	National Gallery of Canada	30,000 00	
	National Monument on Connaught Place	100,000 00	
	Surveys and inspections	65,000 00	
	Balance of expenditure for works already authorized, provided amount for any one work does not exceed $200	5,000 00	
	Miscellaneous works not otherwise provided for, not more than $3,000 to be expended upon any one work	50,000 00	
		724,900 00	
			13,024,050 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN		
128	Canada and the United Kingdom, on the Atlantic, service between	500,000 00	
	Canada and South Africa, service between	112,500 00	
	PACIFIC OCEAN		
	British Columbia and Australia and/or China, service between	118,800 00	
	British Columbia and South Africa, service between	84,000 00	
	Canada, China and Japan, service between	690,000 00	
	Canada and New Zealand, on the Pacific service between	200,000 00	
	Prince Rupert, B.C., and Queen Charlotte Islands, service between	12,000 00	
	Vancouver and the British West Indies, service between	36,000 00	
	Vancouver and Northern ports of British Columbia, service between	18,000 00	
	Victoria, Vancouver, way ports and Skagway, service between	12,000 00	
	Victoria and West Coast Vancouver Island, service between	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—*Concluded*		
	LOCAL SERVICES		
	Baddeck and Iona, service between	8,000 00	
	Charlottetown and Pictou, service between	25,000 00	
	Charlottetown, Victoria and Holliday's Wharf, service between	4,600 00	
	Grand Manan and the Mainland, service between	33,000 00	
	Halifax and Bay St. Lawrence, service between	2,000 00	
	Halifax, Canso and Guysboro, service between	6,750 00	
	Halifax and Sherbrooke, service between	900 00	
	Halifax, LaHave and LaHave River ports, service between	2,000 00	
	Halifax, South Cape Breton and Bras d'Or Lake ports, service between	3,500 00	
	Halifax, Spry Bay and Cape Breton ports, service between	4,000 00	
	Halifax and West Coast of Cape Breton, service between	4,000 00	
	Ile-aux-Coudres and Les Eboulements, service between	1,100 00	
	Mulgrave, Arichat and Canso, service between	33,750 00	
	Mulgrave and Guysboro, calling at intermediate ports, service between	9,500 00	
	Murray Bay and North Shore, winter service between	40,000 00	
	Parrsboro, Kingsport and Wolfville, service between	2,000 00	
	Pelee Island and the Mainland, service between	8,250 00	
128	Pictou, Mulgrave and Cheticamp, service between	11,000 00	
	Pictou, Souris and the Magdalen Islands, service between	37,500 00	
	Quebec, Natashquan and Harrington, service between	76,500 00	
	Quebec, or Montreal, and Gaspe, calling at way ports, service between	60,000 00	
	Rimouski and Matane and points on the North Shore of the St. Lawrence, service between	50,000 00	
	Riviere-du-Loup and Tadoussac, and other North Shore ports, service between	12,000 00	
	St. Catherine's Bay and Tadoussac, service between	2,558 26	
	St. John, Bear River, Annapolis and Granville, and other way ports, service between	2,000 00	
	St. John and Bridgetown, service between	1,000 00	
	St. John and Margaretville, and other ports on the Bay of Fundy, service between	2,800 00	
	St. John and Minas Basin ports, service between	3,500 00	
	St. John and St. Andrews, calling at way ports, service between.	3,000 00	
	St. John, Westport and Yarmouth and other way ports, service between	13,000 00	
	St. John and Weymouth, service between	1,000 00	
	Summerville, Burlington and Windsor, N.S., service between	750 00	
	Sydney and Bay St. Lawrence, calling at way ports, service between	18,000 00	
	Sydney and Bras d'Or Lake ports, and West Coast of Cape Breton and Prince Edward Island, service between	20,000 00	
	Sydney and Whycocomagh, service between	12,000 00	
	Inspection of subsidized steamship services	4,000 00	
			2,312,258 26
	OCEAN AND RIVER SERVICE		
129	Maintenance and repairs to Dominion steamers and icebreakers.	1,500,000 00	
130	Miscellaneous services relating to Navigation and Shipping	43,572 00	
131	Amount required to reimburse the British Board of Trade for expenditure incurred in the relief of distressed Canadian seamen not authorized by the Canada Shipping Act	300 00	
132	To provide subsidies for wrecking plants—Quebec and British Columbia	40,000 00	
133	Miscellaneous and Unforeseen expenses	8,000 00	
134	Life Saving Service, including rewards for saving life	58,000 00	
135	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic steamers	400,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	OCEAN AND RIVER SERVICE—*Concluded*		
136	Radio Service, to provide for the maintenance and construction of Radio Direction Finding Stations, Radio Beacons and Radiotelegraph Stations and the general administration of the provisions of the Radio Act and Regulations throughout the Dominion	590,550 00	
137	Radio Service, to provide for the suppression of local electrical interferences and for the issue of radio receiving licenses	263,038 00	
138	To provide for compassionate allowance to Lawrence Larson, formerly employed as Caretaker at the Esquimalt Workshop of the Radiotelegraph Service	500 00	
			2,903,960 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
139	River St. Lawrence Ship Channel Dredging—		
	(a) To provide for contract dredging	3,500,000 00	
	(b) To provide for the maintenance and operation of the Government Ship Channel fleet and the Government Shipyard, including all necessary repairs and reconditioning	1,140,000 00	
140	To provide for the maintenance and repair of retaining dams in the St. Lawrence River	100,000 00	
141	To provide for the investigation of water levels in the St. Lawrence River	40,000 00	
			4,780,000 00
	LIGHTHOUSE AND COAST SERVICE		
142	Agencies, Rents and Contingencies	196,300 00	
143	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers	1,781,000 00	
144	Amount required to pay compassionate allowance to John Davidson, formerly lightkeeper at Cape Mudge, B.C.	500 00	
145	Amount required to pay compassionate allowance to W. P. Flewin, father of the late Walter James Flewin, mess-boy on the C.G.S. "Newington"	1,000 00	
146	To provide for compassionate allowance to recoup the Workmen's Compensation Board of British Columbia in continuation of a pension granted and to be paid by that Board up to the 31st March, 1936, in the sum of $35 per month, to the widow of the late E. J. McCoskrie, who was formerly employed as Port Warden at Prince Rupert, B.C., and who was killed while in the performance of his duties	420 00	
147	Marine Signal Service	93,750 00	
148	Administration of Pilotage	118,000 00	
149	Maintenance and repairs to wharves	7,500 00	
150	To provide for breaking ice in Thunder Bay, Lake Superior and other points deemed advisable in the interests of navigation	40,500 00	
151	Amount required to pay pensions to Pilots—Berthelemi Lachance, Alphonse Gosselin, Joseph Plante, Raymond Baquet, Victor Vezina, Alfred Larochelle, Alphonse Pouliot, John I. Irvine, Adjutor Baillergeon, J. Alphonse Lachance, Joseph Pouliot, Raoul Lachance, Arthur Baillergeon, Arthur Koenig, J. Eugene Lachance, Pnileas Lachance, J. H. Talbot, Jules Asselin, Joseph Vezina, Treffle Delisle	6,000 00	
			2,244,970 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
	Dominion Observatory		
152	Expenses connected with the Dominion Observatory at Ottawa	40,200 00	
	Dominion Astrophysical Observatory		
153	Expenses connected with the Dominion Astrophysical Observatory at Victoria, B.C.	20,000 00	
	Topographical and Air Service Bureau		
154	From topographical and air surveys, compiling, drawing, printing and distributing geographical base maps for all purposes, issuing technical instructions for air photography and reconnaissance, under supervision of Committee on Air Surveys and Base Maps; land and mining claim surveys of all remaining Dominion Lands (Northwest Territories, Dominion Parks, Ordnance Lands); preparing electoral district maps; maintaining central office for indexing, filing and recording of survey notes and plans, and the distribution of maps, etc.	110,000 00	
	Amount required to provide for the purchase of air photographs or negatives for adding to the National Air Photographic Library	5,000 00	
	Amount required to pay the fees of the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of room and furniture, etc. (the fees of Messrs. F. H. Peters, W. M. Tobey, and Harry Parry, Members of the Board, and J. A. Cote, Secretary, are to be paid out of this sum)	900 00	
	To assist in printing the publications of the Canadian Institute of Surveying (formerly the Association of Dominion Land Surveyors)	350 00	
	Geodetic Survey of Canada		
155	Control Operations—Precise levelling based on sea level, triangulation, geodetic astronomy and investigations—all basic for correlation of water areas, power developments, charts and maps and for the scientific study of the earth's crust, curvature, figure and dimensions. The above is the recognized basis of operations for federal and provincial departments, municipal authorities and engineering projects over the whole country	130,000 00	
	To recoup the Temiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin	240 00	
	International Boundary Commission		
156	Expenses connected with the maintenance in a state of effective demarcation of the international boundary, including $1,000 to Noel J. Ogilvie as International Boundary Commissioner	39,000 00	
	DEPARTMENT OF MARINE		
157	Meteorological Service, including Magnetic Observatory, grants of $450 each to Kingston and Montreal Observatories and allowance of $360 to L. F. Gorman, Observer at Ottawa	360,000 00	
			705,690 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	STEAMBOAT INSPECTION		
158	Steamboat Inspection	133,072 00	133,072 00
	FISHERIES		
159	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services	985,328 00	
160	Building Fishways and Clearing Rivers	6,000 00	
161	Legal and Incidental Expenses	6,000 00	
162	To assist in the Conservation and development of the Deep-Sea Fisheries and the Demand for Fish	85,000 00	
163	Fish Culture	240,000 00	
164	Oyster Culture	10,000 00	
165	To provide for an investigation into the life history of the Pacific Halibut by an International Fisheries Commission appointed under the Pacific Halibut Treaty of the 2nd March, 1923	25,000 00	
166	Marine Biological Board of Canada	186,000 00	
167	To provide, subject to the approval of the Governor in Council, for a grant to the United Maritime Fishermen	4,050 00	1,547,378 00
	MINES		
	Department		
168	For administration of the Explosives Act (Chap. 62, R.S. 1927)	8,000 00	
	Mines Branch		
169	For investigations of mineral resources and deposits; of the mining and metallurgical industries, and of mineral technology; wages, and expenses of testing and research laboratories; for publications, English and French; for purchase of books and instruments; for miscellaneous assistance and contingencies; and for investigations by the Dominion Fuel Board, including salaries and all other expenses	220,000 00	
	Geological Survey		
170	For explorations, surveys, and investigations; for publication of English and French editions of reports, maps, illustrations, etc., relating thereto; and for salaries and wages of explorers, topographers and others	190,000 00	
	For maintenance of offices and museum; for purchase of instruments, chemicals, books of reference, museum equipment and specimens, and related supplies; for expenses of the Geographic Board of Canada; and for miscellaneous assistance and contingencies	75,502 00	493,502 00
	LABOUR		
171	Annuities Act	85,000 00	
172	Combines Investigation Act	22,000 00	
173	Conciliation and Labour Act	32,000 00	
174	Administration, Employment Offices Co-ordination Act	8,000 00	
175	Fair Wages and Inspection	11,000 00	
176	Industrial Disputes Investigation Act	10,000 00	
177	International Labour Conference	10,000 00	
178	Administration of Old Age Pensions Act	2,000 00	180,000 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC PRINTING AND STATIONERY		
179	Printing, Binding, etc., the Annual Statutes	8,500 00	
180	Canada Gazette	27,000 00	
181	Plant—Repairs and Renewals	10,000 00	
182	Distribution of Official Documents	39,000 00	
183	Printing and binding official publications for sale and distribution to departments and the public	42,750 00	
			127,250 00
	INDIANS		
184	To provide for expenses connected with the administration of Indian Affairs, including salaries, supplies, relief, medical attendance, hospitalization, dwellings, agricultural activities, surveys, roads, bridges, irrigation, dyking, education, etc., and a grant of $100,000 approved by Parliament in session of 1926-27	4,260,000 00	
			4,260,000 00
	ROYAL CANADIAN MOUNTED POLICE		
185	Pay of Force and Allowances: (including salaries of two Constables, Ellesmere Island District at $2.25 per diem to assure Department against loss through death) arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal expenses, criminal investigation branch,enforcement of federal statutes, fuel and light, transport horses and dogs, transport mechanical, dental, medical and hospital, miscellaneous (including grants to Royal Canadian Mounted Police messes and publication of Royal Canadian Mounted Police Quarterly for instructional purposes) special services Opium and Narcotic Drug Act, printing and stationery, transport railway, rations, rents, travelling expenses, transport water	5,893,595 75	
186	To compensate members of the Royal Canadian Mounted Police for injuries received whilst in the performance of duty	12,000 00	
			5,905,595 75
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
187	Salaries and expenses connected with the administration of the Northwest Territories Act and Ordinances, Northwest Game Act and Regulations, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf bounties, exploration, investigation and development of natural resources, fire protection, construction and maintenance of buildings, schools, hospitals and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.	202,000 00	
	DEPARTMENT OF NATIONAL DEFENCE		
188	*Radio Services*—For the maintenance and operation of the Northwest Territories Radio System	199,425 00	
			401,425 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE YUKON TERRITORY		
	Salaries and expenses connected with the administration of the Territory, including surveys	42,000 00	
189	Grant to Yukon Council for local purposes, the construction and maintenance of roads and such other expenditures as the Commissioner is authorized to expend by and with the advice and consent of the Council or any Committee thereof; and the accounts with respect to such expenditure shall be subject to examination and audit by the Auditor General as provided by Section 22, Chapter 215, Revised Statutes 1927	60,000 00	
			102,000 00
	DOMINION LANDS AND PARKS		
	Dominion Lands, Seed Grain, Mining Lands and Ordnance, Admiralty and Public Lands, Salaries and expenses, etc.	90,797 96	
	Advancement of forest conservation; national inventory of forest resources; investigation of forest conditions and rates of growth, and development of scientific management methods; forest protection studies, technical and economic investigations of forest industries; the operation of forest experiment stations, demonstration forests, and forest products laboratories; co-operative undertakings in forestry and forest products, etc	250,000 00	
	Grant to Canadian Forestry Association	1,620 00	
	Investigation of Water and Power Resources and of International Waterway Problems, The Dominion Hydrometric Survey and for the Administration of the Dominion Water Power and Irrigation Acts, etc	165,000 00	
190	Amount required to meet expenses of Lake of the Woods Control Board	7,000 00	
	To provide for the expenses connected with the National Parks of Canada, historic sites, care of indigents in the parks, the appointment of stipendiary magistrates in the parks and the payment of their remuneration	1,105,188 00	
	Administration of the Migratory Birds Convention Act	35,500 00	
	Costs of litigation and legal expenses	4,000 00	
	Amount to provide for expenses in connection with determination of location and boundaries of Ordnance and Admiralty Lands in the Province of British Columbia	3,000 00	
	Amount required to cover the payment of retiring leave to officials other than those on Civil Government	7,350 00	
	Salaries of Revenue Staff	8,856 00	
			1,678,311 96
	PENSIONS AND NATIONAL HEALTH		
191	Care of patients and medical examination respecting pensions; hospital allowances (compensation)	3,200,000 00	
192	Salaries— Departmental staff	2,375,000 00	
193	Unemployment relief	2,100,000 00	
194	Operating expense and working capital	225,000 00	
195	Employers' liability compensation	40,000 00	
196	Sheltered Employment	50,000 00	
197	Grant to Canadian Legion, B.E.S.L	9,000 00	
198	Grant to Last Post Fund	60,000 00	
199	Pension Appeal Court	19,800 00	
200	War Veterans' Allowances	2,250,000 00	
201	War Veterans' Allowance Committee	14,400 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PENSIONS AND NATIONAL HEALTH—*Concluded*		
	National Health		
	The administration of the Acts respecting Food and Drugs, Opium and Narcotic Drugs and Proprietary or Patent Medicines, including the Laboratory of Hygiene	130,000 00	
202	Public Health Engineering	15,880 00	
	Marine Hospitals, including burial expenses of destitute deceased mariners, and grants to institutions assisting sailors	163,500 00	
	The administration of the Acts respecting Quarantine and Leprosy	150,000 00	
	Immigration Medical Service	126,920 00	
			10,929,500 00
	EXTERNAL AFFAIRS		
	LONDON		
203	Salaries and expenses of the Office of the High Commissioner for Canada, including $1,800 additional salary for the High Commissioner to that authorized by Chap. 15, R.S.C.	121,160 00	
	WASHINGTON		
204	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act, or any of its amendments	100,000 00	
	PARIS		
205	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	75,700 00	
	TOKYO		
206	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything to the contrary in the Civil Service Act or any of its amendments	68,800 00	
	GENEVA		
207	Salaries and expenses of the Office of the Canadian Advisory Officer	28,000 00	
208	Canada's contribution to the expenses of the League of Nations for 1935, including Secretariat, International Labour Organization and Permanent Court of International Justice	204,640 00	
209	Expenses of Canadian Delegates to the Assembly, Conferences and Commissions of the League of Nations	12,500 00	
210	Publications of the League of Nations for distribution to Members of Parliament and a grant to the League of Nations Society in Canada	3,000 00	
			613,800 00
	MISCELLANEOUS		
211	To provide for hospitality in connection with visitors from abroad	5,000 00	
212	Canada's contribution to the expenses of the International Commission for Air Navigation for 1935	1,720 00	
213	Amount required to meet loss on exchange, subject to approval of the Treasury Board	200,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	MISCELLANEOUS—*Continued*	$ cts.	$ cts.
214	Canada's portion of expenditure of the Imperial Economic Committee and Imperial Shipping Committee and the Executive Council of the Imperial Agricultural Bureau for 1935	18,690 00	
215	Advertising and Publicity in the United Kingdom and Europe to be administered by the High Commissioner	250,000 00	
216	Expenses in connection with the negotiation of treaties	9,000 00	
217	Grant in aid of the Canadian General Council of the Boy Scouts Association	9,000 00	
218	Subscriptions to publications of the Empire Parliamentary Association to be distributed to Members of the House of Commons	2,000 00	
219	Grant to the Dominion Council of the Girl Guides	4,860 00	
220	Contribution to aid in carrying on the work of the Royal Astronomical Society	1,620 00	
221	Royal Canadian Academy of Arts	2,025 00	
222	Grant to the Royal Society of Canada	4,500 00	
223	Grant to the Montreal Association for the Blind	4,050 00	
224	Grant to l'Institut Nazareth de Montreal to assist in work with the blind	4,050 00	
225	Amount required to provide for grants to be made to the Provinces of—		
	Nova Scotia	875,000 00	
	New Brunswick	600,000 00	
	Prince Edward Island	125,000 00	
	British Columbia	750,000 00	
	pending consideration of Provincial Subsidies.		
226	Unforeseen expenses, expenditure thereof to be subject to the approval of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next Session	80,000 00	
227	To provide for expenses of the Comptroller of the Treasury's Office	1,576,851 00	
228	To provide for the administration of the Royal Canadian Mint, including salaries, contingencies, retiring and other allowances, and general expenses	195,000 00	
229	To provide for the maintenance of the Dominion of Canada Assay Office, Vancouver, B.C	17,560 00	
230	To provide for salaries and expenses of the Tariff Board—Payments may be made notwithstanding anything in the Civil Service Act or regulations	120,000 00	
231	To provide for the administration of the Bankruptcy Act	35,000 00	
232	Federal District Commission—To provide for maintenance and improvement of properties under the control of the Federal District Commission	124,400 00	
233	To provide for the expenses of work in the interests of fire prevention to be carried on by the Department of Insurance	9,300 00	
234	To provide for salaries and expenses of the office of the Salvage Officer, including L. H. Beer at $4,500	10,622 00	
235	Chief Electoral Officer—Salaries and contingencies of office	28,724 00	
236	Dominion Franchise Commissioner—Salaries and contingencies of office, etc	600,000 00	
237	To pay Mrs. E. B. Hutcheson as Matron, notwithstanding the fact that, owing to advanced age, she may not be able to continue the regular performance of such duties, in recognition of the valuable services rendered by her late husband as Exhibition Commissioner	1,200 00	
238	Grant to John Thomas (Jack) Miner to assist him in his wild life conservation work	3,500 00	
239	Expenses of litigated matters—Department of Justice	25,000 00	
240	Annual contribution to the Canadian Law Library, London, England	500 00	
241	Canadian Radio Broadcasting Service	1,500,000 00	
242	Loan to Harbour Commissioners of Montreal with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, and to be applied in payment of deficits resulting from the operations of the Jacques Cartier Bridge	430,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS—*Concluded*		
243	Loan to the Saint John Harbour Commissioners with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, to provide for payment of principal and interest due in the fiscal year 1935-36 on debentures of the City of Saint John assumed by the Saint John Harbour Commissioners and debentures of the said Commissioners issued to the City of Saint John, under Section 15 of the Saint John Harbour Commissioners Act, 1927.....	114,572 65	
244	To appoint David Ballantyne Carswell as Superintendent of the Government Shipyard at Sorel and Superintendent of the dredging fleet at a salary of $8,000 per annum less such deduction as may be provided.....	8,000 00	
245	To provide for payments in connection with the movements of coal under conditions prescribed by the Governor in Council and for the cost of administration thereof.....	2,450,000 00	
246	Battlefields Memorials.....	86,789 00	
247	To provide for the Book of Remembrance of members of the Canadian Forces, and Canadians in the Forces of the British Empire who lost their lives in the Great War.....	5,500 00	
248	Grant to the Canadian Council on Child and Family Welfare.	12,600 00	
249	Grant to the Canadian National Institute for the Blind.....	16,200 00	
250	Grant to the Canadian Tuberculosis Association.....	20,250 00	
251	Grant to the Victorian Order of Nurses.....	13,100 00	
252	Grant to assist the Canadian Branch of the St. John Ambulance Association.....	4,050 00	
253	Grant to the Canadian Red Cross Society.....	8,100 00	
254	Grant to the Canadian Dental Hygiene Council.....	750 00	
255	To provide for payment of salaries and expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations, including D. W. McLachlan at $1,350 and G. W. Yates at $648.....	20,599 00	
256	Grant to the Chief Constables Association.....	500 00	
257	Patent Record.....	35,000 00	
258	International Office for the protection of Industrial Property, International Copyright Union Office and Union for the Protection of Literary and Artistic Works.....	2,600 00	
259	Public Archives.....	71,000 00	
260	To provide for salaries and expenses of the Bureau for Translations.....	206,671 00	
261	Expenses under the Naturalization Act.....	18,680 00	
262	Expenses under the Canada Temperance Act.....	5,000 00	
263	Natural Products Marketing Act, 1934.....	545,500 00	
264	To assist in promoting tourist business in Canada.....	200,000 00	
265	To provide for report on cultural conditions in Canada (literature, art, drama, education, etc.).....	2,500 00	
266	To provide, subject to the approval of the Treasury Board for salaries, reclassifications and increases.....	100,000 00	
			11,572,133 65
	NATIONAL REVENUE		
267	Salaries and contingent expenses of the several Ports of the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act, and temporary buildings and rentals.....	6,150,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit and the Preventive Service Undervaluation Services.....	971,708 00	
	Miscellaneous, including printing and stationery; subscriptions to commercial papers; flags; dating stamps; locks; instruments; express charges on samples; legal forms; legal expenses; premiums on guarantee bonds; uniforms for Customs-Excise Officers; laboratory equipment and supplies, etc....	560,000 00	
	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for Customs-Excise Secret Investigation Service.....	15,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL REVENUE—*Concluded*		
267	To provide for the administration of the Income War Tax Act 1917 and Amendments thereof, and authority for this purpose to create positions and make appointments notwithstanding anything contained in the Civil Service Act and the said positions and staff so appointed are hereby wholly excluded from the operation of the said Act, and salary of $9,000, (less statutory deduction) for the Commissioner of Income Tax	2,025,000 00	
	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for the Income Tax Secret Investigation Service	10,000 00	9,731,708 00
	RAILWAYS AND CANALS		
	(Chargeable to Collection of Revenue)		
	CANALS		
268	Canals, Elevators and Harbours— Operation and Maintenance	2,500,000 00	
269	*Lachine canal*— To provide for the settlement of the claims, totalling $8,021.66, of the Campbell Construction Company, Ltd., in connection with the contract No. 29378 dated February 7, 1934, for the repairs to the Upper Entrances of North and South Locks No. 2	3,488 89	
	RAILWAYS		
270	Hudson Bay Railway: Amount to provide for difference between expenditures for operation and maintenance and the revenues accruing from operation during the year ending March 31, 1936, not exceeding	226,000 00	2,729,488 89
	PUBLIC WORKS		
	(Chargeable to Collection of Revenue)		
	GRAVING DOCKS		
271	Champlain Graving Dock	75,000 00	
	Esquimalt Graving Dock	69,800 00	
	Lorne Graving Dock	36,900 00	
	Selkirk—Repair slip	3,000 00	
	TELEGRAPH AND TELEPHONE LINES		
272	Land and Cable Telegraph Lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels for cable service	132,000 00	
	Alberta and Saskatchewan	84,500 00	
	British Columbia—Northern District	59,000 00	
	British Columbia—Vancouver Island District	88,000 00	
	Yukon System—Main Line	108,000 00	
	Telegraph and Telephone Services Generally	6,000 00	662,200 00

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	POST OFFICE—OUTSIDE SERVICE		
	Salaries and allowances	15,169,603 00	
	Mail Services, including mail service by air	14,002,450 00	
273	Miscellaneous, including $5,000 to provide for payment of compassionate allowances to employees injured while in the performance of their duties or to other persons injured while performing duties in any way connected with the Postal Service or in protecting His Majesty's mails, or to the dependents of such employees or other persons who may be killed while so engaged, payments to be made only on the specific authority of the Governor in Council	1,084,600 00	
			30,256,653 00
	TRADE AND COMMERCE		
274	British and Foreign News Service	15,000 00	
275	An Act to place Canadian coal used in the manufacture of iron or steel on a basis of equality with imported coal, Administration of	600 00	
276	The Canada Grain Act, including management, operation and maintenance, also equipment of Elevators, Administration of	1,981,006 90	
277	Commercial Intelligence Service, including, miscellaneous expenditure in connection with Canada's trade	696,251 00	
278	Dominion Bureau of Statistics	380,428 00	
279	Electricity and Fluid Exportation Act, Administration of	750 00	
280	Electricity and Gas Inspection Service	209,954 00	
281	Exhibitions and Fairs	195,000 00	
282	International Customs Tariffs Bureau	3,000 00	
283	Motion Picture Bureau	40,000 00	
284	National Research Council	400,000 00	
285	The Precious Metals Marking Act, Administration of	5,192 00	
286	Printing of Parliamentary and Departmental Publications	102,675 00	
287	Publicity and Advertising in Canada and Abroad	100,000 00	
288	Weights and Measures Inspection Service, including the International Bureau of Weights and Measures	314,396 00	
289	International Bureau of Exhibitions	2,300 00	
290	Conference of Commonwealth Statisticians (Revote)	5,000 00	
			4,451,552 90
	ADJUSTMENT OF WAR CLAIMS		
291	National Defence	68,707 00	
292	Secretary of State	6,000 00	
			74,707 00
	Total		*192,697,728 57

Net Total, $138,642,370.82.

SCHEDULE B.

Based on Estimates, 1935-36. The amount hereby granted is $2,502,750.01, being three-fourths of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	DEFICIT OF CANADIAN NATIONAL STEAMSHIPS		
	CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
293	Amount to provide for the payment from time to time to The Canadian National (West Indies) Steamships, Limited, (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash items and interest on Dominion Government advances, occurring during the year ending December 31st, 1935, in the operations of the company and of the vessels under the control of the company, as certified to by the auditors of the company, and upon applications made by the company to the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding.....	316,000 00	
	CANADIAN GOVERNMENT MERCHANT MARINE, LIMITED		
294	Amount to provide for the payment from time to time to The Canadian Government Merchant Marine, Limited (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash items and interest on Dominion Government advances, occurring during the year ending December 31st, 1935, in the operations of the company and of the vessels under the control of the company, as certified to by the auditors of the company and upon applications made by the company to the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding.....	45,000 00	
			361,000 00
	LOAN TO CANADIAN NATIONAL (WEST INDIES) STEAMSHIPS, LIMITED		
295	Loan to Canadian National (West Indies) Steamships, Limited, repayable on demand with interest at a rate to be fixed by the Governor in Council, upon such terms and conditions as the Governor in Council may determine and to be applied in payment of Capital expenditure in connection with vessels under the Company's control during the year ending December 31st, 1935 (revote $178,500).....	.....	196,000 00
	MARITIME FREIGHT RATES ACT		
296	Amount required to provide for payment from time to time during the fiscal year 1935-36 of the difference, estimated by the Board of Railway Commissioners and certified by the said Board to the Minister of Railways and Canals, as and when required by him, occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in section 9 of the said Act) on all traffic moved during 1935, under the tariffs approved, by the following companies:		

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MARITIME FREIGHT RATES ACT—*Concluded*		
	Canada and Gulf Terminal Railway. Canadian Pacific Railway, including Fredericton & Grand Lake Coal & Railway Company. New Brunswick Coal & Railway Company. Cumberland Railway & Coal Company. Dominion Atlantic Railway. Maritime Coal, Railway & Power Company. Sydney & Louisburg Railway. Temiscouata Railway Company.....	900,000 00	
297	To hereby authorize and provide for the payment from time to time during the fiscal year 1935-36 to the Canadian National Railway Company of the difference (estimated by the Auditors of the said Company and certified by the said Auditors to the Minister of Railways and Canals as and when required by the said Minister) occurring on account of the application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as set out in section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the year 1935, under the tariffs approved, on the Eastern Lines (as referred to in section 1 of the said Act) of the Canadian National Railways.....	1,880,000 00	2,780,000 00
	Total.....	.....	*3,337,000 00

*Net total $2,502,750.01.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 117.

An Act to amend The Natural Products Marketing Act, 1934.

First reading, June 24, 1935.

THE MINISTER OF AGRICULTURE.

OTTAWA
J. O. PATENAUDE, I.S.O
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
363 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 117.

An Act to amend The Natural Products Marketing Act, 1934.

1934, c. 57.

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

1. This Act may be cited as *The Natural Products Marketing Act Amendment Act, 1935.*

"Natural Product."

2. Section two of *The Natural Products Marketing Act, 1934,* is amended by repealing paragraph *(e)* thereof and substituting the following:—

"*(e)* 'natural product' includes animals, meats, eggs, wool, dairy products, grains, seeds, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco, lumber and such other natural product of agriculture and of the forest, sea, lake or river and such article of food or drink wholly or partly manufactured or derived from any such product, and such article wholly or partly manufactured or derived from a product of the forest as may be designated by the Governor in Council."

3. Subsection nine of section three of the said Act is repealed and the following is substituted therefor:—

Payments authorized.

"(9) The Governor in Council may from time to time authorize payment to the Board out of moneys to be appropriated by Parliament of such sums of money as may be necessary to assist in the organization of local boards, to make loans to local boards upon such terms as the Governor in Council approves, for the purpose of defraying operating expenses pending the receipt of charges and tolls, and to defray the operating expenses of the Board incurred by it directly and any expenditure incurred or authorized by the Board under the authority of section nine."

EXPLANATORY NOTES.

2. *(e)* The existing paragraph defining "natural product" is as follows:—

"*(e)* 'natural product' includes animals, meats, eggs, wool, dairy products, grains, seeds, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco, lumber, and such other natural products of agriculture and of the forest, sea, lake or river, and any article of food or drink wholly or partly manufactured or derived from any such product that may be designated by the Governor in Council, in accordance with the provisions of this Act;"

3. Subsection 9 of section 3 of the Act reads as follows:—

"(9) The Governor in Council may from time to time authorize payment to the Board out of moneys to be appropriated by Parliament of such sums of money as may be necessary to assist in the organization of local boards, to defray the operating expenses of the Board incurred by it directly and any expenditure incurred or authorized by the Board under the authority of section nine hereof."

4. Section four of the said Act is amended by adding thereto the following subsection:—

Equalization of returns.

"(9) Notwithstanding any provision of this Act, any scheme of regulation may provide solely for equalization to any extent, as between the producers, of the returns received from the sale of the regulated product."

5. Section fourteen of the said Act is repealed and the following is substituted therefor:—

Failure to comply with orders or determinations or regulations.

"**14.** (1) Every person who fails to comply with any order or determination of the Board or of a local board or any regulation of the Governor in Council shall be guilty of an offence and punishable on summary conviction with a fine of not less than twenty-five dollars and not more than five hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Burden of proof upon accused.

(2) In any prosecution under this Act or under any regulation it shall not be necessary for the prosecuting authority to prove that the product in respect of which the prosecution is instituted was produced within that part of Canada to which the scheme relates, and if the accused person pleads or alleges that the product was not produced within that part of Canada to which the scheme relates, the burden of proof thereof shall be upon the accused person."

4. This is new.

5. The amendments to section 14 of the Act consist in inserting the underlined words "or determination" in subsection 1, and by adding thereto a new subsection 2.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 117.

An Act to amend The Natural Products Marketing Act, 1934.

AS PASSED BY THE HOUSE OF COMMONS, 26th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 117.

An Act to amend The Natural Products Marketing Act, 1934.

1934, c. 57.

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

1. This Act may be cited as *The Natural Products Marketing Act Amendment Act, 1935.*

"Natural Product."

2. Section two of *The Natural Products Marketing Act, 1934,* is amended by repealing paragraph *(e)* thereof and substituting the following:—

"*(e)* 'natural product' includes animals, meats, eggs, wool, dairy products, grains, seeds, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco, lumber and such other natural product of agriculture and of the forest, sea, lake or river and such article of food or drink wholly or partly manufactured or derived from any such product, and such article wholly or partly manufactured or derived from a product of the forest as may be designated by the Governor in Council."

3. Subsection nine of section three of the said Act is repealed and the following is substituted therefor:—

Payments authorized.

"(9) The Governor in Council may from time to time authorize payment to the Board out of moneys to be appropriated by Parliament of such sums of money as may be necessary to assist in the organization of local boards, to make loans to local boards upon such terms as the Governor in Council approves, for the purpose of defraying operating expenses pending the receipt of charges and tolls, and to defray the operating expenses of the Board incurred by it directly and any expenditure incurred or authorized by the Board under the authority of section nine."

Explanatory Notes.

2. *(e)* The existing paragraph defining "natural product" is as follows:—

"*(e)* 'natural product' includes animals, meats, eggs, wool, dairy products, grains, seeds, fruit and fruit products, vegetables and vegetable products, maple products, honey, tobacco, lumber, and such other natural products of agriculture and of the forest, sea, lake or river, and any article of food or drink wholly or partly manufactured or derived from any such product that may be designated by the Governor in Council, in accordance with the provisions of this Act;"

3. Subsection 9 of section 3 of the Act reads as follows:—

"(9) The Governor in Council may from time to time authorize payment to the Board out of moneys to be appropriated by Parliament of such sums of money as may be necessary to assist in the organization of local boards, to defray the operating expenses of the Board incurred by it directly and any expenditure incurred or authorized by the Board under the authority of section nine hereof."

4. Section four of the said Act is amended by adding thereto the following subsection:—

Equalization of returns.

"(9) Notwithstanding any provision of this Act, any scheme of regulation may provide solely for equalization to any extent, as between the producers, of the returns received from the sale of the regulated product."

5. Section fourteen of the said Act is repealed and the following is substituted therefor:—

Failure to comply with orders or determinations or regulations.

"**14.** (1) Every person who fails to comply with any order or determination of the Board or of a local board or any regulation of the Governor in Council shall be guilty of an offence and punishable on summary conviction with a fine of not less than twenty-five dollars and not more than five hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Burden of proof upon accused.

(2) In any prosecution under this Act or under any regulation it shall not be necessary for the prosecuting authority to prove that the product in respect of which the prosecution is instituted was produced within that part of Canada to which the scheme relates, and if the accused person pleads or alleges that the product was not produced within that part of Canada to which the scheme relates, the burden of proof thereof shall be upon the accused person."

4. This is new.

5. The amendments to section 14 of the Act consist in inserting the underlined words "or determination" in subsection 1, and by adding thereto a new subsection 2.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act respecting the Bridge across the Second Narrows of Burrard Inlet in the Province of British Columbia.

First reading, June 24, 1935.

The MINISTER OF MARINE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
919 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act respecting the Bridge across the Second Narrows of Burrard Inlet in the Province of British Columbia.

Preamble.

1910, c. 74; 1913, c. 80; 1914, c. 73; 1916, c. 34; 1918, c. 61; 1920, c. 74; 1922, c. 54; 1924, c. 76; 1931, c. 63;

WHEREAS the bridge across the Second Narrows of Burrard Inlet in the Province of British Columbia referred to in chapter sixty-three of the statutes of Canada, 1931, was not reconstructed or repaired by the Burrard Inlet Tunnel and Bridge Company pursuant to the powers conferred upon said Company by the said chapter sixty-three; and whereas the Vancouver Harbour Commissioners purchased the said bridge and reconstructed the same with a movable lift span in place of the three hundred foot fixed span referred to in section four of the said chapter sixty-three; and whereas it is desirable, for the avoidance of doubts, that a declaration similar to that contained in section three of the said chapter sixty-three be made with reference to the bridge so re-constructed: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Bridge declared to be a lawful work not interfering with navigation.

1. It is hereby declared that the bridge across the Second Narrows of Burrard Inlet in the Province of British Columbia, constructed by The Burrard Inlet Tunnel and Bridge Company and re-constructed by the Vancouver Harbour Commissioners, is a lawful work and shall not be deemed or held to be an interference with navigation.

Explanatory Notes.

The Vancouver Harbour Commissioners have asked that this Act be passed by Parliament in order to set at rest any doubts as to the legality of the construction of the bridge which is now owned by the Commissioners.

As a result of an accident in 1927, in which both the S.S. "Eurana" and the bridge were damaged, a case finally reached the Privy Council which held that the bridge as originally constructed was an interference with navigation.

In 1930 the bridge was struck by the barge "Pacific Gatherer" in tow of the tug "Lorne" and was completely put out of commission owing to a span having been knocked down into the water.

Since that time the Vancouver Harbour Commissioners have purchased the bridge and have reconstructed it, not as it was originally but with a vertical lift span in the place of the span that was knocked down by the "Pacific Gatherer" in 1930. Approval was obtained under both the Navigable Waters Protection Act and the Railway Act for the plans of the remodelled structure but in order to put the legality of the same beyond question, Counsel for the Vancouver Harbour Commissioners has advised that it would be safer to have similar legislation enacted with regard to the remodelled span as was enacted in 1931 and the Department of Justice has concurred in this view.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act respecting the Bridge across the Second Narrows of Burrard Inlet in the Province of British Columbia.

AS PASSED BY THE HOUSE OF COMMONS, 25th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

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6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act respecting the Bridge across the Second Narrows of Burrard Inlet in the Province of British Columbia.

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Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 119.

An Act to amend the Pension Act.

AS PASSED BY THE HOUSE OF COMMONS,
25th JUNE, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1028 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 119.

An Act to amend the Pension Act.

R.S., c. 157; 1932-33, c. 45; 1934, c. 58.

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

Tenure of acting chairman extended.

1. Subsection (3A) of section three of the *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, as enacted by chapter fifty-eight of the statutes of 1934, is amended by striking out the the words "one year" in the fifth line thereof and substituting therefor the words "two years."

Explanatory Notes.

1. Subsection (3A) now reads as follows:—

"(3A) In the event of a vacancy occurring in the chairmanship of the Commission for any cause, the Governor in Council may appoint a judge of the Superior Court of any province to be acting chairman of the Commission for a period not exceeding one year. Such acting chairman shall have, possess, enjoy and exercise all the rights, privileges, powers and functions which by law the chairman of the Commission might have, possess, enjoy or exercise, and he shall, notwithstanding any statute to the contrary, be paid his salary as a judge and a per diem allowance of fifteen dollars."

120.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

An Act for the purpose of establishing in Canada a system of Long Term Mortgage Credit for Fishermen.

First reading, June 25, 1935.

The Acting Minister of Fisheries.

OTTAWA
J. O. PATENAUDE, I.S O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
584 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

R.S., c. 66; 1934, c. 46; 1935, c. 16.

An Act for the purpose of establishing in Canada a system of Long Term Mortgage Credit for Fishermen.

HIS 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 Canadian Fisherman's Loan Act.*

INTERPRETATION.

2. In this Act, unless the context otherwise requires,

"Board." *(a)* "Board" is, includes, and means the Canadian Farm Loan Board established by the *Canadian Farm Loan Act,* chapter sixty-six of the Revised Statutes of Canada, 1927, and amendments thereto;

"Borrower." *(b)* "Borrower" means a fisherman who has obtained a loan under the provisions of this Act;

"Commissioner." *(c)* "Commissioner" means the Canadian Farm Loan Commissioner appointed under the provisions of the *Canadian Farm Loan Act;*

"Fisherman." *(d)* "Fisherman" means a person whose principal occupation consists in fishing;

"Fishing." *(e)* "Fishing" means the taking and processing of fish of all kinds for commercial purposes;

"Fisherman's Land." *(f)* "Fisherman's Land" means land under occupation or owned by a fisherman;

Fisherman's Loan. *(g)* "Fisherman's Loan" means a loan made to a fisherman under the provisions of this Act;

"Fisherman's Loan Bond." *(h)* "Fisherman's Loan bond" means a bond issued under the authority of this Act;

"Minister." *(i)* "Minister" means the Minister of Finance for the time being;

Explanatory Notes.

The sections of this Bill are based upon and adapted from similar provisions in the *Canadian Farm Loan Act*, chapter 66 of the Revised Statutes of Canada, 1927, as amended by chapter 46 of the statutes of 1934, and chapter 16 of the statutes of 1935 (Bill 15). In general the language of the sections is precisely similar, the principal exception being in the definitions and in amounts stated in the financial sections.

2. *(a)*, *(b)*, *(c)* and *(i)*. These definitions are the same as in the Farm Loan Act.

The definitions *(d)*, *(e)*, *(f)*, *(g)* and *(h)* are similar to those in the Farm Loan Act, substituting "fisherman," "fishing," etc., for "farmer," "farming," etc.

"Mortgage." "First Mortgage."

(j) "Mortgage" and "First Mortgage" include, with relation to loans made in the province of Quebec under this Act, hypothecs and vente à rémére, whether, with relation to the latter, the Board has or has not expressly accorded to the borrower, at the time of making the loan, an additional right to redeem notwithstanding elapse of the time for repayment, and "mortgagor" and "mortgagee" shall be construed accordingly.

Powers of Board. Fisherman's Loan Bonds.

3. The Board may

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

Long term loans.

(b) make long term loans to fishermen on the security of first mortgages on fisherman's lands upon and subject to the conditions hereinafter prescribed;

Real estate.

(c) hold real estate, which having been mortgaged or otherwise secured to it, is acquired by it for the protection of any loan, sell, mortgage, lease or otherwise dispose thereof and, if the Board in its discretion shall decide so to do, but not as an obligation, pay yearly to local taxing authorities amounts to the extent of the taxes that would have been owing on such real estate had the same been assessed and a levy made thereon in that year: Provided, however, that any such real estate shall be disposed of within three years from the date on which it is acquired or within such additional period, not exceeding two years, as the Governor in Council may fix and determine;

Investments.

(d) invest its funds in the debentures, bonds, stocks or other securities of, or guaranteed by, the Government of Canada, or of, or guaranteed by, the government of any province of Canada;

Assistance. Incidental powers.

(e) employ such assistance and exercise by itself or through its duly authorized agents all such incidental powers as shall be necessary or expedient to carry on the business authorized by this Act;

Collateral security.

(f) accept and hold such additional and collateral security for loans as the Board may deem proper;

Composition, etc.

(g) make such composition, extension of time or scheme of arrangement with any borrower on his loan as the Board deems advisable.

Capital requirements.

4. The capital requirements of the Board shall be provided as follows:—

Initial capital.

(1) The Government of Canada may subscribe to an initial capital to an amount not exceeding three hundred thousand dollars and may pay the amount of any such subscription at such times and in such amounts as in the judgment of the Board are necessary for the purposes

2. *(j)* This definition is taken from chapter 16 of the Acts of the present session. (Bill 15).

3. Paragraphs *(a)* and *(b)* are adapted from paragraphs *(a)* and *(b)* of section 4 of the Farm Loan Act. Paragraph *(c)* is taken from chapter 16 of the Acts of the present session.

3. Paragraphs *(d)* and *(e)* are the same as in the Farm Loan Act.

3. Paragraphs *(f)* and *(g)* are taken from section 3 of chapter 46 of the statutes of 1934.

4. This is the same as subsections (1) and (2) of section 5 of the Farm Loan Act, as enacted by chapter 16 of the Acts of the present session.

of the Board; and the amounts provided from time to time under this subsection shall be free from interest charges for a period of three years, after which time interest shall be paid at such rate as the Governor in Council shall direct, repayment of the amounts so provided shall be made from time to time out of the earnings of the Board: Provided that before any such proposed repayment is made, the reserve fund of the Board provided for by section eight of this Act, shall be at least equal to the total repayments, including the repayment then proposed to be made.

Capital stock.

(2) In addition to the initial capital provided for in the next preceding subsection the Board shall issue capital stock in shares of one dollar each, which shares shall be subscribed for by the Government of Canada from time to time as loans are made under this Act to an amount equal to five per cent of the said loans, so that the total amount subscribed under this subsection shall equal at any time as nearly as may be, five per cent of the total amount of principal outstanding on loans theretofore made, the same to be called for by the Board as required.

Limit of outstanding bonds.

5. (1) The outstanding Fisherman's Loan bonds shall not exceed at any time twenty times the paid up capital stock subscribed for by the Government of Canada in the manner provided in the next preceding section.

Rate of interest.

(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.

Time limit. Denominations.

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

Redemption before date due.

(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.

Form and conditions.

(5) Each Fisherman's Loan bond shall be signed by the Commissioner, or by a member specially authorized thereunto by the Board, and by the secretary or treasurer of the Board, and it shall have printed thereon a certificate by the Commissioner that it is issued under the authority of this Act, and that at the time of issue the Board holds mortgages or charges on fisherman's lands, at least equal to the total amount of bonds issued under this Act.

Conditions for loans.

6. Loans made under the authority of this Act shall be subject to the following conditions:—

First Mortgages.

(a) Loans shall be made only on the security of first mortgages on fisherman's lands not exceeding fifty per cent of the actual value of such lands and the buildings thereon as appraised by the Board: Provided that no one person and no two or more persons having joint

5. Subsection (1) is the same as subsection (1) enacted by chapter 16 of the Acts of the present session. Subsections (2), (3) and (4) are the same as in section 6 of the Farm Loan Act. Subsection (5) is the same as the subsection enacted by section 4 of chapter 46 of the Acts of 1934.

6. Paragraphs *(a)*, *(f)*, *(h)* and *(j)* of this section are as enacted by chapter 16 of the present session, except that in *(a)* at the beginning of the proviso the following words are omitted:—"Provided that in arriving at such actual value, the value of the buildings shall be considered only to the extent to which the same add to the actual value of the land as farm land and"

or several ownership of the land to be mortgaged shall have by way of loan in the aggregate at any one time more than one thousand dollars.

Use of proceeds.

(b) The proceeds of such loan shall be used for the following purposes and no other:—

(1) To purchase boats or vessels, or shares or part interests in boats or vessels for use in the fisheries.

(2) To purchase equipment for such fishing boats or vessels including therein the purchase of gasoline, crude-oil or other engines.

(3) To purchase lines, hooks, trawls, nets, anchors, bait, traps, and any other equipment or apparatus for use in fishing.

(4) To discharge liabilities already accumulated.

(5) Any purpose which in the judgment of the Board may be reasonably considered as for fishing.

Loans to fishermen only.

(c) Loans under this Act shall be made only to Fishermen actually engaged in or shortly to become engaged in fishing.

Appraisal value.

(d) The appraised value shall be based on the fair market value of the land.

Interest.

(e) The interest rate on loans under this Act shall be such a rate in excess of the interest rate yielded at the time of issue by the last series of Fisherman's Loan bonds issued by the Board as shall be sufficient, in the judgment of the Board to provide for the expenses of operation and for the necessary reserves for losses, or if no such bonds have been issued, such a rate as in the judgment of the Board will be yielded by the Fishermen's Loan bonds when issued, increased by provision for expenses and reserves as aforesaid.

Repayment.

(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: Provided, however, that 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.

Interest on defaulted payments.

(g) Notwithstanding anything contained in the *Interest Act* every borrower shall pay simple interest on defaulted payments at a rate not exceeding eight per cent per annum and shall agree to pay when due all assessments, taxes and other charges necessary to be paid for the security of the Board in respect of the loan and to effect such insurance as the Board may require; and should such taxes, assessments and charges not be paid when due, they may be paid by the Board and charged to the borrower, and if not repaid to the Board on or before the next interest date with interest thereon at a rate not exceeding eight per cent per

6. *(b), (c), (d), (e)* and *(g).* These paragraphs are adapted from similar paragraphs in section 7 of the Farm Loan Act.

annum, the borrower shall be considered in default under the mortgage.

Payments by borrowers.

(h) Except as provided in, and subject to, such regulations, not inconsistent with the provisions of the *Interest Act*, as the Board may prescribe, any borrower may at any time repay the whole or part of his loan on any date on which an instalment becomes due. When the payment is part of the loan only it shall be credited to the borrower in such a manner as the Board may by regulation prescribe, but so that no such payment shall relieve the borrower from liability to pay or from continuing to pay, at the times agreed upon, the various instalments next ensuing due after such partial payment is made, and until the loan and interest is repaid in full.

If loan expended for other purposes.

(i) If any borrower under this Act expends any part of a loan for any purpose other than that approved by the Board, the said loan shall at the option of the Board become forthwith payable in full.

In case of sale.

(j) It shall be a term of any mortgage taken as security for a loan that upon the sale or lease of the fisherman's land the loan shall at the option of the Board immediately become due and payable.

Privilege of His Majesty as to loans.

7. (1) All monies lent under this Act by the Board upon mortgage or other security, and as well, all monies thereafter owing to the Board by reasons of the terms of such mortgage or other security and secured thereby or pursuant to the provisions of this Act, shall be deemed, for so long as any part of any of such monies remains unpaid to the Board, to be monies of His Majesty the King in his right of the Dominion of Canada, secured by a first and paramount right, privilege, lien and charge upon and against the land or other properties to which such mortgage or other security relates.

And as to lands transferred to Board.

(2) When the effect at law of any mortgage or other security made or given under this Act to the Board is to convey or transfer to the Board the legal title to the land or other property to which such mortgage or other security relates, such land or other property shall, for so long as any part of any monies lent upon such mortgage or other security or owing to the Board by reason of the terms of such mortgage or other security, and secured thereby or pursuant to the provisions of this Act, remains unpaid, be deemed to be the land or property of His Majesty the King in his right of the Dominion of Canada.

Priority of liens, etc. made or given to Board.

(3) Notwithstanding any law, whether statute or other, now in force or which hereafter may be in force in any province, no mechanic's lien law, taxation lien law or ther law or privilege of any species whatever whereunder liens, charges or privileges upon or against land or other property of any species whatever are created, arise or exist

7. The provisions of this section are taken from section 8 of chapter 16 of the Acts of the present session.

shall, without the consent in writing of the Board, which consent shall be revocable, affect or apply to any land or other property of any species whatever or any part thereof or interest therein, to which any mortgage or other security, lien, charge or privilege made or given to the Board under this Act, shall relate, in prejudice of the Board as the holder of any such mortgage or other security, lien, charge or privilege so made or given, but every such mortgage or other security, lien, charge or privilege thereafter made or given the Board shall, for so long as it shall remain wholly or partially unpaid, rank upon such land or other property or part thereof or interest therein, as the case may be, in priority to all other securities, liens, charges or privileges, whatsoever.

Power of Board to pay rates, taxes, etc., and premiums of insurance.

(4) Notwithstanding the provisions of the next preceding subsection, if any mortgagor or other person who shall give or make to the Board under this Act of any mortgage or other security, lien, charge, or privilege shall fail or neglect to pay any lawful rates, taxes or assessments, which, under the law of the province concerned, are claimed to be liens or charges upon or against any land or any such other property or part thereof or interest therein, to which any mortgage or other security, lien, charge or privilege so thereafter made or given to the Board relates, or if the mortgagor of such mortgage, or other person who has made or given such security, lien, charge or privilege, having agreed with the Board to insure the property to which such mortgage, security, lien, charge or privilege relates and to pay the premiums of insurance, shall fail or neglect to pay such premiums of insurance, as agreed with the Board, and at the times agreed, it shall be lawful, but not obligatory, for the Board to pay—

(a) such rates, taxes or assessments, if any, as the Board by regulation approved by the Governor in Council on the recommendation of the Minister shall determine to be of a species of taxation which, in general, is of benefit to fisherman's lands;

(b) such premiums of insurance, if any, as such mortgagor or other person shall have so failed or neglected to pay: Provided, that in any case where the Board shall be advised in advance by the insurer that the latter has reason to believe that the mortgagor or other person concerned will fail or neglect to pay any such premium of insurance, as and when due, the Board may, in order to prevent the lapse of such insurance, pay or contract to pay any such premium before failure or neglect as aforesaid has actually occurred.

Repayment by mortgagor.

(5) Whenever, pursuant to the two next preceding subsections, the Board shall have paid any such rates, taxes, assessments or insurance premiums all monies so expended by it, with interest thereon not exceeding eight per centum

per annum, computed from the time of payment, shall be repaid by such mortgagor or such other person as the case may be, to the Board on demand and until wholly repaid such payments shall be and be deemed to have been added to the principal sum secured by the mortgage or other security, lien or charge, as the case may be, and failure or neglect fully to repay such payments or any of them on demand shall constitute default on the part of such mortgagor or such other person, as the case may be, entitling the Board to proceed at once to realize by suit, or, lawfully, otherwise, upon the mortgage, lien, charge, privilege or other security concerned.

Reserve fund.

8. (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 all the reserve fund at least ten per cent of the net earnings.

Dividend.

(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: Provided that no dividend greater than five per cent shall be declared until the reserve fund shall have reached the amount of twenty-five per cent of the paid capital stock.

When title transferred to Board.

(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 and/or other property concerned which by law remained in the mortgagor or other person after 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 which 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 concelled 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.

Chief executive officers.

9. (1) The chief executive officers appointed by the Board under the provisions of section ten of the *Canadian Farm Loan Act* shall be the chief executive officers for such provinces for all purposes of this Act.

Powers and duties.

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

8. Subsections (1) and (2) are taken from the Farm Loan Act. Subsection (3) is as enacted by section 9 of chapter 16 of the Acts of the present session.

9. This is adapted from section 10, as enacted by section 10 of chapter 16 of the Acts of the present session.

Local loan advisory board.

10. The Board may appoint for any province or for any two or more provinces in which the Board is authorized to make loans, a local loan advisory board of not more than three members. The chief executive officer appointed by the Board for such province or provinces shall, *ex officio*, be a member of such local loan advisory board and the chairman thereof. The associate members of such local board shall hold office at the pleasure of the Board, and shall be paid such fees as the Board may by regulation prescribe.

Legislation prejudicially affecting security.

11. In the event of legislation being passed by the legislature of any province after loans have been made available in that province which, in the opinion of the Board, would prejudicially affect the security of existing or future loans, the Board, by notice to be published in the *Canada Gazette*, may cease to make further loans in that province.

Audit.

Report.

12. An audit of the books of the Board shall be made in accordance with regulations made under the provisions of section sixteen of this Act by a firm of chartered accountants appointed for that purpose by the Governor in Council, and a copy of the report of the said accountants on the annual statement of the Board shall be laid before Parliament by the Minister within the first fifteen days of the first session thereof following the date of the said report.

Action of Board conclusive.

13. Except as may be otherwise decided from time to time by the Governor in Council, all actions and decisions of the Board shall be deemed within its powers and shall be conclusive against all interested parties.

Investment by insurance companies.

14. (1) Notwithstanding anything contained in *The Canadian and British Insurance Companies Act, 1932*, as amended by chapter twenty-seven of the statutes of 1934, any company or British company as defined in the said Act may invest its funds or any portion thereof, in the purchase of Fisherman's Loan bonds, and any foreign company as defined in *The Foreign Insurance Companies Act, 1932*, may hold the said bonds as assets in Canada for the purpose of the said Act.

Investment by loan companies.

(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 Fisherman's Loan bonds.

Investment by trust companies.

(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 Fisherman's Loan bonds.

10, **11**, **12** and **13.** These sections are as enacted by sections 11, 12, 13, and 14 of chapter 16 of the Acts of the present session.

14. This is adapted from section 17 of the Farm Loan Act, as renumbered by section 15 of chapter 16 of the Acts of the present session.

Purchase of bonds by Minister.

15. (1) The Minister may purchase from time to time, on behalf of the Dominion 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 Fisherman's Loan bonds: Provided that the amount of such bonds held at any one time by the Minister on behalf of the Dominion of Canada shall not exceed five hundred thousand dollars.

Guarantee.

(2) The Governor in Council may authorize the guarantee of the principal and interest of Fisherman's Loan bonds to the amount of one million dollars.

Signed by the Minister.

(3) The guarantee or guarantees may be signed on behalf of His 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.

Regulations.

16. The Board may, subject to the approval of the Governor in Council, make regulations not inconsistent with the provisions of this Act for the conduct of the business of the Board, and without limiting the generality of the foregoing provision the Board shall have power to provide by regulation for

(a) the employment of officers, appraisers, inspectors, attorneys, clerks and other employees, their remuneration and their duties;

(b) the charges to be made against borrowers for the expenses of appraisal, determination of title and recording;

(c) the bases of valuation of fisherman's land;

(d) the form of application for loans, fisherman's loan bonds, mortgages, books of account and annual statements of the Board;

(e) the manner of crediting advance payments by borrowers under the mortgages;

(f) the auditing and inspections of the accounts and assets of the Board;

(g) the bonding of agents, officers and employee' of the Board;

(h) the signing of cheques, transfers, assignments, discharges, deeds, bonds and other instruments of the Board;

(i) the duties and salaries of the chief executive officers appointed under section nine;

(j) the duties, fees and scale of expenses of the local advisory loan committees appointed under section ten.

Payments out of the Consolidated Revenue Fund.

17. The amount of any payment by the Government of Canada on account of capital of the Board or as payment for Fisherman's Loan bonds purchased shall be paid out of the Consolidated Revenue Fund on the authority of the Governor in Council.

15. The first two subsections are as enacted by section 16 of chapter 16 of the Acts of the present session. Subsection (3) is taken from section 8 of chapter 46 of the statutes of 1934.

16. This is as enacted by section 17 of chapter 16 of the Acts of the present session.

17. This is adapted from section 20 of the Farm Loan Act.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

An Act for the purpose of establishing in Canada a system of Long Term Mortgage Credit for Fishermen.

AS PASSED BY THE HOUSE OF COMMONS, 3rd JULY, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
586 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 120.

R.S., c. 66; 1934, c. 46; 1935, c. 16.

An Act for the purpose of establishing in Canada a system of Long Term Mortgage Credit for Fishermen.

HIS 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 Canadian Fisherman's Loan Act.*

INTERPRETATION.

2. In this Act, unless the context otherwise requires,

"Board." *(a)* "Board" is, includes, and means the Canadian Farm Loan Board established by the *Canadian Farm Loan Act*, chapter sixty-six of the Revised Statutes of Canada, 1927, and amendments thereto;

"Borrower." *(b)* "Borrower" means a fisherman who has obtained a loan under the provisions of this Act;

"Commissioner." *(c)* "Commissioner" means the Canadian Farm Loan Commissioner appointed under the provisions of the *Canadian Farm Loan Act;*

"Fisherman." *(d)* "Fisherman" means a person whose principal occupation consists in fishing;

"Fishing." *(e)* "Fishing" means the taking and processing of fish of all kinds for commercial purposes;

"Fisherman's Land." *(f)* "Fisherman's Land" means land under occupation or owned by a fisherman;

Fisherman's Loan. *(g)* "Fisherman's Loan" means a loan made to a fisherman under the provisions of this Act;

"Fisherman's Loan Bond." *(h)* "Fisherman's Loan bond" means a bond issued under the authority of this Act;

"Minister." *(i)* "Minister" means the Minister of Finance for the time being;

Explanatory Notes.

The sections of this Bill are based upon and adapted from similar provisions in the *Canadian Farm Loan Act*, chapter 66 of the Revised Statutes of Canada, 1927, as amended by chapter 46 of the statutes of 1934, and chapter 16 of the statutes of 1935 (Bill 15). In general the language of the sections is precisely similar, the principal exception being in the definitions and in amounts stated in the financial sections.

2. *(a)*, *(b)*, *(c)* and *(i)*. These definitions are the same as in the Farm Loan Act.

The definitions *(d)*, *(e)*, *(f)*, *(g)* and *(h)* are similar to those in the Farm Loan Act, substituting "fisherman," "fishing," etc., for "farmer," "farming," etc.

"Mortgage." "First Mortgage."

(j) "Mortgage" and "First Mortgage" include, with relation to loans made in the province of Quebec under this Act, hypothecs and vente à rémére, whether, with relation to the latter, the Board has or has not expressly accorded to the borrower, at the time of making the loan, an additional right to redeem notwithstanding elapse of the time for repayment, and "mortgagor" and "mortgagee" shall be construed accordingly.

Powers of Board.

3. The Board may

Fisherman's Loan Bonds.

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

Long term loans.

(b) make long term loans to fishermen on the security of first mortgages on fisherman's lands upon and subject to the conditions hereinafter prescribed;

Real estate.

(c) hold real estate, which having been mortgaged or otherwise secured to it, is acquired by it for the protection of any loan, sell, mortgage, lease or otherwise dispose thereof and, if the Board in its discretion shall decide so to do, but not as an obligation, pay yearly to local taxing authorities amounts to the extent of the taxes that would have been owing on such real estate had the same been assessed and a levy made thereon in that year: Provided, however, that any such real estate shall be disposed of within three years from the date on which it is acquired or within such additional period, not exceeding two years, as the Governor in Council may fix and determine;

Investments.

(d) invest its funds in the debentures, bonds, stocks or other securities of, or guaranteed by, the Government of Canada, or of, or guaranteed by, the government of any province of Canada;

Assistance. Incidental powers.

(e) employ such assistance and exercise by itself or through its duly authorized agents all such incidental powers as shall be necessary or expedient to carry on the business authorized by this Act;

Collateral security.

(f) accept and hold such additional and collateral security for loans as the Board may deem proper;

Composition, etc.

(g) make such composition, extension of time or scheme of arrangement with any borrower on his loan as the Board deems advisable.

Capital requirements.

4. The capital requirements of the Board shall be provided as follows:—

Initial capital.

(1) The Government of Canada may subscribe to an initial capital to an amount not exceeding three hundred thousand dollars and may pay the amount of any such subscription at such times and in such amounts as in the judgment of the Board are necessary for the purposes

2. *(j)* This definition is taken from chapter 16 of the Acts of the present session. (Bill 15).

3. Paragraphs *(a)* and *(b)* are adapted from paragraphs *(a)* and *(b)* of section 4 of the Farm Loan Act. Paragraph *(c)* is taken from chapter 16 of the Acts of the present session.

3. Paragraphs *(d)* and *(e)* are the same as in the Farm Loan Act.

3. Paragraphs *(f)* and *(g)* are taken from section 3 of chapter 46 of the statutes of 1934.

4. This is the same as subsections (1) and (2) of section 5 of the Farm Loan Act, as enacted by chapter 16 of the Acts of the present session.

of the Board; and the amounts provided from time to time under this subsection shall be free from interest charges for a period of three years, after which time interest shall be paid at such rate as the Governor in Council shall direct, repayment of the amounts so provided shall be made from time to time out of the earnings of the Board: Provided that before any such proposed repayment is made, the reserve fund of the Board provided for by section eight of this Act, shall be at least equal to the total repayments, including the repayment then proposed to be made.

Capital stock.

(2) In addition to the initial capital provided for in the next preceding subsection the Board shall issue capital stock in shares of one dollar each, which shares shall be subscribed for by the Government of Canada from time to time as loans are made under this Act to an amount equal to five per cent of the said loans, so that the total amount subscribed under this subsection shall equal at any time as nearly as may be, five per cent of the total amount of principal outstanding on loans theretofore made, the same to be called for by the Board as required.

Limit of outstanding bonds.

5. (1) The outstanding Fisherman's Loan bonds shall not exceed at any time twenty times the paid up capital stock subscribed for by the Government of Canada in the manner provided in the next preceding section.

Rate of interest.

(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.

Time limit. Denominations.

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

Redemption before date due.

(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.

Form and conditions.

(5) Each Fisherman's Loan bond shall be signed by the Commissioner, or by a member specially authorized thereunto by the Board, and by the secretary or treasurer of the Board, and it shall have printed thereon a certificate by the Commissioner that it is issued under the authority of this Act, and that at the time of issue the Board holds mortgages or charges on fisherman's lands, at least equal to the total amount of bonds issued under this Act.

Conditions for loans.

6. Loans made under the authority of this Act shall be subject to the following conditions:—

First Mortgages.

(a) Loans shall be made only on the security of first mortgages on fisherman's lands not exceeding fifty per cent of the actual value of such lands and the buildings thereon as appraised by the Board: Provided that no one person and no two or more persons having joint

5. Subsection (1) is the same as subsection (1) enacted by chapter 16 of the Acts of the present session. Subsections (2), (3) and (4) are the same as in section 6 of the Farm Loan Act. Subsection (5) is the same as the subsection enacted by section 4 of chapter 46 of the Acts of 1934.

6. Paragraphs *(a)*, *(f)*, *(h)* and *(j)* of this section are as enacted by chapter 16 of the present session, except that in *(a)* at the beginning of the proviso the following words are omitted:—"Provided that in arriving at such actual value, the value of the buildings shall be considered only to the extent to which the same add to the actual value of the land as farm land and"

or several ownership of the land to be mortgaged shall have by way of loan in the aggregate at any one time more than one thousand dollars.

Use of proceeds.

(b) The proceeds of such loan shall be used for the following purposes and no other:—

(1) To purchase boats or vessels, or shares or part interests in boats or vessels for use in the fisheries.

(2) To purchase equipment for such fishing boats or vessels including therein the purchase of gasoline, crude-oil or other engines.

(3) To purchase lines, hooks, trawls, nets, anchors, bait, traps, and any other equipment or apparatus for use in fishing.

(4) To discharge liabilities already accumulated.

(5) Any purpose which in the judgment of the Board may be reasonably considered as for fishing.

Loans to fishermen only.

(c) Loans under this Act shall be made only to Fishermen actually engaged in or shortly to become engaged in fishing.

Appraisal value.

(d) The appraised value shall be based on the fair market value of the land.

Interest.

(e) The interest rate on loans under this Act shall be such a rate in excess of the interest rate yielded at the time of issue by the last series of Fisherman's Loan bonds issued by the Board as shall be sufficient, in the judgment of the Board to provide for the expenses of operation and for the necessary reserves for losses, or if no such bonds have been issued, such a rate as in the judgment of the Board will be yielded by the Fishermen's Loan bonds when issued, increased by provision for expenses and reserves as aforesaid.

Repayment.

(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: Provided, however, that 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.

Interest on defaulted payments.

(g) Notwithstanding anything contained in the *Interest Act* every borrower shall pay simple interest on defaulted payments at a rate not exceeding eight per cent per annum and shall agree to pay when due all assessments, taxes and other charges necessary to be paid for the security of the Board in respect of the loan and to effect such insurance as the Board may require; and should such taxes, assessments and charges not be paid when due, they may be paid by the Board and charged to the borrower, and if not repaid to the Board on or before the next interest date with interest thereon at a rate not exceeding eight per cent per

6. *(b), (c), (d), (e)* and *(g).* These paragraphs are adapted from similar paragraphs in section 7 of the Farm Loan Act.

annum, the borrower shall be considered in default under the mortgage.

Payments by borrowers.

(h) Except as provided in, and subject to, such regulations, not inconsistent with the provisions of the *Interest Act*, as the Board may prescribe, any borrower may at any time repay the whole or part of his loan on any date on which an instalment becomes due. When the payment is part of the loan only it shall be credited to the borrower in such a manner as the Board may by regulation prescribe, but so that no such payment shall relieve the borrower from liability to pay or from continuing to pay, at the times agreed upon, the various instalments next ensuing due after such partial payment is made, and until the loan and interest is repaid in full.

If loan expended for other purposes.

(i) If any borrower under this Act expends any part of a loan for any purpose other than that approved by the Board, the said loan shall at the option of the Board become forthwith payable in full.

In case of sale.

(j) It shall be a term of any mortgage taken as security for a loan that upon the sale or lease of the fisherman's land the loan shall at the option of the Board immediately become due and payable.

Privilege of His Majesty as to loans.

7. (1) All monies lent under this Act by the Board upon mortgage or other security, and as well, all monies thereafter owing to the Board by reasons of the terms of such mortgage or other security and secured thereby or pursuant to the provisions of this Act, shall be deemed, for so long as any part of any of such monies remains unpaid to the Board, to be monies of His Majesty the King in his right of the Dominion of Canada, secured by a first and paramount right, privilege, lien and charge upon and against the land or other properties to which such mortgage or other security relates.

And as to lands transferred to Board.

(2) When the effect at law of any mortgage or other security made or given under this Act to the Board is to convey or transfer to the Board the legal title to the land or other property to which such mortgage or other security relates, such land or other property shall, for so long as any part of any monies lent upon such mortgage or other security or owing to the Board by reason of the terms of such mortgage or other security, and secured thereby or pursuant to the provisions of this Act, remains unpaid, be deemed to be the land or property of His Majesty the King in his right of the Dominion of Canada.

Priority of liens, etc. made or given to Board.

(3) Notwithstanding any law, whether statute or other, now in force or which hereafter may be in force in any province, no mechanic's lien law, taxation lien law or ther law or privilege of any species whatever whereunder liens, charges or privileges upon or against land or other property of any species whatever are created, arise or exist

7. The provisions of this section are taken from section 8 of chapter 16 of the Acts of the present session.

shall, without the consent in writing of the Board, which consent shall be revocable, affect or apply to any land or other property of any species whatever or any part thereof or interest therein, to which any mortgage or other security, lien, charge or privilege made or given to the Board under this Act, shall relate, in prejudice of the Board as the holder of any such mortgage or other security, lien, charge or privilege so made or given, but every such mortgage or other security, lien, charge or privilege thereafter made or given to the Board shall, for so long as it shall remain wholly or partially unpaid, rank upon such land or other property or part thereof or interest therein, as the case may be, in priority to all other securities, liens, charges or privileges, whatsoever.

Power of Board to pay rates, taxes, etc., and premiums of insurance.

(4) Notwithstanding the provisions of the next preceding subsection, if any mortgagor or other person who shall give or make to the Board under this Act any mortgage or other security, lien, charge, or privilege shall fail or neglect to pay any lawful rates, taxes or assessments, which, under the law of the province concerned, are claimed to be liens or charges upon or against any land or any such other property or part thereof or interest therein, to which any mortgage or other security, lien, charge or privilege so made or given to the Board relates, or if the mortgagor of such mortgage, or other person who has made or given such security, lien, charge or privilege, having agreed with the Board to insure the property to which such mortgage, security, lien, charge or privilege relates and to pay the premiums of insurance, shall fail or neglect to pay such premiums of insurance, as agreed with the Board, and at the times agreed, it shall be lawful, but not obligatory, for the Board to pay—

(a) such rates, taxes or assessments, if any, as the Board by regulation approved by the Governor in Council on the recommendation of the Minister shall determine to be of a species of taxation which, in general, is of benefit to fisherman's lands;

(b) such premiums of insurance, if any, as such mortgagor or other person shall have so failed or neglected to pay: Provided, that in any case where the Board shall be advised in advance by the insurer that the latter has reason to believe that the mortgagor or other person concerned will fail or neglect to pay any such premium of insurance, as and when due, the Board may, in order to prevent the lapse of such insurance, pay or contract to pay any such premium before failure or neglect as aforesaid has actually occurred.

Repayment by mortgagor.

(5) Whenever, pursuant to the two next preceding subsections, the Board shall have paid any such rates, taxes, assessments or insurance premiums all monies so expended by it, with interest thereon not exceeding eight per centum

per annum, computed from the time of payment, shall be repaid by such mortgagor or such other person as the case may be, to the Board on demand and until wholly repaid such payments shall be and be deemed to have been added to the principal sum secured by the mortgage or other security, lien or charge, as the case may be, and failure or neglect fully to repay such payments or any of them on demand shall constitute default on the part of such mortgagor or such other person, as the case may be, entitling the Board to proceed at once to realize by suit, or, lawfully, otherwise, upon the mortgage, lien, charge, privilege or other security concerned.

Reserve fund.

8. (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 all the reserve fund at least ten per cent of the net earnings.

Dividend.

(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: Provided that no dividend greater than five per cent shall be declared until the reserve fund shall have reached the amount of twenty-five per cent of the paid capital stock.

When title transferred to Board.

(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 and/or other property concerned which by law remained in the mortgagor or other person after 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 which 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 concelled 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.

Chief executive officers.

9. (1) The chief executive officers appointed by the Board under the provisions of section ten of the *Canadian Farm Loan Act* shall be the chief executive officers for such provinces for all purposes of this Act.

Powers and duties.

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

8. Subsections (1) and (2) are taken from the Farm Loan Act. Subsection (3) is as enacted by section 9 of chapter 16 of the Acts of the present session.

9. This is adapted from section 10, as enacted by section 10 of chapter 16 of the Acts of the present session.

Local loan advisory board.

10. The Board may appoint for any province or for any two or more provinces in which the Board is authorized to make loans, a local loan advisory board of not more than three members. The chief executive officer appointed by the Board for such province or provinces shall, *ex officio*, be a member of such local loan advisory board and the chairman thereof. The associate members of such local board shall hold office at the pleasure of the Board, and shall be paid such fees as the Board may by regulation prescribe.

Legislation prejudicially affecting security.

11. In the event of legislation being passed by the legislature of any province after loans have been made available in that province which, in the opinion of the Board, would prejudicially affect the security of existing or future loans, the Board, by notice to be published in the *Canada Gazette*, may cease to make further loans in that province.

Audit.

Report.

12. An audit of the books of the Board shall be made in accordance with regulations made under the provisions of section sixteen of this Act by a firm of chartered accountants appointed for that purpose by the Governor in Council, and a copy of the report of the said accountants on the annual statement of the Board shall be laid before Parliament by the Minister within the first fifteen days of the first session thereof following the date of the said report.

Action of Board conclusive.

13. Except as may be otherwise decided from time to time by the Governor in Council, all actions and decisions of the Board shall be deemed within its powers and shall be conclusive against all interested parties.

Investment by insurance companies.

14. (1) Notwithstanding anything contained in *The Canadian and British Insurance Companies Act, 1932*, as amended by chapter twenty-seven of the statutes of 1934, any company or British company as defined in the said Act may invest its funds or any portion thereof, in the purchase of Fisherman's Loan bonds, and any foreign company as defined in *The Foreign Insurance Companies Act, 1932*, may hold the said bonds as assets in Canada for the purpose of the said Act.

Investment by loan companies.

(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 Fisherman's Loan bonds.

Investment by trust companies.

(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 Fisherman's Loan bonds.

10, **11**, **12** and **13.** These sections are as enacted by sections 11, 12, 13, and 14 of chapter 16 of the Acts of the present session.

14. This is adapted from section 17 of the Farm Loan Act, as renumbered by section 15 of chapter 16 of the Acts of the present session.

Purchase of bonds by Minister.

15. (1) The Minister may purchase from time to time, on behalf of the Dominion 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 Fisherman's Loan bonds: Provided that the amount of such bonds held at any one time by the Minister on behalf of the Dominion of Canada shall not exceed five hundred thousand dollars.

Guarantee.

(2) The Governor in Council may authorize the guarantee of the principal and interest of Fisherman's Loan bonds to the amount of one million dollars.

Signed by the Minister.

(3) The guarantee or guarantees may be signed on behalf of His 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.

Regulations.

16. The Board may, subject to the approval of the Governor in Council, make regulations not inconsistent with the provisions of this Act for the conduct of the business of the Board, and without limiting the generality of the foregoing provision the Board shall have power to provide by regulation for

(a) the employment of officers, appraisers, inspectors, attorneys, clerks and other employees, their remuneration and their duties;

(b) the charges to be made against borrowers for the expenses of appraisal, determination of title and recording;

(c) the bases of valuation of fisherman's land;

(d) the form of application for loans, fisherman's loan bonds, mortgages, books of account and annual statements of the Board;

(e) the manner of crediting advance payments by borrowers under the mortgages;

(f) the auditing and inspections of the accounts and assets of the Board;

(g) the bonding of agents, officers and employee' of the Board;

(h) the signing of cheques, transfers, assignments, discharges, deeds, bonds and other instruments of the Board;

(i) the duties and salaries of the chief executive officers appointed under section nine;

(j) the duties, fees and scale of expenses of the local advisory loan committees appointed under section ten.

Payments out of the Consolidated Revenue Fund.

17. The amount of any payment by the Government of Canada on account of capital of the Board or as payment for Fisherman's Loan bonds purchased shall be paid out of the Consolidated Revenue Fund on the authority of the Governor in Council.

15. The first two subsections are as enacted by section 16 of chapter 16 of the Acts of the present session. Subsection (3) is taken from section 8 of chapter 46 of the statutes of 1934.

16. This is as enacted by section 17 of chapter 16 of the Acts of the present session.

17. This is adapted from section 20 of the Farm Loan Act.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act respecting the Convention of Commerce between Canada and Poland, signed at Ottawa, July 3rd, 1935.

First reading, July 3rd, 1935.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1388 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act respecting the Convention of Commerce between Canada and Poland, signed at Ottawa, July 3rd, 1935.

HIS 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-Poland Convention of Commerce Act, 1935.*

Convention approved.

2. The Convention of Commerce between Canada and Poland set out in the Schedule to this Act, is hereby approved and shall have the force of law notwithstanding the provisions of any law in force in Canada.

Rates of duties.

3. After the said Convention of Commerce is brought into force and so long as it remains in force, the natural and manufactured products mentioned in the said Convention of Commerce, originating in and coming from the Polish Customs Territory, imported into the Dominion of Canada in the manner provided in the said Convention of Commerce, shall be admitted to the Dominion of Canada at the rates of duties provided in the said Convention of Commerce.

Orders in Council authorized.

4. The Governor in Council, may, notwithstanding the provisions of any law in force in Canada, make such orders and regulations and do such acts and things as are deemed necessary to carry out the provisions and intent of the said Convention of Commerce.

When Act comes into force.

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

SCHEDULE.

Convention of Commerce between Canada and Poland.

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the Republic of Poland, being desirous of facilitating and extending the commercial relations existing between Canada and Poland, have resolved to conclude a Convention of Commerce for this purpose, and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable Richard Bedford Bennett, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

The Honourable Richard Burpee Hanson, Minister of Trade and Commerce;

The President of the Republic of Poland:

Doctor Jerzy Adamkiewicz, Consul General of the Republic of Poland for Canada and Newfoundland;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

Article 1

Articles produced or manufactured in Canada shall not, on importation into Poland, be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country; at the same time the articles enumerated in Schedule A to this Convention, produced or manufactured in Canada, shall not, on importation into Poland, be subjected to higher duties than those specified in the said Schedule and shall be subjected to the lowest rates of duty which Poland may grant to any other foreign country on the like articles.

Article 2

The stipulations of Article 1 of this Convention shall not extend:

(a) To privileges which are or hereafter may be granted by Poland to purely border traffic within a zone not exceeding 15 kilometres wide on either side of its customs frontier;

(b) To privileges granted by Poland to a state by virtue of a Customs Union with that state;

(c) To tariff preferences or customs facilities which hereafter may be granted by Poland to Estonia, Latvia, Lithuania or Finland so long as such privileges are not accorded to any other state;

(d) To the regime for duties and quotas established temporarily between Polish Upper Silesia and German Upper Silesia by virtue of the German-Polish Convention concerning Upper Silesia, signed at Geneva on May 15, 1922.

ARTICLE 3

Articles produced or manufactured in Poland shall not, on importation into Canada, be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country; at the same time the articles enumerated in Schedule B to this Convention, produced or manufactured in Poland, shall not, on importation into Canada, be subjected to higher duties than those specified in the said Schedule, and shall be subjected to the lowest rates of duty which Canada may grant to any other foreign country on the like articles.

ARTICLE 4

To enjoy the benefits of the tariff advantages provided for in Article 1 of this Convention, articles, produced or manufactured in Canada, shall be conveyed without transhipment from a Canadian port or from a port of a country enjoying most-favoured-nation treatment in tariff matters in Poland into a port or ports of the Polish Customs Territory.

Reciprocally, to enjoy the benefits of the tariff advantages provided for in Article 3 of this Convention, articles, produced or manufactured in Poland, shall be conveyed without transhipment from a port or ports of the Polish Customs Territory or from a port of a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake or river port of Canada.

Provided, however, that articles produced or manufactured in Poland, on importation into Canada, and articles produced or manufactured in Canada, on importation into Poland, shall not be subjected to other or more onerous conditions with respect to direct shipment than are imposed on the like articles imported from any other foreign country.

ARTICLE 5

No prohibition or restriction shall be maintained or imposed by either of the High Contracting Parties on the importation of any article the produce or manufacture of the territories of the other Party which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country.

This provision shall not be applicable to prohibitions or restrictions, which already exist or may be imposed in future on importation or exportation, provided that such prohibitions or restrictions are issued with regard to:

(a) Public order or the internal or external security of the state;
(b) Public health or the protection of animals or plants against disease;
(c) Articles constituting a state-monopoly.

In the event of import licences being required for the importation of any class of goods into the territories of either of the High Contracting Parties, the general conditions of procedure under which licences may be obtained for the importation of such goods shall not be less favourable than those applied in the case of similar goods the produce or manufacture of any other foreign country.

ARTICLE 6

Articles produced or manufactured in the territories of either of the High Contracting Parties, exported to the territories of the other, shall not be subjected to other or higher export duties or charges than those paid on the like articles exported to any other foreign country.

Nor shall any prohibition or restriction, with the exception of those enumerated in Article 5 of this Convention, be maintained or imposed on the exportation of any articles from the territories of either of the High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 7

Articles produced or manufactured in the territories of either of the High Contracting Parties, passing in transit through the territories of the other, in conformity with the laws of the country, shall be reciprocally free from all transit duties, whether they pass direct, or whether during transit they are unloaded, warehoused or reloaded.

ARTICLE 8

Internal duties or taxes which are, or hereafter may be, levied in the territories of either of the High Contracting Parties by, or on behalf of, the State or a local authority or other corporation on the production, manufacture, sale or consumption of goods shall not affect the goods of one Party imported into the territories of the other under any pretext whatever, to a greater extent or in a more restrictive way, than goods of the same kind, which are the produce or manufacture of the other Party.

Articles produced or manufactured in the territories of either of the High Contracting Parties imported into the territories of the other, and intended for transit or warehousing only, shall not be subjected to any internal duties or taxes.

ARTICLE 9

Merchants and manufacturers, nationals of one of the High Contracting Parties, as well as merchants and manufacturers domiciled and exercising their commerce and industries in the territories of such

Party, may, in the territories of the other, either personally or by means of commercial travellers, make purchases or collect orders with or without samples or specimens and such merchants, manufacturers, and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation and facilities, enjoy treatment not less favourable than that accorded to merchants, manufacturers and commercial travellers, nationals of any other foreign country.

If one of the High Contracting Parties should consider it necessary to require certificates attesting the character of certain persons as commercial travellers in order to accord them the above facilities, in that case the High Contracting Parties shall by exchange of notes agree on the form of such certificates and the authorities competent to issue them.

Articles, imported as samples and specimens for the purpose mentioned above, shall, in each country, be temporarily admitted free of duty on compliance with the customs regulations and formalities established to assure their re-exportation or the payment of the prescribed customs duties if not re-exported within the period of twelve months. But the foregoing privilege shall not extent to articles which, owing to their quality or value, cannot be considered as samples, or which owing to their nature, could not be identified upon re-exportation. The determination of the question of qualification of samples for duty free admission rests in all cases exclusively with the competent authorities of the place where the importation is effected.

Samples of no commercial value shall be admitted into the territories of either of the High Contracting Parties free of duty.

The Customs Authorities of the importing country shall recognize as sufficient for the future identification of the samples or specimens the marks which have been affixed by the Customs Authorities of the exporting country, provided that the said samples or specimens are accompanied by a descriptive list certified by the Customs Authorities of the latter. Additional marks may, however, be affixed to the samples or specimens by the Customs Authorities of the importing country in all cases in which the latter consider the additional gurantee indispensable for ensuring the identification of the samples or specimens on re-exportation. Except in the latter case, customs verification shall be confined to identifying the samples and deciding the total duties and charges to which they may eventually be liable.

The refund of duties paid on importation or the release of the security for the payment of these duties shall be effected without undue delay and subject to the deduction of the duties payable on samples or specimens which are neither produced for re-exportation nor placed in bond.

Article 10

Nationals of each of the High Contracting Parties, shall have, in the territories of the other, the same rights as nationals of that Party in regard to patents for inventions, trade-marks, industrial designs

and patterns, commercial names, names of origin of products, and the prevention of unfair competition, upon fulfilment of the formalities provided for by law.

ARTICLE 11

The vessels of each of the High Contracting Parties shall enjoy in the ports of the other High Contracting Party treatment not less favourable than that accorded to national vessels or to vessels of the most favoured nation, excepting always coasting trade and river or lake traffic which each of the High Contracting Parties shall have the right to reserve to national vessels.

Each High Contracting Party shall permit the importation or exportation of all merchandise, the importation or exportation of which is permitted, as well as the carriage of passengers from or to their respective territories upon the vessels of the other. Such vessels, their passengers and cargoes, shall enjoy the same privileges as, and shall not be subject to duties or charges other or higher than, national vessels, their passengers and cargoes, or the vessels of the most favoured nation and their passengers and cargoes.

Navigation companies of either of the High Contracting Parties engaged in the transport of emigrants shall in the territories of the other High Contracting Party enjoy the same treatment in every respect as the corresponding navigation companies of the most favoured nation.

ARTICLE 12

The nationality of a vessel shall be established in accordance with the laws of the state to which the vessel belongs by the aid of certificates of registry and other documents carried on the ship and issued by the proper authorities.

With the exception of sale under a judgment of a court of justice, the vessels of either of the High Contracting Parties shall not be liable to have their national character changed within the territories of the other unless a declaration that the vessel is no longer on its registry is issued by the authorities of the former state.

ARTICLE 13

The nationals of each of the High Contracting Parties in the territory of the other shall enjoy free access to the courts of justice, either as plaintiffs or as defendants in all matters, without other conditions, restrictions or taxes than those imposed on nationals; and like them they shall be at liberty to have recourse in all matters to the services of advocates, attorneys, solicitors or other agents selected from among the persons admitted to the legal professions by the laws in force in the territory in question.

The above provisions shall not apply to the "cautio judicatum solvi" or to rights obtainable "in forma pauperis," which matters will be settled by a separate convention.

ARTICLE 14

The nationals of each of the High Contracting Parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, within the limitations and subject to the conditions under which the laws of the other Party permit, or shall permit, the nationals of any other foreign country to acquire and possess property. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance, under the same conditions as are or shall be established with regard to nationals of any other foreign country. They shall not be subjected in any of the cases mentioned to any taxes, imposts, or charges of whatever denomination other or higher than those which are, or shall be, generally applicable to nationals of any other foreign country.

Moreover the nationals of either of the High Contracting Parties including companies and other associations organized and exercising their functions in accordance with the laws in force in the territories of that High Contracting Party shall enjoy unconditionally in every respect in the territories of the other High Contracting Party the most-favoured-nation treatment in all matters concerning the exercise of commerce and industry, exemption from domiciliary visits or from search of shops, or other premises or from inspection or examination of their books, papers and accounts except under due process of law. Nor shall they be subject to taxes, general or local, imposts, fees, rates or other official charges, other or greater than those imposed on the nationals or companies or other associations of the other High Contracting Party.

ARTICLE 15

The nationals of each of the High Contracting Parties in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, air force, national guard or militia, and from all taxes or requisitions levied in lieu of such services.

ARTICLE 16

Each of the High Contracting Parties shall be at liberty to appoint consuls-general, consuls, vice-consuls, consular agents and trade commissioners to reside in the towns and ports of the territory of the other to which such consuls or agents of any other State are admitted. Such consuls-general, consuls, vice-consuls, consular agents, and trade commissioners, however, shall not enter upon their functions until after they shall have been accepted and admitted in the usual manner.

The heads of posts, titular or acting, as well as the agents of the consular service, chancellors, attaches or others, on condition of reciprocity, shall enjoy the personal privileges, immunities and exemptions such as are or may be accorded to similar agents of the same class and grade of the most favoured foreign nation.

The High Contracting Parties agree to conclude a convention with a view to determining and defining the powers and functions of these agents.

ARTICLE 17

The stipulations of this Convention, and particularly of Articles 3, 4, 5, 6, 9, 11, 14 and 15 thereof, shall not extend to privileges, preferences or treatment which may at any time be in force exclusively between territories under the sovereignty of His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty, protection or mandate.

ARTICLE 18

Any dispute which may arise between the High Contracting Parties in regard to the proper interpretation or application of any of the provisions of this Convention and which cannot be solved by discussion between their representatives shall, by common consent, by submission in writing, be referred to a Court of Arbitration which shall in each particular case be constituted by each Party nominating one of its nationals as arbiter and an umpire who shall be chosen by agreement between the arbiters.

ARTICLE 19

The Polish Government which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles and Articles 2 and 6 of the Treaty signed in Paris on November 9, 1920, between Poland and the Free City of Danzig, reserves hereby the right to declare that the Free City of Danzig is a Contracting Party to this Convention and that it assumes the obligations and acquires the rights laid down therein.

This reservation does not relate to those stipulations of this Convention which the Republic of Poland has accepted with regard to the Free City in accordance with the Treaty rights conferred on Poland.

ARTICLE 20

The present Convention shall be ratified and the ratifications shall be exchanged at Warsaw as soon as practicable.

It shall come into force fifteen days after the exchange of ratifications and shall be binding for a period of one year from the date of coming into force. In case neither of the High Contracting Parties shall have given notice to the other three months before the expiration of the said period of one year of its intention to terminate the present Convention, it shall be regarded as having been prolonged and shall remain in force until the expiration of three months from the date on which either of the High Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed thereto their seals.

Done in duplicate at Ottawa, in English and Polish texts, both authentic, this third day of July in the year of Our Lord one thousand nine hundred and thirty-five.

(L.S.) R. B. BENNETT.

(L.S.) DR. JERZY ADAMKIEWICZ.

(L.S.) R. B. HANSON.

SCHEDULE A.

CANADIAN PRODUCTS ENJOYING ON THEIR IMPORTATION INTO THE POLISH CUSTOMS TERRITORY THE PERCENTAGES OF DISCOUNT FROM COLUMN II OF THE POLISH CUSTOMS TARIFF INDICATED BELOW:

Number of Item in Polish Customs Tariff	Designation of Articles	Rates of Column II less a discount on the amount of the duty of
Ex 256 (3)	Herrings of the species named "Clupea harengus," spiced or otherwise prepared, together with the packing:—	
	(*a*) weighing more than 500 g.	65 p.c.
	(*b*) weighing 500 g. and less together with the immediate container	65 p.c.
Ex 256 (4)	Salmonoids, prepared in any manner, packed in air-tight receptacles	70 p.c.
Ex 256 (4)	Small clupeoid fish, designated "Canadian Sardines," caught near the shores of North America, marinated in vinegar, oil, sauces, stuffed or otherwies prepared, in air-tight receptacles.	65 p.c.
	Note to ex 256 (4):—Certificates issued by the proper Canadian Authorities to the effect that the said fish have been caught near the shores of North America shall be required in each particular case on importation into Poland.	
Ex 258 (1)	Lobsters, prepared in any manner, packed in air-tight receptacles	75 p.c.
510	Leather, varnished, bronzed, silvered, gilded, painted or similarly processed:—	
	(1) Whole and halves	55 p.c.
	(2) Cuttings and pieces	55 p.c.
Ex 516 (1)	Silver (black) fox skins, raw	80 p.c.
794	Chemical wood-pulp. bleached containing water:—	
Sub-item 2	*(b)* 50 p.c. or less:—	
	I. When imported by papermills for the manufacture of paper on the grounds of a permit issued by the Minister of Finance	46·66 p.c.
	II. Other wood-pulp	33·33 p.c.
Ex. 1248 (6)	Ice skates	35 p.c.

SCHEDULE B.

POLISH PRODUCTS SUBJECT ON THEIR IMPORTATION INTO CANADA TO THE INTERMEDIATE TARIFF RATES LESS DISCOUNTS AS HEREINAFTER INDICATED BASED UPON PERCENTAGES OF THE RATES PAYABLE BY VIRTUE OF SAID INTERMEDIATE TARIFF OR FREE.

Number of Item in Canadian Customs Tariff	Designation of Articles	—
Ex 8	Canned hams	Intermediate Tariff less a discount of 20 p.c.
Ex 71 b	Clover seed	Intermediate Tariff less a discount of 25 p.c.
72 c	Seed of the sugar beet, for agricultural purposes.	Free.
Ex 85	Mushrooms, dried, the weight of the packages to be included in the weight for duty.	Intermediate Tariff less a discount of 45 p.c.
Ex 169	Books, viz.:—Novels or works of fiction, or literature of a similar character, printed in Poland and in the Polish or Ukrainian language, unbound or paper bound in sheets, but not to include Christmas annuals or publications commonly known as juvenile and toy books.	Free.
Ex 171	Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., when printed in Poland and in the Polish or Ukrainian language, not to include blank account books, copy books, or books to be written or drawn upon.	Free.
Ex 208	Sulphate of ammonia	Free.
Ex 308	Manufactures of alabaster, n.o.p	Intermediate Tariff less a discount of 25 p.c.
Ex 326	Cut, pressed, moulded or crystal glass tableware, decorated or not; blown glass tableware and other cut glass ware.	Intermediate Tariff less a discount of 10 p.c.
Ex 345	Zinc dust and sheets	Free.
Ex 502	Staves of oak, sawn, split or cut, not further manufactured than listed or jointed.	Free.
519	House, office, cabinet or store furniture of wood, iron or other material, in parts or finished.	Intermediate Tariff less a discount of 10 p.c.
Ex 549 a	Horse hair, not further manufactured than simply cleaned and dipped or dyed.	Free.
Ex 549 b	Horse hair, curled or dyed, n.o.p	Intermediate Tariff less a discount of 15 p.c.
Ex 585	Pine pitch; and pine tar, crude, in packages of not less than fifteen gallons.	Free.
Ex 599	Hides and skins of cattle, raw, whether dry, salted or pickled.	Free.
601	Fur skins of all kinds, not dressed in any manner	Free.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	Intermediate Tariff less a discount of 12½ p.c.
Ex 624	Ornaments, statues and statuettes, of alabaster.	Intermediate Tariff less a discount of 15 p.c.
654	Bristles, broom corn, and hair brush pads	Free.
Ex 657 a	Cinematograph or moving picture films, positives, made in Poland and speaking the Polish or Ukrainian lanugages, one and one-eighth of an inch in width and over.	Intermediate Tariff less a discount of 50 p.c.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act respecting the Convention of Commerce between Canada and Poland, signed at Ottawa, July 3rd, 1935.

AS PASSED BY THE HOUSE OF COMMONS, 4th JULY, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1390 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 121.

An Act respecting the Convention of Commerce between Canada and Poland, signed at Ottawa, July 3rd, 1935.

HIS 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-Poland Convention of Commerce Act, 1935.*

Convention approved.

2. The Convention of Commerce between Canada and Poland set out in the Schedule to this Act, is hereby approved and shall have the force of law notwithstanding the provisions of any law in force in Canada.

Rates of duties.

3. After the said Convention of Commerce is brought into force and so long as it remains in force, the natural and manufactured products mentioned in the said Convention of Commerce, originating in and coming from the Polish Customs Territory, imported into the Dominion of Canada in the manner provided in the said Convention of Commerce, shall be admitted to the Dominion of Canada at the rates of duties provided in the said Convention of Commerce.

Orders in Council authorized.

4. The Governor in Council, may, notwithstanding the provisions of any law in force in Canada, make such orders and regulations and do such acts and things as are deemed necessary to carry out the provisions and intent of the said Convention of Commerce.

When Act comes into force.

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

SCHEDULE.

Convention of Commerce between Canada and Poland.

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the Republic of Poland, being desirous of facilitating and extending the commercial relations existing between Canada and Poland, have resolved to conclude a Convention of Commerce for this purpose, and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable Richard Bedford Bennett, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

The Honourable Richard Burpee Hanson, Minister of Trade and Commerce;

The President of the Republic of Poland:

Doctor Jerzy Adamkiewicz, Consul General of the Republic of Poland for Canada and Newfoundland;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

Article 1

Articles produced or manufactured in Canada shall not, on importation into Poland, be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country; at the same time the articles enumerated in Schedule A to this Convention, produced or manufactured in Canada, shall not, on importation into Poland, be subjected to higher duties than those specified in the said Schedule and shall be subjected to the lowest rates of duty which Poland may grant to any other foreign country on the like articles.

Article 2

The stipulations of Article 1 of this Convention shall not extend:

(a) To privileges which are or hereafter may be granted by Poland to purely border traffic within a zone not exceeding 15 kilometres wide on either side of its customs frontier;

(b) To privileges granted by Poland to a state by virtue of a Customs Union with that state;

(c) To tariff preferences or customs facilities which hereafter may be granted by Poland to Estonia, Latvia, Lithuania or Finland so long as such privileges are not accorded to any other state;

(d) To the regime for duties and quotas established temporarily between Polish Upper Silesia and German Upper Silesia by virtue of the German-Polish Convention concerning Upper Silesia, signed at Geneva on May 15, 1922.

ARTICLE 3

Articles produced or manufactured in Poland shall not, on importation into Canada, be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country; at the same time the articles enumerated in Schedule B to this Convention, produced or manufactured in Poland, shall not, on importation into Canada, be subjected to higher duties than those specified in the said Schedule, and shall be subjected to the lowest rates of duty which Canada may grant to any other foreign country on the like articles.

ARTICLE 4

To enjoy the benefits of the tariff advantages provided for in Article 1 of this Convention, articles, produced or manufactured in Canada, shall be conveyed without transhipment from a Canadian port or from a port of a country enjoying most-favoured-nation treatment in tariff matters in Poland into a port or ports of the Polish Customs Territory.

Reciprocally, to enjoy the benefits of the tariff advantages provided for in Article 3 of this Convention, articles, produced or manufactured in Poland, shall be conveyed without transhipment from a port or ports of the Polish Customs Territory or from a port of a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake or river port of Canada.

Provided, however, that articles produced or manufactured in Poland, on importation into Canada, and articles produced or manufactured in Canada, on importation into Poland, shall not be subjected to other or more onerous conditions with respect to direct shipment than are imposed on the like articles imported from any other foreign country.

ARTICLE 5

No prohibition or restriction shall be maintained or imposed by either of the High Contracting Parties on the importation of any article the produce or manufacture of the territories of the other Party which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country.

This provision shall not be applicable to prohibitions or restrictions, which already exist or may be imposed in future on importation or exportation, provided that such prohibitions or restrictions are issued with regard to:

(a) Public order or the internal or external security of the state;
(b) Public health or the protection of animals or plants against disease;
(c) Articles constituting a state-monopoly.

In the event of import licences being required for the importation of any class of goods into the territories of either of the High Contracting Parties, the general conditions of procedure under which licences may be obtained for the importation of such goods shall not be less favourable than those applied in the case of similar goods the produce or manufacture of any other foreign country.

ARTICLE 6

Articles produced or manufactured in the territories of either of the High Contracting Parties, exported to the territories of the other, shall not be subjected to other or higher export duties or charges than those paid on the like articles exported to any other foreign country.

Nor shall any prohibition or restriction, with the exception of those enumerated in Article 5 of this Convention, be maintained or imposed on the exportation of any articles from the territories of either of the High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 7

Articles produced or manufactured in the territories of either of the High Contracting Parties, passing in transit through the territories of the other, in conformity with the laws of the country, shall be reciprocally free from all transit duties, whether they pass direct, or whether during transit they are unloaded, warehoused or reloaded.

ARTICLE 8

Internal duties or taxes which are, or hereafter may be, levied in the territories of either of the High Contracting Parties by, or on behalf of, the State or a local authority or other corporation on the production, manufacture, sale or consumption of goods shall not affect the goods of one Party imported into the territories of the other under any pretext whatever, to a greater extent or in a more restrictive way, than goods of the same kind, which are the produce or manufacture of the other Party.

Articles produced or manufactured in the territories of either of the High Contracting Parties imported into the territories of the other, and intended for transit or warehousing only, shall not be subjected to any internal duties or taxes.

ARTICLE 9

Merchants and manufacturers, nationals of one of the High Contracting Parties, as well as merchants and manufacturers domiciled and exercising their commerce and industries in the territories of such

Party, may, in the territories of the other, either personally or by means of commercial travellers, make purchases or collect orders with or without samples or specimens and such merchants, manufacturers, and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation and facilities, enjoy treatment not less favourable than that accorded to merchants, manufacturers and commercial travellers, nationals of any other foreign country.

If one of the High Contracting Parties should consider it necessary to require certificates attesting the character of certain persons as commercial travellers in order to accord them the above facilities, in that case the High Contracting Parties shall by exchange of notes agree on the form of such certificates and the authorities competent to issue them.

Articles, imported as samples and specimens for the purpose mentioned above, shall, in each country, be temporarily admitted free of duty on compliance with the customs regulations and formalities established to assure their re-exportation or the payment of the prescribed customs duties if not re-exported within the period of twelve months. But the foregoing privilege shall not extent to articles which, owing to their quality or value, cannot be considered as samples, or which owing to their nature, could not be identified upon re-exportation. The determination of the question of qualification of samples for duty free admission rests in all cases exclusively with the competent authorities of the place where the importation is effected.

Samples of no commercial value shall be admitted into the territories of either of the High Contracting Parties free of duty.

The Customs Authorities of the importing country shall recognize as sufficient for the future identification of the samples or specimens the marks which have been affixed by the Customs Authorities of the exporting country, provided that the said samples or specimens are accompanied by a descriptive list certified by the Customs Authorities of the latter. Additional marks may, however, be affixed to the samples or specimens by the Customs Authorities of the importing country in all cases in which the latter consider the additional gurantee indispensable for ensuring the identification of the samples or specimens on re-exportation. Except in the latter case, customs verification shall be confined to identifying the samples and deciding the total duties and charges to which they may eventually be liable.

The refund of duties paid on importation or the release of the security for the payment of these duties shall be effected without undue delay and subject to the deduction of the duties payable on samples or specimens which are neither produced for re-exportation nor placed in bond.

Article 10

Nationals of each of the High Contracting Parties, shall have, in the territories of the other, the same rights as nationals of that Party in regard to patents for inventions, trade-marks, industrial designs

and patterns, commercial names, names of origin of products, and the prevention of unfair competition, upon fulfilment of the formalities provided for by law.

ARTICLE 11

The vessels of each of the High Contracting Parties shall enjoy in the ports of the other High Contracting Party treatment not less favourable than that accorded to national vessels or to vessels of the most favoured nation, excepting always coasting trade and river or lake traffic which each of the High Contracting Parties shall have the right to reserve to national vessels.

Each High Contracting Party shall permit the importation or exportation of all merchandise, the importation or exportation of which is permitted, as well as the carriage of passengers from or to their respective territories upon the vessels of the other. Such vessels, their passengers and cargoes, shall enjoy the same privileges as, and shall not be subject to duties or charges other or higher than, national vessels, their passengers and cargoes, or the vessels of the most favoured nation and their passengers and cargoes.

Navigation companies of either of the High Contracting Parties engaged in the transport of emigrants shall in the territories of the other High Contracting Party enjoy the same treatment in every respect as the corresponding navigation companies of the most favoured nation.

ARTICLE 12

The nationality of a vessel shall be established in accordance with the laws of the state to which the vessel belongs by the aid of certificates of registry and other documents carried on the ship and issued by the proper authorities.

With the exception of sale under a judgment of a court of justice, the vessels of either of the High Contracting Parties shall not be liable to have their national character changed within the territories of the other unless a declaration that the vessel is no longer on its registry is issued by the authorities of the former state.

ARTICLE 13

The nationals of each of the High Contracting Parties in the territory of the other shall enjoy free access to the courts of justice, either as plaintiffs or as defendants in all matters, without other conditions, restrictions or taxes than those imposed on nationals; and like them they shall be at liberty to have recourse in all matters to the services of advocates, attorneys, solicitors or other agents selected from among the persons admitted to the legal professions by the laws in force in the territory in question.

The above provisions shall not apply to the "cautio judicatum solvi" or to rights obtainable "in forma pauperis," which matters will be settled by a separate convention.

ARTICLE 14

The nationals of each of the High Contracting Parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, within the limitations and subject to the conditions under which the laws of the other Party permit, or shall permit, the nationals of any other foreign country to acquire and possess property. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance, under the same conditions as are or shall be established with regard to nationals of any other foreign country. They shall not be subjected in any of the cases mentioned to any taxes, imposts, or charges of whatever denomination other or higher than those which are, or shall be, generally applicable to nationals of any other foreign country.

Moreover the nationals of either of the High Contracting Parties including companies and other associations organized and exercising their functions in accordance with the laws in force in the territories of that High Contracting Party shall enjoy unconditionally in every respect in the territories of the other High Contracting Party the most-favoured-nation treatment in all matters concerning the exercise of commerce and industry, exemption from domiciliary visits or from search of shops, or other premises or from inspection or examination of their books, papers and accounts except under due process of law. Nor shall they be subject to taxes, general or local, imposts, fees, rates or other official charges, other or greater than those imposed on the nationals or companies or other associations of the other High Contracting Party.

ARTICLE 15

The nationals of each of the High Contracting Parties in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, air force, national guard or militia, and from all taxes or requisitions levied in lieu of such services.

ARTICLE 16

Each of the High Contracting Parties shall be at liberty to appoint consuls-general, consuls, vice-consuls, consular agents and trade commissioners to reside in the towns and ports of the territory of the other to which such consuls or agents of any other State are admitted. Such consuls-general, consuls, vice-consuls, consular agents, and trade commissioners, however, shall not enter upon their functions until after they shall have been accepted and admitted in the usual manner.

The heads of posts, titular or acting, as well as the agents of the consular service, chancellors, attaches or others, on condition of reciprocity, shall enjoy the personal privileges, immunities and exemptions such as are or may be accorded to similar agents of the same class and grade of the most favoured foreign nation.

The High Contracting Parties agree to conclude a convention with a view to determining and defining the powers and functions of these agents.

ARTICLE 17

The stipulations of this Convention, and particularly of Articles 3, 4, 5, 6, 9, 11, 14 and 15 thereof, shall not extend to privileges, preferences or treatment which may at any time be in force exclusively between territories under the sovereignty of His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty, protection or mandate.

ARTICLE 18

Any dispute which may arise between the High Contracting Parties in regard to the proper interpretation or application of any of the provisions of this Convention and which cannot be solved by discussion between their representatives shall, by common consent, by submission in writing, be referred to a Court of Arbitration which shall in each particular case be constituted by each Party nominating one of its nationals as arbiter and an umpire who shall be chosen by agreement between the arbiters.

ARTICLE 19

The Polish Government which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles and Articles 2 and 6 of the Treaty signed in Paris on November 9, 1920, between Poland and the Free City of Danzig, reserves hereby the right to declare that the Free City of Danzig is a Contracting Party to this Convention and that it assumes the obligations and acquires the rights laid down therein.

This reservation does not relate to those stipulations of this Convention which the Republic of Poland has accepted with regard to the Free City in accordance with the Treaty rights conferred on Poland.

ARTICLE 20

The present Convention shall be ratified and the ratifications shall be exchanged at Warsaw as soon as practicable.

It shall come into force fifteen days after the exchange of ratifications and shall be binding for a period of one year from the date of coming into force. In case neither of the High Contracting Parties shall have given notice to the other three months before the expiration of the said period of one year of its intention to terminate the present Convention, it shall be regarded as having been prolonged and shall remain in force until the expiration of three months from the date on which either of the High Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed thereto their seals.

Done in duplicate at Ottawa, in English and Polish texts, both authentic, this third day of July in the year of Our Lord one thousand nine hundred and thirty-five.

(L.S.) R. B. BENNETT.

(L.S.) DR. JERZY ADAMKIEWICZ.

(L.S.) R. B. HANSON.

SCHEDULE A.

CANADIAN PRODUCTS ENJOYING ON THEIR IMPORTATION INTO THE POLISH CUSTOMS TERRITORY THE PERCENTAGES OF DISCOUNT FROM COLUMN II OF THE POLISH CUSTOMS TARIFF INDICATED BELOW:

Number of Item in Polish Customs Tariff	Designation of Articles	Rates of Column II less a discount on the amount of the duty of
Ex 256 (3)	Herrings of the species named "Clupea harengus," spiced or otherwise prepared, together with the packing:—	
	(*a*) weighing more than 500 g.	65 p.c.
	(*b*) weighing 500 g. and less together with the immediate container	65 p.c.
Ex 256 (4)	Salmonoids, prepared in any manner, packed in air-tight receptacles	70 p.c.
Ex 256 (4)	Small clupeoid fish, designated "Canadian Sardines," caught near the shores of North America, marinated in vinegar, oil, sauces, stuffed or otherwies prepared, in air-tight receptacles. *Note to ex 256 (4):*—Certificates issued by the proper Canadian Authorities to the effect that the said fish have been caught near the shores of North America shall be required in each particular case on importation into Poland.	65 p.c.
Ex 258 (1)	Lobsters, prepared in any manner, packed in air-tight receptacles	75 p.c.
510	Leather, varnished, bronzed, silvered, gilded, painted or similarly processed:—	
	(1) Whole and halves	55 p.c.
	(2) Cuttings and pieces	55 p.c.
Ex 516 (1)	Silver (black) fox skins, raw	80 p.c.
794	Chemical wood-pulp. bleached containing water:—	
Sub-item 2	*(b)* 50 p.c. or less:—	
	I. When imported by papermills for the manufacture of paper on the grounds of a permit issued by the Minister of Finance	46·66 p.c.
	II. Other wood-pulp	33·33 p.c.
Ex. 1248 (6)	Ice skates	35 p.c.

SCHEDULE B.

POLISH PRODUCTS SUBJECT ON THEIR IMPORTATION INTO CANADA TO THE INTERMEDIATE TARIFF RATES LESS DISCOUNTS AS HEREINAFTER INDICATED BASED UPON PERCENTAGES OF THE RATES PAYABLE BY VIRTUE OF SAID INTERMEDIATE TARIFF OR FREE.

Number of Item in Canadian Customs Tariff	Designation of Articles	—
Ex 8	Canned hams	Intermediate Tariff less a discount of 20 p.c.
Ex 71 b	Clover seed	Intermediate Tariff less a discount of 25 p.c.
72 c	Seed of the sugar beet, for agricultural purposes.	Free.
Ex 85	Mushrooms, dried, the weight of the packages to be included in the weight for duty.	Intermediate Tariff less a discount of 45 p.c.
Ex 169	Books, viz.:—Novels or works of fiction, or literature of a similar character, printed in Poland and in the Polish or Ukrainian language, unbound or paper bound in sheets, but not to include Christmas annuals or publications commonly known as juvenile and toy books.	Free.
Ex 171	Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., when printed in Poland and in the Polish or Ukrainian language, not to include blank account books, copy books, or books to be written or drawn upon.	Free.
Ex 208	Sulphate of ammonia	Free.
Ex 308	Manufactures of alabaster, n.o.p	Intermediate Tariff less a discount of 25 p.c.
Ex 326	Cut, pressed, moulded or crystal glass tableware, decorated or not; blown glass tableware and other cut glass ware.	Intermediate Tariff less a discount of 10 p.c.
Ex 345	Zinc dust and sheets	Free.
Ex 502	Staves of oak, sawn, split or cut, not further manufactured than listed or jointed.	Free.
519	House, office, cabinet or store furniture of wood, iron or other material, in parts or finished.	Intermediate Tariff less a discount of 10 p.c.
Ex 549 a	Horse hair, not further manufactured than simply cleaned and dipped or dyed.	Free.
Ex 549 b	Horse hair, curled or dyed, n.o.p	Intermediate Tariff less a discount of 15 p.c.
Ex 585	Pine pitch; and pine tar, crude, in packages of not less than fifteen gallons.	Free.
Ex 599	Hides and skins of cattle, raw, whether dry, salted or pickled.	Free.
601	Fur skins of all kinds, not dressed in any manner	Free.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	Intermediate Tariff less a discount of 12½ p.c.
Ex 624	Ornaments, statues and statuettes, of alabaster.	Intermediate Tariff less a discount of 15 p.c.
654	Bristles, broom corn, and hair brush pads	Free.
Ex 657 a	Cinematograph or moving picture films, positives, made in Poland and speaking the Polish or Ukrainian lanugages, one and one-eighth of an inch in width and over.	Intermediate Tariff less a discount of 50 p.c.

Sixth Session, Seventeenth Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 122.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

AS PASSED BY THE HOUSE OF COMMONS, 5th JULY, 1935.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
135 1935

6th Session, 17th Parliament, 25-26 George V, 1935.

THE HOUSE OF COMMONS OF CANADA.

BILL 122.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency The Right Honourable the Earl of Bessborough, etc., etc., Governor General of Canada, and the estimates accompanying the said message, 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 thirty-first day of March, one thousand nine hundred and thirty-six, 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 King'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, 1935.*

$16,359,978.34 granted for 1935-36.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixteen million, three hundred and fifty-nine thousand, nine hundred and seventy-eight dollars and thirty-four cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, set forth in the Schedule to this Act.

Account to be rendered in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

SCHEDULE

Based on Supplementary Estimates, 1935-36. The amount hereby granted is $16,359,978.34.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT		
314	*Auditor General's Office*— Contingencies— Further amount required	35,000 00	
315	*Civil Service Commission*— Contingencies— Further amount required	5,000 00	
316	*Secretary of State*— Contingencies— Further amount required	25,000 00	65,000 00
	ADMINISTRATION OF JUSTICE		
317	To provide for the travelling expenses of Judge James B. Moon, of Parry Sound District, while holding Courts in Simcoe County		21 61
	LEGISLATION		
	THE SENATE		
318	Salaries and contingent expenses—Further amount required	6,000 00	
	To provide an amount in lieu of Residence for the Speaker of the Senate—Further amount required	1,000 00	
	To provide for the payment of the full sessional indemnity for the session of 1935 to members of the Senate for days lost through absence due to public business, by illness, or on account of death. Payment to be made as the Treasury Board may direct	24,260 00	
	HOUSE OF COMMONS		
319	Contingencies—Further amount required, including an allowance of $500 for the Deputy Speaker in lieu of residence	10,000 00	
	To provide an amount for the Speaker of the House of Commons in lieu of Residence—Further amount required	1,000 00	
	To provide for the full sessional indemnity to Members of the House of Commons—days lost through absence caused by illness, official public business, or on account of death during the present session—Notwithstanding anything to the contrary in Chapter 147 of the Revised Statutes, 1927, An Act respecting the Senate and House of Commons, or any amendment thereto. Payments to be made as the Treasury Board may direct	18,000 00	
	LIBRARY OF PARLIAMENT		
320	Books for the General Library, including binding—Further amount required	2,000 00	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LEGISLATION—*Concluded*		
	GENERAL		
321	To provide, notwithstanding anything contained in the Senate and House of Commons Act, for the payment to each Member of the Senate and of the House of Commons who attended the first part of the present Session of an amount representing the actual moving or transportation expenses and reasonable living expenses of such members while on the journey between Ottawa and his place of residence after the adjournment of Parliament on April 17, 1935 and on the return journey from his place of residence to Ottawa at the end of the recess which commenced on the said date, or in case any such member did not return to his place of residence during the said recess an amount equivalent to what would have been his travelling expenses if he had returned to his place of residence during the said recess:—		
	The Senate	5,000 00	
	House of Commons	15,000 00	
			82,260 00
	AGRICULTURE		
322	Advisory Committee on Agricultural Services—Travelling expenses, etc	5,000 00	
323	Live stock, including assistance to Fairs and Exhibitions—Further amount required	40,000 00	
324	Experimental Farms—Revote ($11,200)—Further amount required	19,800 00	
325	Health of Animals—To provide for payment of compensation to owners of animals affected with diseases coming under the operation of the Animal Contagious Diseases Act, which have died or have been slaughtered under circumstances unprovided for under the above Act and regulations thereunder, as follows:—		
	Minnekada Stock Farm, Couqitlam, B.C	96 66	
	Wall, A. J., Osler, Sask	6 00	
	Ouellet, Eugene, Bulwer, Que	20 00	
	Strachan, A. J., Carman, Man	60 00	
	Taylor, J. E., Ayer's Cliff, Que	26 00	
	Routhier, Pierre, Way's Mills, Que	6 00	
	Drew, L. A., Magog, Que	24 00	
	Froese, D. K., Sperling, Man	5 00	
	Vaillancourt, Emile, Coaticook, Que	10 00	
	Cyr, Ludger, Ayers' Cliff, Que	22 00	
	Viens, Josaphat, Ayer's Cliff, Que	4 00	
	Lauzon, Alphone, Terrebonne, Que	24 00	
	Howe, Alfred & Son, Aylmer, R.R. 5, Ont	32 00	
	Turcotte, Jos., Bury, Que	16 00	
	Bergeron, Arthur, St. Leonard, Que	12 00	
	McPhail, Malcolm, North River, P.E.I	52 00	
	Blouin, Omer, Ascot Corner, Que	22 00	
	Department of Agriculture, Quebec, P.Q	200 00	
	Edwards, Herbert, Union Stock Yards, St. Boniface, Man	252 00	
326	Cold Storage Warehouses—Further amount required	150,000 00	
			215,689 66
	PENSIONS		
327	Salaries and contingent expenses of the Canadian Pension Commission—Further amount required	.....	10,000 00

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL DEFENCE		
	MILITIA SERVICES		
328	Engineer Services and Works—Further amount required	400,000 00	
329	General Stores—Further amount required	600,000 00	
330	Non-Permanent Active Militia—Further amount required	386,000 00	
331	Permanent Force—Further amount required	265,000 00	
	NAVAL SERVICES		
332	Naval Services—To provide for the maintenance of the ships and establishments of the Naval Service, including the Royal Canadian Navy, the Royal Canadian Naval Reserve and the Royal Canadian Naval Volunteer Reserve—Further amount required	145,000 00	
			1,796,000 00
	AVIATION		
333	Royal Canadian Air Force—Expenses in connection with the general maintenance and training of the Permanent and Non-Permanent Active Air Force, and provision of facilities therefor—Further amount required	500,000 00	
334	Civil Government Air Operations—For Preventive Service and other Air operations—Further amount required	305,000 00	
335	Civil Aviation—Expenses in connection with the control of Civil Aviation, Airways, Government and Public Airports and grants to Aeroplane Clubs—Further amount required	497,900 00	
			1,302,900 00
	RAILWAYS AND CANALS—CHARGEABLE TO INCOME		
	MISCELLANEOUS		
336	Board of Railway Commissioners for Canada: Maintenance and operation—To validate salary payments, made by the Commissioners to June 30, 1935, to F. F. Burpee, as Secretary to the Chief Commissioner	.....	1 00
	PUBLIC WORKS—CHARGEABLE TO INCOME		
	PUBLIC BUILDINGS		
	New Brunswick		
337	Perth—Public building	10,000 00	
	Quebec		
338	Bedford—Public building	23,500 00	
	Cap de la Madeleine—Public building	54,000 00	
	Montreal—Purchase of site for addition to 4th Division Engineers' Armoury, and alterations	7,000 00	
	Pointe Claire—Public building	25,000 00	
	Quebec Immigration Building—Repairs	33,000 00	
	St. Martine—Public building	17,000 00	
	Stanstead—Public building	18,000 00	
	Temiskaming—Public building	19,000 00	
		196,500 00	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Concluded*		
	Ontario		
339	Belleville—Building for Entomological Branch	60,000 00	
	Fort Erie—Public building	50,000 00	
	Kingsville—Public building	25,000 00	
	Kirkland Lake—Public building	92,000 00	
	Powassan—Public building	13,000 00	
	Richmond Hill—Public building	30,500 00	
	Toronto—Postal Station "K"	194,000 00	
	Watford—Public building	10,000 00	
		474,500 00	
	Manitoba		
340	Beausejour—Public building	11,000 00	
	Birtle—Purchase of building for Postal purposes	2,000 00	
	Gimli—Public building	12,000 00	
	Melita—Public building	20,000 00	
	Roblin—Public building	20,000 00	
		65,000 00	
	Saskatchewan		
341	Kindersley—Public building	20,000 00	
	Watrous—Public building	20,000 00	
		40,000 00	
	Alberta		
342	Calgary—Barracks for Permanent Force	400,000 00	
	Cardston—Public building	49,000 00	
	Claresholm—Purchase of building for public purposes	5,000 00	
	Edmonton—Building for Department of Pensions and National Health	62,000 00	
	Innisfail—Purchase of building for Postal purposes	4,000 00	
	Lacombe—Purchase of building for Postal purposes	7,500 00	
	Okotoks—Purchase of building for Postal purposes	4,500 00	
	St. Paul—Public building	15,000 00	
		547,000 00	
	British Columbia		
343	Armstrong—Public building	12,500 00	
	Lillooet—Public building	10,000 00	
	Salmon Arm—Public building	20,000 00	
	Sidney—Public building	12,000 00	
	Victoria—Public building	300,000 00	
		354,500 00	
	Generally		
344	Flags for Dominion Public Buildings—Further amount required	1,000 00	
	Ottawa—Remodelling switchboards	4,500 00	
	Post Office Equipment	14,000 00	
	Tractors for Postal purposes—Further amount required	3,000 00	
		22,500 00	

SCHEDULE.—Continued.

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS		
	Nova Scotia		
345	Brooklyn—Dredging	58,000 00	
	Halifax—Repairs and improvements to wharves and buildings at R.C.N. Barracks and H.M.C. Dockyards—Further amount required	24,100 00	
	Hantsport—Warehouses on wharf	25,000 00	
	Sydney—To purchase and repair wharf	75,000 00	
		182,100 00	
	Prince Edward Island		
346	Lower Montague—To purchase and repair wharf	5,800 00	
	New Brunswick		
347	Baie Ste. Anne—Wharf	26,000 00	
	Campbellton—Dredging	55,000 00	
	Little Cape—Breakwater	10,000 00	
	Richibucto—To purchase and repair Forbes wharf	14,000 00	
		105,000 00	
	Quebec		
348	Anse au Griffon (River)—Improvements to jetties—To complete contract—Revote	3,500 00	
	Levis—Wharf	134,000 00	
	Lorne Dry Dock—Improvements	40,000 00	
	Rimouski—Rebuilding track foundation on wharf	66,200 00	
	Roberval—Breakwater	40,000 00	
	Sept Iles—Wharf	50,000 00	
	St. Gregoire de Montmorency—Protection wall	10,000 00	
		343,700 00	
	Ontario		
349	Byng Inlet—Dredging—To complete payments on contract—Further amount required	1,400 00	
	Collingwood—Removal of dock	43,500 00	
	Fort William—Harbour improvements—Further amount required	150,000 00	
	Hamilton—Warehouse on wharf	7,500 00	
	Hudson—Wharf—Further amount required	4,500 00	
	Little Castor River and Annable Creek—Contribution to the Municipality of the Township of Winchester towards dredging Little Castor River and Annable Creek, the Provincial Government to contribute a like amount—Revote	5,200 00	
	Port Arthur—Harbour improvements—Further amount required	100,000 00	
	Port Credit—Harbour improvements	20,000 00	
	Thessalon—Breakwater	8,500 00	
	Windsor—Warehouse extension	60,000 00	
		400,600 00	
	Manitoba		
350	Red River—Repairs to jetties and wharf reconstruction	28,000 00	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Income)—Concluded		
	HARBOURS AND RIVERS—*Concluded*		
	Saskatchewan. Alberta and Northwest Territories		
351	Fort Fitzgerald, Alta.—Wharf	13,000 00	
	British Columbia		
352	Fraser River—Contribution towards protection work at Rosedale, B.C.	3,500 00	
	Fraser River—North Arm—Dredging	30,000 00	
	Port Alberni Assembly Wharf—Replacement of crane—Further amount required	2,000 00	
		35,500 00	
	DREDGING		
353	British Columbia—Further amount required	25,000 00	
	TELEGRAPH AND TELEPHONE LINES		
	Saskatchewan and Alberta		
354	Telephone line from Athabaska to Mirror Landing	9,250 00	
	British Columbia		
355	Pouce Coupe—Telephone exchange	4,000 00	
	Telephone line from 93 Mile House to Lorne Butte	1,200 00	
	MISCELLANEOUS	14,450 00	
356	National Gallery of Canada—Further amount required	43,000 00	
			2,906,150 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
357	Additional amount required for ocean and coastal subsidies and inspection services	.....	119,000 00
	OCEAN AND RIVER SERVICE		
358	To provide for compassionate allowance to Albertine Vincent Bachand, widow of Georges Alphonse Bachand, Officer-in-Charge of C.G.S. "Cartier" and Gulf of St. Lawrence Hydrographic Survey, who was drowned while on duty on June 8th, 1931	2,500 00	
359	Miscellaneous Services relating to Navigation and shipping—Further amount required	2,500 00	
360	To provide subsidies for wrecking plants, Quebec and British Columbia—Further amount required	5,000 00	
361	Miscellaneous and unforseen expenses—Further amount required	5,000 00	
			15,000 00
	PUBLIC WORKS—CHARGEABLE TO CAPITAL		
	MARINE DEPARTMENT		
362	River St. Lawrence Ship Channel Dredging— *(b)* To provide for the maintenance and operation of the Government Ship Channel fleet and Government Shipyard—Further amount required	.....	250,000 00

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LIGHTHOUSE AND COAST SERVICE		
363	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers—Further amount required	100,000 00	
364	Marine Signal Service—Further amount required	8,250 00	
			108,250 00
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
365	*Geodetic Survey of Canada*— Control operations—Precise levelling based on sea level, triangulation, geodetic astronomy and investigations—all basic for correlation of water areas, power developments, charts and maps and for the scientific study of the earth's crust, curvature, figure and dimensions. The above is the recognized basis of operations for federal and provincial departments, municipal authorities and engineering projects over the whole country—Further amount required	11,000 00	
366	*International Boundary Commission*— Expenses connected with the maintenance in a state of effective demarcation of the international boundary—Revote—Further amount required	6,819 42	
			17,819 42
	MINES		
	MINES BRANCH		
367	For investigations of mineral resources and deposits of the mining and metallurgical industries, and of mineral technology; wages, and expenses of testing and research laboratories; for publications, English and French; for purchase of books and instruments; for miscellaneous assistance and contingencies; and for investigations by the Dominion Fuel Board, including salaries and all other expenses—Further amount required	10,000 00	
	GEOLOGICAL SURVEY		
368	For maintenance of offices and museum; for purchase of instruments, chemicals, books of reference, museum equipment and specimens, and related supplies; for expenses of the Geographic Board of Canada; and for miscellaneous assistance and contingencies—Further amount required	9,300 00	
			19,300 00
	LABOUR		
369	Annuities Act—Further amount required	65,000 00	
370	International Labour Conference—Further amount required	5,000 00	
371	Administration of Hours of Labour, Weekly Rest and Minimum Wages Acts	100,000 00	
			170,000 00
	PUBLIC PRINTING AND STATIONERY		
372	Plant—Repairs and Renewals—Further amount required	.....	5,400 00
	INDIANS		
373	To provide for expenses connected with the administration of Indian Affairs, including salaries, supplies, relief, medical attendance, hospitalization, dwellings, agricultural activities, surveys, roads, bridges, irrigation, dyking, education, etc.—Further amount required	.....	200,000 00

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
374	Salaries and expenses connected with the administration of the Northwest Territories Act and Ordinances, Northwest Game Act and Regulations, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf bounties, exploration, investigation and development, of natural resources, fire protection, construction and maintenance of buildings, schools, hospitals and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.—Further amount required	42,000 00	
	DEPARTMENT OF NATIONAL DEFENCE		
375	Radio Services—For the maintenance and operation of the Northwest Territories Radio System—Further amount required	50,000 00	
			92,000 00
	DOMINION LANDS, PARKS, ETC.		
376	Advancement of forest conservation: National inventory of forest resources; investigation of forest conditions and rates of growth, and development of scientific management methods; forest protection studies, technical and economic investigations of forest industries; the operation of forest experiment stations, demonstration forests, and forest products laboratories; co-operative undertakings in forestry and forest products, etc.—Further amount required	25,000 00	
	To provide for the expenses incurred under the Lake of the Woods Control Board Act, 1921, and under the agreement between the Dominion, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, for the construction of a dam at the outlet of Lac Seul and its operation by the Lake of the Woods Control Board, moneys expended to be reimbursed to the Dominion by the Province of Manitoba under the terms of Paragraph 8 of the Manitoba Transfer Agreement	20,000 00	
	To provide for the expenses incurred under the Lake of the Woods Convention, 1925, for Canadian participation in legal proceedings in the United States incidental to acquiring a flowage easement over lands bordering on Lake of the Woods in the United States, two-thirds of the moneys expended to be reimbursed to the Dominion by the Provinces of Manitoba and Ontario under the terms of the Agreement of November 15, 1922—Revote	6,101 03	
			51,101 03
	PENSIONS AND NATIONAL HEALTH		
377	Salaries—Departmental Staff—Further amount required	30,000 00	
378	Unemployment relief—Further amount required	500,000 00	
379	War Veterans Allowances—Further amount required	300,000 00	
	NATIONAL HEALTH		
380	The administration of the Acts respecting Food and Drugs, Opium and Narcotic Drugs and Proprietary or Patent Medicines, including the Laboratory of Hygiene—Further amount required	4,860 00	
	Public Health Engineering—Further amount required	3,665 00	
			838,525 00

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS		
381	Emergency grant to the Canadian National Institute for the Blind	50,000 00	
382	Grant to the Canadian Prisoners' Welfare Association	500 00	
383	Grant toward the King George V Jubilee Cancer Fund	100,000 00	
384	To provide for the administration of the Royal Canadian Mint—Further amount required for equipment	110,000 00	
385	To provide for salaries and expenses of the Tariff Board, including additional provision by reason of the increased jurisdiction under the Dominion Trade and Industry Commission Act—Further amount required	200,000 00	
386	To provide for grant to the Canadian Olympic Committee	10,000 00	
387	To provide for the expenses in connection with the departure of the Governor General, and the reception and installation of his successor	15,000 00	
388	To provide for the expenses in connection with the Silver Jubilee of King George V, including allowances for extra work and overtime, subject to the approval of the Treasury Board	19,500 00	
389	To provide for salaries and expenses of the Bureau for Translations—Further amount required	22,735 00	
390	Chief Electoral Officer—Salaries and contingencies of office—Further amount required	40,000 00	
391	Grant to the Canadian National Committee for Mental Hygiene	10,000 00	
392	Grant to the Canadian Social Hygiene Council	5,000 00	
393	To provide necessities for George Black, M.P.	500 00	
394	To assist in promoting tourist business in Canada—Revote	52,000 00	
395	Trent Canal: To provide for a contribution by the Department of Railways and Canals towards the cost of the construction, by the corporation of the Town of Orillia, of a dam, powerhouse and log slide on the Gull River	7,500 00	
396	Expenses of Wheat Advisory Committee for 1935, Canada's assessment	1,955 00	
397	Grant to the Committee on Arrangements for the meeting of the National Conference of social work, 1935	3,000 00	
398	Loan to the Quebec Harbour Commissioners to cover judgments against them in respect of damage sustained by shipping in the river basin	17,100 00	
399	Loan to the Halifax Harbour Commissioners with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, to retire the obligation incurred in connection with settlement of the claims of J. P. Porter & Sons, Limited	118,985 80	
400	Compassionate grant to Joseph Wilson, Halifax	7,500 00	
401	Compassionate grant to Capt. Aime Dion, Montmagny, P.Q.	7,500 00	
402	Administration of the Old Age Pensions Act—Further amount required	10,000 00	
403	To provide for payments of interest under, and to hereby approve of the terms and conditions of Orders in Council P.C. 1462 and P.C. 1533 of June 7, 1935, respecting orders of steel rails for the Canadian National Railway Company.	30,000 00	
404	Amount required to provide for additional grants to be made to the provinces of—		
	Nova Scotia	425,000 00	
	New Brunswick	300,000 00	
	Prince Edward Island	150,000 00	
405	Employment and Social Insurance Act	2,000,000 00	
406	To provide, subject to the approval of the Treasury Board, for salaries, reclassifications and increases and to authorize payment of the salary of any employee, who is made permanent, from the appropriation under which his salary as a temporary employee has been provided—Further amount required	1,000,000 00	

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS—*Concluded*		
407	To provide for carrying into effect sections two and three of Chapter 26 of the statutes of 1934, when the said sections come into force on August 1st, 1935, the said statute being an Act to amend the Canada Grain Act, whereby a statutory grade was established for Garnet wheat and the statutory grade "No. 2 Manitoba Northern" was revised to exclude Garnet wheat by substituting "Marquis or equal to Marquis" for "red spring wheat of good milling quality", and to facilitate the efficient and orderly marketing of wheat now graded as No. 2 Manitoba Northern by providing that in respect of any such wheat which on the 31st July, 1935, is in elevators licensed under the Canada Grain Act, the Governor in Council may on the recommendation of the Chairman of the Board of Grain Commissioners indemnify any holder or owner thereof, for loss resulting directly from the revision of the statutory grade No. 2 Manitoba Northern aforesaid	1,500,000 00	
408	To pay to the Estate of the late General Sir. Arthur William Currie, G.C.M.G., K.C.B., LL.D., in recognition of the eminent services rendered to his country by the deceased General during the Great War	50,000 00	
409	To provide for expenses of the Comptroller of the Treasury's Office—Further amount required	80,000 00	
410	Allowance to the Representative of the Department of Finance as a member of the Canadian Farm Loan Board, during tenure	1,500 00	
411	Grant to l'Association Canadienne-Francaise des Aveugles to assist in work with the Blind	4,050 00	
412	The Economic Council of Canada Act, 1935	20,000 00	
413	Amount required for compassionate allowances to farmers who have suffered loss on account of shipments of cattle made through the Richelieu Corporation, during the fiscal year 1933-34. Payments to be made only on the specific authority of the Governor in Council	42,000 00	
415	To enable the Governor in Council for and as one of the purposes of section 9 of the Supplementary Public Works Construction Act, 1935, to authorize the Minister of Finance to make loans to the railway companies for the betterment or repair of railway equipment out of any sum authorized by subsection 4 of said section 9 to be expended for the purchase of railway equipment, any such loan to be in reduction of the sum so authorized to be expended	1 00	
416	To provide, notwithstanding the terms of the Civil Service Act or any other Act or Law, for payment of honoraria to members of the public service—subject to allocation by the Treasury Board	10,000 00	
417	Natural Products Marketing Act— Further amount required	1,000,000 00	7,421,326 80
	NATIONAL REVENUE		
418	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit and the Preventive Service Undervaluation Services—Further amount required	30,000 00	
419	Miscellaneous, including printing and stationery: subscriptions to commercial papers; flags; dating stamps; locks; instruments; express charges on samples; legal forms; legal expenses; premiums on guarantee bonds; uniforms for Customs-Excise Officers; laboratory equipment and supplies, etc.—Further amount required	25,000 00	55,000 00
	TRADE AND COMMERCE		
420	Printing of Parliamentary and Departmental Publications—Further amount required to provide for the "Canada Year Book"	25,000 00	
421	Dominion Bureau of Statistics—Further amount required	30,000 00	

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRADE AND COMMERCE—*Concluded*		
422	Weights and Measures Inspection Service—Further amount required	35,000 00	
423	National Research Council—Further amount required	100,000 00	
424	Publicity and Advertising in Canada and abroad—Further amount required	2,000 00	
425	To provide for payment to the Port of London Authority	2,233 82	
			194,233 82
	ADJUSTMENT OF WAR CLAIMS		
426	Secretary of State—Further amount required		15,000 00
	GOVERNOR GENERAL'S WARRANTS, 1934-35		
427	Expenses of the Royal Commission on Price Spreads and Mass Buying (Governor General's Warrants of July 30, November 3, and December 19, 1934)	155,000 00	
428	Expenses in connection with printing amendments to the Election Act (Governor General's Warrant of October 3, 1934)	20,000 00	
429	Expenses of the Royal Commission on Financial Arrangements between the Dominion and the Maritime Provinces (Governor General's Warrants of October 11, 1934 and January 14, 1935)	35,000 00	
430	To cover cost of machinery and equipment for the Public Printing Bureau—Governor General's warrant of November 15, 1934	200,000 00	
			410,000 00
	Total		16,359,978 34