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CANADA
HOUSE OF COMMONS

27th Parliament, 1st Session
1966/67

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First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-140.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1966.

AS PASSED BY THE HOUSE OF COMMONS, 9th MARCH, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-140.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1966.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, General Georges Philias Vanier, DSO., MC., Governor General of Canada and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1966, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 2, 1966.*

$398,062,262.60 granted for 1965–66.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole three hundred and ninety-eight million, sixty-two thousand, two hundred and sixty-two dollars and sixty cents towards defraying the several charges and expenses of the public service, from the 1st day of April, 1965 to the 31st day of March, 1966, not otherwise provided for, and being the aggregate of

(*a*) the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1966 (less reduction of $20,000,000 in Loans, Investments and Advances Item L20 which has been withdrawn) as contained in Schedule A, less the amounts

voted on account of the said items by the *Appropriation Act No. 1, 1965*, the *Appropriation Act No. 3, 1965*, the *Appropriation Act No. 6, 1965* and the *Appropriation Act No. 1, 1966*.....$356,752,570.28;

(*b*) the total of the amounts of the items set forth in the Supplementary Estimates (B) for the fiscal year ending the 31st day of March, 1966, (less reduction of $5,000,000 in Loans, Investments and Advances Item L28b which has been repealed by Item L28d) as contained in Schedule B, less the amounts voted on account of the said items by the *Appropriation Act No. 6, 1965* and the *Appropriation Act No. 1, 1966*.....$18,199,163.24;

(*c*) the total of the amounts of the items set forth in the Supplementary Estimates (D) for the fiscal year ending the 31st day of March, 1966, as contained in Schedule (C) less the amounts voted on account of the said items by the *Appropriation Act No. 1, 1966*..$23,110,529.08.

Purpose and effect of each item.

3. (1) The amount authorized by this Act to be paid or applied in respect of an item may be paid or applied only for the purposes and subject to any terms and conditions specified in the item, and the payment or application of any amount pursuant to the item has such operation and effect as may be stated or described therein.

(2) The provisions of each item in the Schedules shall be deemed to have been enacted by Parliament on the 1st day of April, 1965.

Commitments.

4. Where an item in the said Estimates purports to confer authority to enter into commitments up to an amount stated therein, a commitment may be entered into in accordance with the terms of such item, if the Comptroller of the Treasury certifies that the amount of the commitment proposed to be entered into, together with all previous commitments entered into pursuant to this section, does not exceed the total amount of the commitment authority stated in such item.

Account to be rendered. R.S., c. 116.

5. Amounts paid or applied under the authority of this Act shall be accounted for in the Public Accounts in accordance with section 64 of the *Financial Administration Act*.

SCHEDULE A

Based on the Main Estimates, 1965–66. The amount hereby granted is $356,752,570.28, being the total of the amounts of the items in the said Estimates (less reduction of $20,000,000 in Loans, Investments and Advances Item L20 which has been withdrawn) as contained in this Schedule, less the amounts voted on account of the said items by the *Appropriation Act No. 1, 1965*, the *Appropriation Act No. 3, 1965*, the *Appropriation Act No. 6, 1965* and the *Appropriation Act No. 1, 1966*.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1966, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	ADMINISTRATION		
1	Departmental Administration including the Canadian Agricultural Services Co-ordinating Committee, contributions to the Commonwealth Agricultural Bureaux and a special contribution not exceeding $62,000 to the Agricultural Economics Research Council, subject to approval by the Treasury Board	4,186,600	
	RESEARCH		
5	Administration, Operation and Maintenance including Canada's fee for membership in the International Society for Horticultural Science, an amount of $145,000 for grants in aid of agricultural research in universities and other scientific organizations in Canada and the costs of publishing departmental research papers as supplements to the "Canadian Entomologist"	25,774,000	
10	Construction or Acquisition of Buildings, Works, Land and Equipment	5,391,000	
	PRODUCTION AND MARKETING		
	Administration		
15	Administration, Operation and Maintenance including the administration of the Agricultural Stabilization Act, contributions to assist in the marketing of agricultural products subject to the approval of Treasury Board and payment of expenses not exceeding $100,000 for a travelling Canadian livestock and seed exhibition outside Canada	2,110,100	
	Animal and Animal Products		
20	Administration, Operation and Maintenance including Canada's fee for membership in the International Dairy Federation	6,510,300	
25	Grants, Contributions and Subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	11,829,400	
	Plant and Plant Products		
30	Administration, Operation and Maintenance	6,049,100	
35	Grants, Contributions and Subsidies as detailed in the Estimates	1,823,900	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—(Continued)		
	HEALTH OF ANIMALS		
40	Administration, Operation and Maintenance including Canada's fee for membership in the Office International des Epizooties, and authority, notwithstanding the Financial Administration Act, to spend revenue received during the year from packers requiring special services	12,756,000	
45	Grants, Contributions and Subsidies as detailed in the Estimates	1,698,000	
	BOARD OF GRAIN COMMISSIONERS		
50	Administration, Operation and Maintenance including authority to purchase screenings	6,610,700	
	LAND REHABILITATION, IRRIGATION AND WATER STORAGE PROJECTS		
	Irrigation and Water Storage Projects in the Western Provinces including the South Saskatchewan River Project, the Prairie Farm Rehabilitation Act Program, Land Protection, Reclamation and Development—		
55	Administration, Operation and Maintenance including Canada's fee for membership in the International Commission on Irrigation and Drainage	8,972,000	
60	Construction or Acquisition of Buildings, Works, Land and Equipment	28,034,000	
			121,745,100
	ATOMIC ENERGY		
	ATOMIC ENERGY CONTROL BOARD		
1	Administration Expenses of the Atomic Energy Control Board	186,400	
5	Grants for Researches and Investigations with respect to Atomic Energy	1,600,000	
	ATOMIC ENERGY OF CANADA LIMITED (RESEARCH PROGRAM)		
10	Current Operation and Maintenance, including expendable research equipment	40,549,600	
15	Construction or Acquisition of Buildings, Works, Land and Equipment and to authorize Central Mortgage and Housing Corporation to undertake construction of works near the Whiteshell Nuclear Research Establishment for Atomic Energy of Canada Limited	12,976,500	
			55,312,500
	AUDITOR GENERAL'S OFFICE		
1	Salaries and Expenses of Office		1,746,200
	BOARD OF BROADCAST GOVERNORS		
1	Salaries and other Expenses		393,000

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CANADIAN BROADCASTING CORPORATION		
	CANADIAN BROADCASTING CORPORATION		
1	Grant in respect of the net operating amount required to discharge the responsibilities of the national broadcasting service	97,044,000	
	INTERNATIONAL BROADCASTING SERVICE		
5	International Broadcasting Service including authority to credit to the appropriation revenue from the rental of facilities in Montreal, Sackville and Vancouver to an amount of $427,000 and to re-expend these moneys for the purposes of the International Broadcasting Service	2,400,000	99,444,000
	OFFICE OF THE CHIEF ELECTORAL OFFICER		
1	Salaries and Expenses of Office	.....	115,600
	CITIZENSHIP AND IMMIGRATION		
1	Departmental Administration	1,257,800	
	CITIZENSHIP		
5	Administration, Operation and Maintenance including grants and contributions for language instruction and citizenship promotion, and grants to organizations as detailed in the Estimates	2,044,500	
	IMMIGRATION		
10	Administration, Operation and Maintenance including transoceanic and inland transportation and other assistance for immigrants and settlers subject to the approval of Treasury Board, including care en route and while awaiting employment; and payments to the Provinces, pursuant to agreements entered into, with the approval of the Governor in Council, in respect of expenses incurred by the Provinces for indigent immigrants and $20,000 for grants to Immigrant Welfare Organizations	13,898,000	
	INDIAN AFFAIRS		
15	Administration, Operation and Maintenance including expenditures on works on other than federal property, grants, contributions and special payments including those specified in the sub-vote titles in the Estimates, recoverable expenditures under agreements entered into with the approval of the Governor in Council with the Governments of the Provinces and Territories and with local School Boards in respect of social assistance to persons residing on Indian reserves other than Indians and the education in Indian Schools of children other than Indian children, authority to make grants and contributions pursuant to agreements entered into with the Governments of the Provinces or the Territories or other groups or authorities approved of by the Governor in Council for the provision of welfare and other services to Indians and to authorize the Minister of Citizenship and Immigration to provide, in respect of Indian commercial activities, for the instruction and supervision of Indians, the furnishing of materials, the purchase of finished goods, and notwithstanding any other Act, the sale of such finished goods	60,261,600	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION (Continued)		
	INDIAN AFFAIRS (Continued)		
20	Construction or Acquisition of Buildings, Works, Land and Equipment including construction or acquisition of works for Indian Bands, the operation and control of which may be transferred to the Indian Bands at the discretion of the Minister, expenditures on works on other than federal property, assistance to Indians and Indian Bands for the construction or acquisition of housing and other buildings and related works, land and equipment, and recoverable expenditures under agreements entered into with the approval of the Governor in Council with the Governments of the Provinces and the Territories and with local School Boards in respect of the education in Indian schools of children other than Indian children	14,300,000	
			91,761,900
	CIVIL SERVICE COMMISSION		
1	Salaries and Contingencies of the Commission including compensation in accordance with the Incentive Award Plan of the Public Service of Canada	.....	7,139,600
	DEFENCE PRODUCTION		
	A—DEPARTMENT		
1	Departmental Administration including the care, maintenance and custody of standby defence plants, buildings, machine tools and production tooling and grants to municipalities in lieu of taxes on Crown-owned defence plants operated by private contractors	16,922,800	
5	For the establishment of production capacity and for capital assistance for the construction, acquisition, extension or improvement of capital equipment or works by private contractors engaged in defence contracts, or by Crown plants operated on a management-fee basis, or by Crown Companies under direction of the Minister of Defence Production, subject to the approval of Treasury Board	2,217,000	
10	To establish qualified sources for the production of component parts and materials, subject to the approval of Treasury Board, and to authorize, notwithstanding section 30 of the Financial Administration Act, total commitments of $1,200,000 for the foregoing purposes during the current and subsequent fiscal years	500,000	
			19,639,800
	B—EMERGENCY MEASURES ORGANIZATION		
20	Administration and Operation	2,719,800	
25	Construction or Acquisition of Buildings, Works, Land and Equipment including authority to make recoverable advances not exceeding in the aggregate the amounts of the shares of the Governments of the Provinces of the costs of joint programs	1,764,200	
30	Grants to Provinces and Municipalities for Civil Defence and Related Purposes and authority to make recoverable advances in accordance with terms and conditions approved by the Treasury Board	5,200,000	
			9,684,000

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	DEFENCE PRODUCTION (Continued)		
	C—CROWN COMPANIES		
35	Expenses incurred by Defence Construction (1951) Limited in procuring the construction of defence projects on behalf of the Department of National Defence and procuring the construction of such other projects as are approved by Treasury Board	2,085,000	
	Canadian Arsenals, Limited—		
40	Administration and Operation	2,017,000	
45	Construction, Improvements and Equipment	188,000	
			4,290,000
	EXTERNAL AFFAIRS		
	A—DEPARTMENT		
1	Administration, Operation and Maintenance including payment or remuneration, subject to the approval of the Governor in Council and notwithstanding the Civil Service Act, in connection with the assignment by the Canadian Government of Canadians to the staffs of the International Organizations detailed in the Estimates, and authority to make recoverable advances in amounts not exceeding in the aggregate the amounts of the shares of those Organizations of such expenses, and authority, notwithstanding the Civil Service Act, for the appointment and fixing of salaries of Commissioners (International Commissions for Supervision and Control in Indochina), Secretaries and staff by the Governor in Council; assistance and repatriation of distressed Canadian citizens and persons of Canadian domicile abroad, including their dependents; Canadian participation in the Commonwealth Arts Festival to be held in Britain in the Fall of 1965; payment to the Roosevelt Campobello International Park Commission for the purposes and subject to the provisions of the Act respecting the Commission established to administer the Roosevelt Campobello International Park; a cultural relations and academic exchange program with the French community, and grants as detailed in the Estimates	13,176,800	
5	Representation Abroad—Operational—including authority, notwithstanding the Civil Service Act, for the appointment and fixing of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff by the Governor in Council	16,865,000	
10	Representation Abroad—Construction, acquisition or improvement of Buildings, Works, Land, Equipment and Furnishings	2,276,000	
15	Contributions to International Multilateral Economic and Special Aid Programs as detailed in the Estimates, including authority to pay such amounts as are specified in U.S. dollars notwithstanding that the total of such payments may exceed the equivalent in Canadian dollars, estimated as of December, 1964, which is	12,517,000	
20	Other payments to International Organizations and Programs, as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the total of such payments may exceed the equivalent in Canadian dollars, estimated as of December, 1964, which is	1,095,500	
25	Assessments for Membership in the International (including Commonwealth) Organizations that are detailed in the Estimates, including authority to pay such assessments in the amounts and in the currencies in which they are levied, notwithstanding that the total of such payments may exceed the equivalent in Canadian dollars, estimated as of December, 1964, which is	10,063,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS (Continued)		
	A—DEPARTMENT (Continued)		
	External Aid Office—		
30	Salaries and Expenses	1,251,600	
35	Economic, technical, educational and other assistance as detailed in the Estimates	75,600,000	
			132,844,900
	B—INTERNATIONAL JOINT COMMISSION		
40	Salaries and Expenses of the Commission and Canada's share of the expenses of studies, surveys and investigations of the Commission		179,500
	FINANCE		
	ADMINISTRATION		
1	Departmental Administration including administration of the Guaranteed Loans Acts, the salaries and expenses of the Inspector General of Banks' Office, and grants as detailed in the Estimates	3,862,800	
	SUBSIDIES AND OTHER PAYMENTS TO PROVINCES		
5	Payments, computed in accordance with terms and conditions approved by the Governor in Council, to the Government of each Province, in respect of income tax paid by corporations whose main business is the distribution to or generation for distribution to the public of electrical energy gas or steam; the said payments to be made in respect of such part of the income of the corporations for the taxation year ending in the calendar year 1963 (as determined under and for the purposes of the Income Tax Act) as is derived from the said distribution or generation in the Province to which payment is made	8,500,000	
	MUNICIPAL GRANTS		
10	Grants to Municipalities in accordance with the Municipal Grants Act and Regulations made thereunder	33,000,000	
	GOVERNMENT ADMINISTRATION		
15	Contingencies—Subject to the approval of the Treasury Board, (a) to supplement the paylist provisions of other votes; (b) for miscellaneous minor or unforeseen expenses; and (c) for awards under the Public Servants Inventions Act; including authority to re-use any sums repaid to this appropriation from other appropriations	6,000,000	
18	Government's contribution to the Superannuation Account as a result of the authorization of salary increases, each one of which was applicable to at least that percent of the contributors under the Public Service Superannuation Act, during the 1963-64 and 1964-65 fiscal years, as may be prescribed by the Treasury Board, in such amount as, in the opinion of the Minister of Finance, is necessary to provide for one-fifth of the cost to Her Majesty in right of Canada for the benefits payable under that Act, as a result of the said salary increases	10,000,000	

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SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE (Continued)		
	GOVERNMENT ADMINISTRATION (Continued)		
20	Government's share of surgical-medical insurance premiums and Government's contributions to pension plans and death benefit plans for employees engaged locally outside Canada who are excluded from the Public Service Superannuation Act, to the Unemployment Insurance Fund in respect of Government employees paid through the Central Pay Office and to the Hospital Insurance (Outside Canada) Plan	11,340,000	
	COMPTROLLER OF THE TREASURY		
25	Administration, including the administration of the Superannuation and Retirement Acts	25,077,400	
	TARIFF BOARD		
30	Administration	312,800	
	ROYAL CANADIAN MINT		
35	Administration, Operation and Maintenance	2,701,000	
40	Construction or Acquisition of Equipment	480,300	
	MUNICIPAL DEVELOPMENT AND LOAN BOARD		
45	Administration	216,000	
			101,490,300
	FISHERIES		
1	Departmental Administration including grants and contributions as detailed in the Estimates	1,387,000	
	FISHERIES MANAGEMENT AND DEVELOPMENT		
5	Operation and Maintenance including Canada's share of the expenses of the International Commissions detailed in the Estimates and of the costs of programs and projects shared jointly with the Provinces and industry	14,557,000	
10	Construction or Acquisition of Buildings, Works, Land and Equipment including acquisition of land for the International Pacific Salmon Fisheries Commission, as required by Article VIII of the Convention	2,761,000	
15	Grants, contributions and subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	1,710,000	
	FISHERIES RESEARCH BOARD OF CANADA		
20	Administration, Operation and Maintenance including an amount of $100,000 for grants for Fisheries Research and for Scholarships and authority to make recoverable advances of amounts not exceeding in the aggregate the amount of the share of the International Great Lakes Fishery Commission of the cost of work on lamprey control and lamprey research	6,906,000	
25	Construction or Acquisition of Buildings, Works, Land and Equipment	2,100,000	
			29,421,000

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FORESTRY		
1	Departmental Administration	1,027,500	
3	Construction of extension to Research Laboratory in Pointe Claire, Quebec, for use by the Pulp and Paper Research Institute of Canada	1,700,000	
5	Contributions to the Provinces in the amounts and subject to the terms specified in the Details of Estimates	7,910,000	
10	Freight Assistance on Western Feed Grains including assistance in respect of grain storage costs in accordance with terms and conditions prescribed by the Governor in Council	19,500,000	
	FORESTRY		
15	Administration, Operation and Maintenance including grants as detailed in the Estimates	8,885,600	
20	Construction or Acquisition of Buildings, Works, Land and Equipment	1,722,000	
	RURAL DEVELOPMENT		
25	Agricultural Rehabilitation and Development Act Program and Maritime Marshland Rehabilitation Act Program—Administration, Operation and Maintenance	798,500	
30	Agricultural Rehabilitation and Development Act Program and Maritime Marshland Rehabilitation Act Program—Construction or Acquisition of Buildings, Works, Land and Equipment including authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the share of the Province of New Brunswick of the cost of the Petitcodiac River Dam Project	848,900	
35	Payments in respect of projects and programs under the Agricultural Rehabilitation and Development Act, and payments to Provinces pursuant to agreements entered into under that Act	16,880,000	
			59,272,500
	GOVERNOR GENERAL AND LIEUTENANT-GOVERNORS		
1	Office of the Secretary to the Governor General	308,200	
5	To authorize reimbursement to the Lieutenant-Governors of the Provinces of Canada of the costs of travelling and hospitality incurred in the exercise of their duties up to a maximum per annum for each as detailed in the Estimates	142,500	
			450,700
	INDUSTRY		
1	Departmental Administration, including grants as detailed in the Estimates	6,007,600	
5	To sustain technological capability in Canadian industry by supporting selected defence development programs, on terms and conditions approved by Treasury Board, and to authorize, notwithstanding section 30 of the Financial Administration Act, total commitments of $60,000,000 for the foregoing purposes during the current and subsequent fiscal years	25,000,000	
			31,007,600

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	INSURANCE		
1	Departmental Administration	.....	950,400
	JUSTICE		
	LEGAL AND OTHER SERVICES		
1	Administration including the Office of the Superintendent of Bankruptcy, grants and contributions as detailed in the Estimates, gratuities to the widows or such dependents as may be approved by Treasury Board of Judges who die while in office and authority to make recoverable advances for the administration of justice on behalf of the Governments of the Northwest Territories and the Yukon Territory	2,504,300	
5	Combines Investigation Act—Administration	837,500	
	CORRECTIONAL SERVICES		
10	Administration, Operation and Maintenance including compensation to discharged inmates permanently disabled while in Penitentiaries	28,207,400	
15	Construction or acquisition of Buildings, Works, Land and Equipment	25,622,000	
			57,171,200
	LABOUR		
1	General Administration, including grants as detailed in the Estimates; the expenses of the International Labour Conferences; the promotion of labour-management co-operation; the promotion of a program for the employment of the older worker; the promotion of programs for combatting seasonal unemployment; the organization and use of workers for farming and related industries; and the manpower consultative service	4,833,500	
5	Payments to carry out the purposes of the Vocational Rehabilitation and Disabled Persons Act and agreements made thereunder, including undischarged commitments under previous agreements; payments to Provinces under agreements entered into with the Provinces by the Minister of Labour with the approval of the Governor in Council for the organization and use of workers for farming and related industries; and to authorize payments in accordance with agreements entered into with the approval of the Governor in Council by the Minister of Labour with Provinces, employers and workers in respect of labour mobility and assessment incentives	1,280,000	
	TECHNICAL AND VOCATIONAL TRAINING ASSISTANCE		
10	Administration	828,900	
15	Payments to the Provinces to carry out the purposes of the Technical and Vocational Training Assistance Act and agreements made thereunder and payments under agreements providing for the sharing of expenditures for research projects to provide information relating to vocational training and manpower requirements	116,988,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR (Continued)		
	ANNUITIES ACT		
20	Administration and Government's Contribution to Annuities Agents Pension Account in accordance with Regulations made pursuant to Vote 181, Appropriation Act No. 5, 1961..	1,197,300	
	GOVERNMENT EMPLOYEES COMPENSATION		
25	Administration of the Government Employees Compensation Act.....	123,100	
	NATIONAL EMPLOYMENT SERVICE		
30	Administration of the National Employment Service, including the transfer of labour to places where employment is available and expenses incidental thereto in accordance with regulations of the Governor in Council.....	22,078,300	
			147,329,100
	LEGISLATION		
	THE SENATE		
	Members of the Senate—		
1	Allowance in lieu of residence to the Speaker of the Senate.	3,000	
5	General Administration.....	1,077,200	
	HOUSE OF COMMONS		
	Members of the House of Commons—		
10	Allowances in lieu of residence to the Speaker of the House of Commons, and in lieu of apartments to the Deputy Speaker of the House of Commons; allowance to the Deputy Chairman of Committees.....	6,500	
15	Expenses of the Canada-United States Inter-Parliamentary Group, of delegates attending other inter-parliamentary conferences, expenses connected with visits of delegates from other legislatures, including the expenses of the Inter-Parliamentary Conference to be held in Ottawa in 1965, Canada's fee for membership in the Inter-Parliamentary Union, Canada's share of the expenses of the Commonwealth Parliamentary Association including subscriptions to publications of the Association, and a grant of $22,000 to the Canadian North Atlantic Treaty Organization Parliamentary Association.....	316,475	
20	General Administration.....	5,035,500	
	LIBRARY OF PARLIAMENT		
25	General Administration.....	482,900	
			6,921,575

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
1	Departmental Administration including the administration of the Explosives Act and Canada's fee for membership in the Pan-American Institute of Geography and History....	2,506,600	
5	Construction or Acquisition of Buildings, Works, Land and Equipment including Common-use Field Survey Equipment.....	458,000	
	FIELD AND AIR SURVEYS, MAPPING AND AERONAUTICAL CHARTING		
10	Administration, Operation and Maintenance including purchases of air photography and the expenses of the Interdepartmental Committee on Air Surveys, authority to make recoverable advances not exceeding the amount of the share of the United States Government of the cost of binding annual reports and maintaining boundary range lights, and grants as detailed in the Estimates.....	7,779,200	
	MARINE SURVEYS AND RESEARCH		
15	Administration, Operation and Maintenance including Canada's fee for membership in the International Hydrographic Bureau.....	7,771,000	
20	Construction or Acquisition of Buildings, Works, Land and Equipment.....	3,560,000	
	GEOLOGICAL RESEARCH		
25	Administration, Operation and Maintenance including Canada's share of the cost of the Geological Liaison Office, British Commonwealth Scientific Conference, London, England, Canada's fee for membership in the International Union of Geological Sciences and $150,000 for grants in aid of Geological Research in Canadian Universities.....	6,976,700	
30	Construction or Acquisition of Buildings, Works, Land and Equipment.....	754,000	
	MINING AND METALLURGICAL INVESTIGATIONS AND RESEARCH		
35	Administration, Operation and Maintenance including Canada's share of the cost of the Commonwealth Committee on Mineral Processing and $50,000 for grants in aid of Mining and Mineral Processing Research in Canadian Universities..	5,736,000	
40	Construction or Acquisition of Buildings, Works, Land and Equipment.....	653,000	
	GEOGRAPHICAL SURVEYS AND RESEARCH		
45	Administration, Operation and Maintenance including the expenses of the Canadian Permanent Committee on Geographical Names and the National Committee for Canada of the International Geographical Union, Canada's fee for membership in the International Geographical Union, and grants as detailed in the Estimates.....	758,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS (Continued)		
	A—DEPARTMENT (Continued)		
	RESEARCH IN ASTRONOMY AND GEOPHYSICS		
50	Administration, Operation and Maintenance including the expenses of the National Committee for Canada of the International Astronomical Union, Canada's fee for membership in the International Astronomical Union, and grants as detailed in the Estimates	2,433,800	
55	Construction or Acquisition of Buildings, Works, Land and Equipment	1,749,000	
	GENERAL		
60	Polar Continental Shelf Project	1,657,200	
			42,792,500
	B—DOMINION COAL BOARD		
65	Administration and Investigations of the Dominion Coal Board	183,000	
70	Subventions in respect of eastern coal under agreements entered into pursuant to the Atlantic Provinces Power Development Act	600,000	
			783,000
	NATIONAL DEFENCE		
1	Departmental Administration, including grants to Military Associations, Institutes and other organizations as detailed in the Estimates and authority, notwithstanding section 30 of the Financial Administration Act, and subject to allotment by the Treasury Board, for total commitments of $2,560,546,715 for the purposes of Votes 1, 5, 15, 20, 25, 30, 35, 40 and 45 of this Department regardless of the year in which such commitments will come in course of payment (of which it is estimated that $1,044,262,000 will come due for payment in future years) and authority to make recoverable advances under any of the said Votes and, notwithstanding the Financial Administration Act, to spend revenue received during the year in respect of assistance rendered to the United Nations, any party of the North Atlantic Treaty Organization or any provincial or municipal government	5,204,855	
	INSPECTION SERVICES		
5	Operation and Maintenance and Construction or Acquisition of Buildings, Works, Land and Equipment	7,395,860	
	DEFENCE SERVICES		
15	Operation and Maintenance and Construction or Acquisition of Buildings, Works, Land and Major Equipment for the Royal Canadian Navy, the Canadian Army and the Royal Canadian Air Force and $1,850,000 for grants to the Town of Oromocto	1,382,244,000	
	DEFENCE RESEARCH AND DEVELOPMENT		
	Defence Research Board—		
20	Operation and Maintenance	27,153,000	
25	Construction or Acquisition of Buildings, Works, Land and Equipment	5,569,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL DEFENCE (Continued)		
	DEFENCE RESEARCH AND DEVELOPMENT (Continued)		
30	To foster defence research in Canadian industry by supporting selected defence applied research programs, on terms and conditions approved by the Treasury Board	5,788,000	
35	Research Satellite Program—To provide for the design and instrumentation of a series of satellites to carry out a scientific research program agreed upon jointly by the United States National Aeronautical and Space Administration and the Defence Research Board	2,990,000	
40	Development	21,640,000	
	MUTUAL AID		
45	Contributions to infrastructure and the military costs of the North Atlantic Treaty Organization and the transfer of defence equipment and supplies and the provision of services and facilities for defence purposes in accordance with section 3 of the Defence Appropriation Act, 1950, not exceeding a total of $32,050,000 including the present value of defence equipment or supplies or the cost of services made available by the Canadian Forces estimated in the amount of $7,425,000 and provided by appropriations for those Forces in the current and former years in respect of which, notwithstanding sub-section (3) of section 3 of the said Act, no amount shall be charged to this appropriation or paid into a special account; Provided by this vote	24,625,000	
	GENERAL		
48	To authorize, notwithstanding the Financial Administration Act and section 11 of the Surplus Crown Assets Act, the payment into a special account in the Consolidated Revenue Fund of: (a) all revenues received during the current and subsequent fiscal years from the sale of surplus materials, supplies and equipment, and (b) revenues received during the current and subsequent fiscal years from the sale during the current fiscal year of surplus buildings, works and land not exceeding an aggregate amount of $5,000,000, and expenditures from the special account during the current and subsequent fiscal years, subject to the approval of Treasury Board, for any of the purposes of the Department of National Defence	1	
	PENSIONS AND OTHER BENEFITS		
50	Civil Pensions as detailed in the Estimates and to authorize in respect of members of the Royal Canadian Air Force on leave without pay and serving as instructors with civilian training organizations operating under the British Commonwealth Air Training Plan who were killed, payments to their dependents of amounts equal to the amounts such dependents would have received under the Pension Act, as amended, had such service as instructors been military service in the armed forces of Canada, less the value of any benefits received by such dependents under insurance contracts which were effected on the lives of such members of the Royal Canadian Air Force by or at the expense of the civilian organization	7,153	
			1,482,616,869

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL FILM BOARD		
1	Administration, Production and Distribution of Films and Other Visual Materials	6,272,500	
5	Acquisition of Equipment	407,700	
			6,680,200
	NATIONAL GALLERY OF CANADA		
1	Administration, Operation and Maintenance including the payment of $300,000 to the National Gallery Purchase Account for the purpose of acquiring works of art in conformity with section 8 of the National Gallery Act, and grants as detailed in the Estimates		1,462,000
	NATIONAL HEALTH AND WELFARE		
	ADMINISTRATION		
1	Departmental Administration	2,330,100	
	HEALTH SERVICES		
5	Administration, Operation and Maintenance, including grants as detailed in the Estimates	7,175,200	
10	To authorize General Health Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates and under terms and conditions approved by the Governor in Council including authority, notwithstanding section 30 of the Financial Administration Act, to make commitments for the current year not to exceed a total amount of $40,012,960	32,000,000	
15	To authorize Hospital Construction Grants to the Provinces, the Northwest Territories and the Yukon Territory upon the terms and in the amounts detailed in the Estimates and under terms and conditions approved by the Governor in Council including authority, notwithstanding section 30 of the Financial Administration Act, to make commitments for the current year not to exceed a total amount of $28,073,332	20,000,000	
	MEDICAL SERVICES		
20	Administration, Operation and Maintenance including authority to make recoverable advances in amounts not exceeding in the aggregate the total of all amounts to be paid by the Governments of Provinces and Territories under agreements to be entered on terms approved by the Governor in Council with such Governments in respect of health assistance to persons residing on Indian Reserves other than Indians and to residents of the Territories other than Indians and Eskimos	32,002,500	
25	Construction or Acquisition of Buildings, Works, Land and Equipment including payments to hospitals and other institutions which care for Indians and Eskimos as contributions toward the construction of hospitals and related facilities	5,050,000	
	FOOD AND DRUG SERVICES		
30	Administration, Operation and Maintenance	4,883,000	
35	Construction or Acquisition of Equipment	265,000	

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SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE (Continued)		
	WELFARE SERVICES		
40	Administration, Operation and Maintenance including grants as detailed in the Estimates	4,762,000	
41	Family Assistance under such terms and conditions as may be approved by the Treasury Board, in respect of children of immigrants and settlers (formerly under Citizenship and Immigration)	2,300,000	
45	National Welfare Grants—To authorize on terms and conditions approved by the Governor in Council, National Welfare Grants to Provinces and Welfare Agencies including Schools of Social Work, and to individuals in the form of scholarships and fellowships	1,500,000	
			112,267,800
	NATIONAL RESEARCH COUNCIL, INCLUDING THE MEDICAL RESEARCH COUNCIL		
1	Salaries and Other Expenses	27,973,900	
5	Construction or Acquisition of Buildings, Works, Land and Equipment	6,700,000	
10	Scholarships and Grants in Aid of Research	30,700,000	
15	Assistance towards Research in Industry under terms and conditions approved by the Governor in Council including authority, notwithstanding section 30 of the Financial Administration Act, to make commitments for the current year not to exceed a total amount of $4,500,000	3,500,000	
			68,873,900
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE		
1	General Administration, Operation and Maintenance, including authority, notwithstanding the Financial Administration Act, to spend revenue received during the year from firms and individuals requiring special services	45,485,600	
	TAXATION		
5	General Administration and District Offices	46,278,100	
	TAX APPEAL BOARD		
10	Administration Expenses	152,500	
			91,916,200
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	ADMINISTRATION AND GENERAL		
1	Departmental Administration including a contribution to the Canadian Council of Resource Ministers in an amount equal to one-half the aggregate contribution of the Provinces but not exceeding $55,000 and $145,000 for grants for northern research and for northern sceintific research expeditions	1,817,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES (Continued)		
	ADMINISTRATION AND GENERAL (Continued)		
5	Contributions to the Provinces, pursuant to agreements entered into with the approval of the Governor in Council by Canada with the Provinces, to assist in the development of roads leading to resources	6,665,000	
10	Contributions to the Provinces, pursuant to agreements entered into with the approval of the Governor in Council by Canada with the Provinces, of amounts equal to one-half of the amounts confirmed by the Provinces as having been spent by them for Campground and Picnic Area Developments	75,000	
	NATIONAL PARKS		
15	Administration, Operation and Maintenance including wildlife resources conservation and development, administration of the Migratory Birds Convention Act and payments to land owners who maintain migratory bird habitat in accordance with agreements entered into on terms and conditions approved by the Governor in Council, payment to the National Battlefields Commission for the purposes and subject to the provisions of an Act respecting the National Battlefields at Quebec and grants as detailed in the Estimates	13,551,000	
20	Construction or Acquisition of Buildings, Works, Land and Equipment	15,002,000	
	WATER RESOURCES		
30	Administration, Operation and Maintenance including Canada's share of the expenses of the International Executive Council, World Power Conference, and authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the shares of the Province of Manitoba and of the Province of Ontario of the costs of regulating the levels of Lake of the Woods and Lac Seul and the amount of the shares of provincial and outside agencies of the cost of hydrometric surveys	3,638,000	
35	Construction or Acquisition of Buildings, Works, Land and Equipment and authority to make recoverable advances in amounts not exceeding in the aggregate the amount of shares of provincial and outside agencies of the cost of hydrometric surveys	989,400	
40	Contributions to the Provinces towards the construction of dams and other works to assist in the conservation and control of water resources in accordance with agreements entered into between Canada and the Provinces	9,400,000	
	NORTHERN ADMINISTRATION		
45	Administration, Operation and Maintenance, including grants and contributions as detailed in the Estimates, authority to make recoverable advances for services performed on behalf of the Governments of the Northwest Territories and the Yukon Territory, authority to sell electric power and fuel oil (and to provide services in respect thereof), in accordance with terms and conditions approved by the Governor in Council, to private consumers in remote locations where alternative local sources of supply are not available and to authorize the Minister of Northern Affairs and National Resources to provide in respect of Eskimo commercial activities for the instruction and supervision of Eskimos, the furnishing of materials, the purchase of finished goods and, notwithstanding any other Act, the sale of such finished goods	27,008,700	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES (Continued)		
	NORTHERN ADMINISTRATION (Continued)		
50	Construction or Acquisition of Buildings, Works, Land and Equipment including authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the share of the Government of the Northwest Territories of expenditures on education and vocational training, authority to make recoverable advances in respect of services provided and work performed on other than federal property when only the Department is capable of performing such service or work, and authority for a program of construction or acquisition of housing for Eskimos and the sale of houses to Eskimos on such terms and conditions and at such prices as the Governor in Council may approve	14,155,800	
			92,301,900
	POST OFFICE		
1	Postal Services including Canada's share of the upkeep of the International Bureaux at Berne and Montevideo		221,303,000
	PRIVY COUNCIL		
1	Maintenance and Operation of the Prime Minister's Residence	32,500	
	PRIVY COUNCIL OFFICE		
	Ministers without Portfolio—		
5	Payment, notwithstanding anything in the Financial Administration Act or the Senate and House of Commons Act respecting the independence of Parliament, to each member of the Queen's Privy Council for Canada who is a Minister for whom no salary or allowance in addition to the allowances under section 33 and section 44 of the Senate and House of Commons Act is provided (the acceptance of which shall not render such member ineligible or disqualify him as a Member of the House of Commons) of a salary of $7,500 per annum and pro rata for any period less than a year	7,500	
10	General Administration	1,098,400	
15	Expenses of the Royal Commissions listed in the Details of the Estimates and the expenses of the Preparatory Committee on Collective Bargaining in the Public Service	3,104,300	
			4,242,700
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	A—PUBLIC ARCHIVES		
1	General Administration and Technical Services		1,068,600
	B—NATIONAL LIBRARY		
5	General Administration including a payment of $100,000 to the National Library Purchase Account for the purpose of acquiring books, in conformity with section 12 of the National Library Act		683,500

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC PRINTING AND STATIONERY		
1	Departmental Administration	223,100	
5	Printing, Binding and Distribution of Official Documents and Publications for sale and distribution to Departments and the Public including the Canada Gazette and the Annual Statutes, and the purchase for sale of such other publications and related material as the Treasury Board may approve	3,154,400	
			3,377,500
	PUBLIC WORKS		
	A—DEPARTMENT		
1	General Administration, including grants as detailed in the Estimates	14,892,700	
	ACCOMMODATION SERVICES		
5	Maintenance and operation of public buildings and grounds, acquisition of furniture and furnishings for government departments, and authority to provide assistance to (a) the International Civil Aviation Organization in the form of office accommodation at less than commercial rates and (b) the Ottawa Civil Service Recreation Association in the form of maintenance services in respect of the W. Clifford Clark Memorial Centre in Ottawa	61,280,800	
10	Acquisition of equipment and furnishings other than office furnishings	1,354,000	
15	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings (including expenditures on works on other than federal property); provided that no contract may be entered into for new construction with an estimated total cost of $50,000 or more unless the project is individually listed in the Details of Estimates	34,025,000	
	HARBOURS AND RIVERS ENGINEERING SERVICES		
20	Operation and Maintenance	6,982,300	
25	Construction or Acquisition of Equipment	1,161,500	
30	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works (including expenditures on works on other than federal property); provided that no contract may be entered into for new construction with an estimated total cost of $50,000 or more unless the project is individually listed in the Details of Estimates	25,762,000	
	ROADS, BRIDGES AND OTHER ENGINEERING SERVICES		
35	Operation and Maintenance including authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the operating expenses of the New Westminster Bridge	6,224,400	
40	Construction, acquisition, major repairs and improvements of, and plans and sites for roads, bridges and other engineering works provided that the amounts within the Vote to be expended on individually listed projects may be increased or decreased subject to the approval of Treasury Board	6,400,000	
	Trans-Canada Highway—		
50	Construction through National Parks	515,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS (Continued)		
	A—DEPARTMENT (Continued)		
	TESTING LABORATORIES		
55	Operation and Maintenance	1,146,000	
	1967 WORLD EXHIBITION		
57	Towards Federal share of the cost of construction of an ice control structure	6,750,000	
			166,493,700
	B—NATIONAL CAPITAL COMMISSION		
60	Operation and Maintenance, General Administration and interest charges on outstanding loans that were made for the purpose of acquiring property in the National Capital Region	6,809,000	
65	Payment to the National Capital Fund	12,100,000	
			18,909,000
	ROYAL CANADIAN MOUNTED POLICE		
	National Police Services, Federal Law Enforcement Duties and Provincial and Municipal Policing under contract—		
1	Administration, Operation and Maintenance including grants as detailed in the Estimates and pensions to families of members of the Royal Canadian Mounted Police who have lost their lives while on duty	64,370,494	
5	Construction or Acquisition of Buildings, Works, Land and Equipment	3,908,000	
			68,278,494
	SECRETARY OF STATE		
	A—DEPARTMENT		
1	Departmental Administration	481,600	
5	Companies and Corporations Branch	160,600	
10	Translation Bureau	2,497,900	
	NATIONAL MUSEUM OF CANADA		
15	Administration, Operation and Maintenance including a grant of $5,000 to the Canadian Museums Association	1,707,400	
	PATENT AND COPYRIGHT		
20	Patent Division, Copyright and Industrial Designs Division and Trade Marks Office including contributions to the International Office for the Protection of Literary and Artistic Works and the International Office for the Protection of Industrial Property and authority for the Governor in Council, notwithstanding the Patent Act, to prescribe the fees payable for the registration of assignments and other documents, which fees shall be deemed for the purposes of the Patent Act to be the fees set forth in section 75 thereof	3,171,900	
			8,019,400

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	SECRETARY OF STATE (Continued)		
	B—CENTENNIAL COMMISSION		
25	General Administration, including the National Conference on the Centennial of Confederation	1,360,000	
30	Programs and Projects of National Significance including grants towards such Programs and Projects	6,876,500	
35	Payment to the Centennial of Confederation Fund to enable grants to be made to the Provinces for local projects of a lasting nature (the total of such grants made from the said Fund not to exceed $18,935,000) and to enable grants to be made to the Provinces for projects included in the Federal Provincial Confederation Memorial Program	9,000,000	
			17,236,500
	C—ECONOMIC COUNCIL OF CANADA		
40	Administration	.....	990,000
	TRADE AND COMMERCE		
	A—DEPARTMENT		
	General Administration		
1	Departmental Administration including fees for membership in the International Organizations listed in the Details of the Estimates	5,664,700	
	Trade Commissioner Service—		
5	Administration, Operation and Maintenance	7,173,000	
10	Exhibitions Branch	2,591,700	
15	Canadian Government Travel Bureau—To assist in promoting the Tourist Business in Canada including a grant of $37,000 to the Canadian Tourist Association	6,290,600	
	Standards Branch		
20	Administration and Operation	3,602,700	
	Dominion Bureau of Statistics		
25	Administration and Operation including the fee for membership in the Inter-American Statistical Institute and a contribution of $500 to the International Statistical Institute	14,298,000	
26	1961 Decennial Census of Canada	285,200	
27	1966 Quinquennial Census of Canada	1,113,800	
	1967 World Exhibition		
29	Canadian Government Participation in the 1967 World Exhibition, Montreal	9,540,500	
			50,560,200
	B—NATIONAL ENERGY BOARD		
30	Administration	.....	954,000

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT		
	A—DEPARTMENT		
1	Departmental Administration	4,862,900	
	MARINE SERVICES		
5	Administration, Operation and Maintenance including fees for membership in the international organizations listed in the details of the Estimates, pensions, grants and contributions as detailed in the Estimates, the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in section 306 of the Canada Shipping Act and, in respect of the Canadian Coast Guard Service, authority to make recoverable advances for transportation, stevedoring and other shipping services performed on behalf of individuals, outside agencies and other governments and authority, notwithstanding section 30 of the Financial Administration Act, to make commitments for the current fiscal year not to exceed a total amount of $24,689,500	41,512,600	
10	Construction or Acquisition of Buildings, Works, Land, Vessels and Equipment including payments to Provinces or Municipalities as contributions towards construction done by those bodies and to authorize, in respect to Aids to Navigation, notwithstanding section 30 of the Financial Administration Act, the making of commitments for the current fiscal year not exceeding a total amount of $6,699,400	42,155,000	
	RAILWAYS AND STEAMSHIPS		
15	Payments to the Canadian National Railway Company (hereinafter called the Company) upon applications approved by the Minister of Transport made by the Company to the Minister of Finance, to be applied by the Company in payment of the deficits, certified by the auditors of the Company, arising in the operations in the calendar year 1965 in respect of the following services: Newfoundland Ferry and Terminals; Prince Edward Island Car Ferry and Terminals; Yarmouth, N.S.—Bar Harbour, Maine, U.S.A., Ferry Service	14,778,400	
20	Construction or Acquisition of Buildings, Works and Land, Dock and Terminal Facilities, and of Vessels and Related Equipment as listed in the Details of the Estimates provided that Treasury Board may increase or decrease the amounts within the Vote to be expended on individually listed projects	20,065,600	
25	Payments in respect of the Maritime Freight Rates Act and for supplemental pension allowances to railway employees in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	15,140,000	
	AIR SERVICES		
30	Administration, Operation and Maintenance including the administration of the Aeronautics Act and Regulations issued thereunder, the administration of the Radio Act and Regulations issued thereunder, Canada's share of the costs of the international radio, telegraph and telephone organizations listed in the Details of the Estimates, Canada's assessment for membership in the World Meteorological Organization, $110,000 for grants in aid of meteorological research in Canadian universities and Canada's share of the cost of the World Meteorological Organization Symposium on Design of Hydrometeorological Networks	97,637,700	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT (Continued)		
	A—DEPARTMENT (Continued)		
	AIR SERVICES (Continued)		
35	Construction or Acquisition of Buildings, Works, Land and Equipment including national airports (as determined by the Minister of Transport) and related facilities, contributions towards construction done by local or private authorities with respect to such airports, amounts to be paid in settlement of claims for compensation by persons whose property is injuriously affected by the operation of a zoning regulation made under authority of paragraph (j) of subsection (1) of section 4 of the Aeronautics Act, and authority, notwithstanding section 30 of the Financial Administration Act, to make commitments for the current fiscal year not to exceed, for Airports and other Ground Services a total amount of $30,878,100, for Radio Aids to Air and Marine Navigation a total amount of $14,854,000, and for Meteorological Services a total amount of $2,745,300	41,906,000	
40	Contributions to assist in the establishment or improvement of local airports and related facilities, payments to the other Governments or International Agencies that are detailed in the Estimates for the operation and maintenance of airports, air navigation and airways facilities, including authority to pay assessments in the amounts and in the currencies in which they are levied, notwithstanding that the total of such payments may exceed the estimated equivalent in Canadian dollars, grants as detailed in the Estimates for the development of civil aviation and payments to the Canadian National Railway Company of the difference between revenues and expenses in the operation and maintenance of telecommunication facilities as detailed in the Estimates in accordance with agreements entered into with the Company with the approval of the Governor in Council	1,370,300	
			279,428,500
	B—AIR TRANSPORT BOARD		
75	Salaries and Other Expenses	.....	777,200
	C—BOARD OF TRANSPORT COMMISSIONERS FOR CANADA		
80	Administration, Operation and Maintenance	1,477,000	
82	Amount to be credited to the Railway Grade Crossing Fund, in addition to the amount to be credited to the Fund under the Railway Act in the current fiscal year, for the general purposes of the Fund and, notwithstanding section 30 of the Financial Administration Act, to authorize an increase to $34,967,000 in the commitments (in addition to any commitments in respect of which amounts are appropriated under this or any other Act) that may be made in the current and subsequent fiscal years	9,000,000	
			10,477,000
	D—CANADIAN MARITIME COMMISSION		
85	Administration of the Commission and the degaussing of Canadian Government Ships and Canadian-owned merchant ships, of 3,000 gross tons to 20,000 gross tons, of Canadian registry or of United Kingdom registry if subject to retransfer to Canadian registry under special inter-governmental arrangement	395,800	

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SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT (Continued)		
	D—CANADIAN MARITIME COMMISSION (Continued)		
90	Steamship Subventions for Coastal Services, as detailed in the Estimates	8,549,006	
95	Capital subsidies for the construction of commercial and fishing vessels in accordance with regulations of the Governor in Council	25,000,000	
			33,944,806
	E—NATIONAL HARBOURS BOARD		
100	Advances to National Harbours Board, subject to the provisions of section 29 of the National Harbours Board Act, to meet reconstruction and capital expenditures during the Calendar year 1965 as detailed in the Estimates	1,487,900	
103	To authorize expenditures by the National Harbours Board, either by itself or on behalf of or in cooperation with others, for certain purposes relating to the Canadian Universal and International Exhibition, Montreal, 1967 and to provide, notwithstanding sections 28 and 29 of the National Harbours Board Act, for an absolute grant to the Board for such purposes to be credited to the National Harbours Board Special Account	3,823,000	
			5,310,900
	F—ST. LAWRENCE SEAWAY AUTHORITY		
105	Operating deficit and capital requirements of Canals and Works entrusted to the St. Lawrence Seaway Authority with the approval of the Governor in Council, and to authorize, notwithstanding the Financial Administration Act or any other Act, the disbursement by the Authority of revenues derived from the operation and management of such Canals and Works	.....	2,698,000
	G—ATLANTIC DEVELOPMENT BOARD		
110	Administration and Operation	923,500	
112	To authorize expenditures, in the current and subsequent fiscal years, not exceeding in the aggregate $30,000,000 as the federal share of costs of a trunk highway program for the Provinces of Newfoundland, Nova Scotia, Prince Edward Island and New Brunswick in accordance with agreements entered into by the Atlantic Development Board and the respective Provinces; estimated expenditures in 1965-66	10,000,000	
			10,923,500
	UNEMPLOYMENT INSURANCE COMMISSION		
1	Administration of the Unemployment Insurance Act	.....	32,689,400
	VETERANS AFFAIRS		
1	Departmental Administration	6,694,000	
	WELFARE SERVICES, ALLOWANCES AND OTHER BENEFITS		
5	Administration, including the expenses of the War Veterans Allowance Board, and Grants as detailed in the Estimates	4,187,700	
10	War Veterans Allowances, Civilian War Allowances and Assistance in accordance with the provisions of the Assistance Fund (War Veterans Allowances) Regulations	106,127,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS (Continued)		
	WELFARE SERVICES, ALLOWANCES AND OTHER BENEFITS (Continued)		
15	Other Benefits including treatment and related allowances, burials and memorials, the training of certain pensioners under regulations approved by the Governor in Council and repayments under subsection (3) of section 12 of the Veterans' Rehabilitation Act in such amounts as the Minister of Veterans Affairs determines, not exceeding the whole of amounts equivalent to the compensating adjustments or payments made under that Act, where the persons who made the compensating adjustments or payments received no benefits under the Veterans' Land Act, or where, having had financial assistance under the Veterans' Land Act, are deemed by the Minister on termination of their Veterans' Land Act contracts or agreements to have derived thereunder either no benefits or benefits that are less than the amounts of the compensating adjustments or payments	5,678,000	
	PENSIONS		
20	Administration	2,798,200	
25	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order, P.C. 45/8848 of November 22, 1944, which shall be subject to the Pension Act; Newfoundland Special Awards, and Gallantry Awards (World War II and Special Force)	184,079,000	
	TREATMENT SERVICES		
30	Operation and Maintenance including authority, notwithstanding the Financial Administration Act, to spend revenue received during the year for hospital, prosthetic and related services	47,228,000	
35	Hospital Constuction, Improvements, Equipment and Acquisition of Land	3,006,000	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
40	Administration of Veterans' Land Act; Soldier Settlement and British Family Settlement; upkeep of property, Veterans' Land Act, including engineering and other investigational planning expenses that do not add tangible value to real property, taxes, insurance and maintenance of public utilities; and to authorize, subject to the approval of the Governor in Council, necessary remedial work on properties constructed under individual firm price contracts and sold under the Veterans' Land Act and to correct defects for which neither the veteran nor the contractor can be held financially responsible, and for such other work on other properties as may be required to protect the interest of the Director therein	4,322,400	
45	Grants to veterans settled on Provincial Lands in accordance with agreements with Provincial Governments under section 38 of the Veterans' Land Act, grants to veterans settled on Dominion Lands in accordance with an agreement with the Minister of Northern Affairs and National Resources under section 38 of the Veterans' Land Act and grants to Indian veterans settled on Indian Reserve Lands under section 39 of the Veterans' Land Act	145,000	
			364,265,300

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	ATOMIC ENERGY OF CANADA LIMITED		
L5	Advances to Atomic Energy of Canada Limited in such amounts and on such terms and conditions (including the delivery to Her Majesty, in satisfaction of the advances, of obligations or shares of the Company) as the Governor in Council may approve, to finance the construction of the Douglas Point Generating Station; to share in the construction of the Pickering Generating Station under agreement between the Federal Government, the Province of Ontario and the Hydro Electric Power Commission of Ontario; to finance the construction of an engineering design office at Sheridan Park; to finance the construction of housing and other works near the Whiteshell Nuclear Research Establishment; and to authorize Central Mortgage and Housing Corporation to undertake construction of the said housing and other works near the Whiteshell Nuclear Research Establishment for Atomic Energy of Canada Limited....	12,162,000	
	CANADIAN BROADCASTING CORPORATION		
L10	Loans to the Canadian Broadcasting Corporation for the purpose of capital expenditures subject to terms and conditions prescribed by the Governor in Council.....	14,000,000	
	EXTERNAL AFFAIRS		
	External Aid Office		
L25	Special loan assistance for developing countries in the current and subsequent fiscal years, subject to such terms and conditions as the Governor in Council may approve, for the purpose of undertaking such economic, educational and technical projects as may be agreed upon by Canada and the developing countries or recognized international development institutions.....	50,000,000	
	NATIONAL DEFENCE		
L30	To authorize in the current and subsequent fiscal years, under such terms and conditions as the Governor in Council prescribes, a capital assistance loan to the Town of Oromocto, New Brunswick, to be covered by town debentures, for the purpose of assisting in completion of the physical development of municipal works and the further development of the Town's assets.....	150,000	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	Northern Administration Branch		
L50	To authorize loans to the Government of the Northwest Territories, in the current and subsequent fiscal years, in accordance with terms and conditions prescribed by the Governor in Council, to assist in the design and construction of a water and sewer system at Hay River, Northwest Territories.....	840,000	

SCHEDULE A—*Concluded.*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES (Continued)		
	NORTHERN AFFAIRS AND NATIONAL RESOURCES (Continued)		
	Northern Canada Power Commission		
L55	Advances to the Northern Canada Power Commission for the purpose of capital expenditures in accordance with section 15 of the Northern Canada Power Commission Act.....	3,630,000	
L60	Advances in accordance with agreements entered into pursuant to the Atlantic Provinces Power Development Act.....	19,858,000	
	PUBLIC WORKS		
	National Capital Commission		
L70	Loans to the National Capital Commission in accordance with section 16 of the National Capital Act for the purpose of acquiring property in the National Capital Region, excluding property being acquired for the purpose of establishing what is commonly referred to as the "Greenbelt".....	9,000,000	
	TRANSPORT		
	Canadian Overseas Telecommunication Corporation		
L80	Loan to the Canadian Overseas Telecommunication Corporation in accordance with section 14 of the Canadian Overseas Telecommunication Corporation Act for additions and betterments to facilities.....	13,334,000	
	National Harbours Board		
L85	Advances to National Harbours Board, subject to the provisions of section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1965 on any or all of the following accounts: Reconstruction and Capital Expenditures— Montreal..... $ 8,471,800 Vancouver..... 6,449,000 $14,920,800 Less — Amount to be expended from Replacement and Other Funds..... 9,500,000	5,420,800	
	St. Lawrence Seaway Authority		
L90	Loans to the St. Lawrence Seaway Authority in such manner and subject to such terms and conditions as the Governor in Council may approve.....	19,000,000	
	VETERANS AFFAIRS		
	Soldier Settlement and Veterans' Land Act		
L95	Purchase of land and permanent improvements; cost of permanent improvements to be effected; removal of encumbrances; stock and equipment; and protection of security under the Soldier Settlement Act and the Veterans' Land Act.....	34,600,000	
			181,994,800
			*4,362,630,844

* Net total $356,752,570.28.

SCHEDULE B

Based on the Supplementary Estimates (B), 1965-66. The amount hereby granted is $18,199,163.24, being the total of the amounts of the items in the said Estimates (less reduction of $5,000,000 in Loans, Investments and Advances Item L28b which has been repealed by Item L28d) as contained in this Schedule, less the amounts voted on account of the said items by the *Appropriation Act No. 6, 1965* and the *Appropriation Act No. 1, 1966*.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1966, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION AND MARKETING		
15b	Administration, Operation and Maintenance including the administration of the Agricultural Stabilization Act—To extend the purposes of Vote 15 of the Main Estimates for 1965-66 to include administration of the supplementary dairy payment program and to provide a further amount of	172,000	
17b	Grants, Contributions and Subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	21,000,000	
	Animal and Animal Products		
25b	Grants, Contributions and Subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	107,000	
	Plant and Plant Products		
35b	Grants, Contributions and Subsidies as detailed in the Estimates	350,000	
	HEALTH OF ANIMALS		
40b	Administration, Operation and Maintenance	280,000	
	BOARD OF GRAIN COMMISSIONERS		
50b	Administration, Operation and Maintenance	475,000	
			22,384,000
	BOARD OF BROADCAST GOVERNORS		
1b	Salaries and Other Expenses	.....	100,000
	CITIZENSHIP AND IMMIGRATION		
1b	Departmental Administration	99,600	
	CITIZENSHIP		
5b	Administration, Operation and Maintenance including grants and contributions for language instruction and citizenship promotion	25,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION (Continued)		
	INDIAN AFFAIRS		
15b	Administration, Operation and Maintenance including expenditures on works on other than federal property, grants, contributions and special payments including those specified in the sub-vote titles in the Estimates	220,000	
			344,600
	CIVIL SERVICE COMMISSION		
1b	Salaries and Contingencies of the Commission	.....	61,500
	DEFENCE PRODUCTION		
	A—DEPARTMENT		
5b	For the establishment of production capacity and for capital assistance for the construction, acquisition, extension or improvement of capital equipment or works by private contractors engaged in defence contracts, or by Crown Plants operated on a management-fee basis, or by Crown Companies under direction of the Minister of Defence Production, subject to the approval of Treasury Board	.....	440,000
	EXTERNAL AFFAIRS		
	A—DEPARTMENT		
1b	Administration, Operation and Maintenance including grants as detailed in the Estimates	267,100	
15b	Contributions to International Multilateral Economic and Special Aid Programs as detailed in the Estimates	1,750,000	
			2,017,100
	FINANCE		
	ADMINISTRATION		
1b	Departmental Administration including administration of the Guaranteed Loans Acts—To extend the purposes of Finance Vote 1 of the Main Estimates, 1965–66, to include the payment of service fees to the Provinces, as described in the Details of Estimates, the grant detailed in these Estimates and to provide a further amount of	141,500	
	MUNICIPAL GRANTS		
10b	Grants to Municipalities—To extend the purposes of Finance Vote 10 of the Main Estimates, 1965–66, to authorize a grant to the Corporation of the City of Ottawa in accordance with terms and conditions prescribed by the Governor in Council with respect to buildings owned by Her Majesty in right of Canada and situate in the City of Ottawa in lieu of redevelopment charges imposed upon owners of buildings erected or enlarged under building permits issued after May 2, 1960 and to provide a further amount of	3,850,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE (Continued)		
	GOVERNMENT ADMINISTRATION		
15b	Contingencies—Subject to the approval of the Treasury Board, (a) to supplement the paylist provisions of other votes; (b) for miscellaneous minor or unforeseen expenses; and (c) for awards under the Public Servants Inventions Act; including authority to re-use any sums repaid to this appropriation from other appropriations	35,000,000	
19b	To deem, for the purposes of subsection (4) of section 11 of the Public Service Superannuation Act, Mrs. E. T. Pettie to have been employed in the Public Service substantially without interruption for a period of five years immediately before her retirement therefrom	1	
21b	To authorize, with effect from April 1, 1965, payment in the current and subsequent fiscal years of an annuity under the Locally Engaged (Non-contributory) Pension Regulations in respect of Hilda L. Waddell as if, upon her retirement from employment, she was an employee within the meaning of the said Regulations on July 1, 1961, and to repeal, with effect from April 1, 1965, Vote 95 of Appropriation Act No. 5, 1959	1	
	ROYAL CANADIAN MINT		
35b	Administration, Operation and Maintenance	165,500	
40b	Construction or Acquisition of Equipment	107,200	
	MUNICIPAL DEVELOPMENT AND LOAN BOARD		
50b	To authorize the Municipal Development and Loan Board in the current and subsequent fiscal years, in cases where a municipal project, in respect of which a loan is approved by the Board under the Municipal Development and Loan Act, is not completed on or before the 31st day of March, 1966, to forgive payment of 25 per cent of that portion of the principal amount of the loan that is advanced after the 31st day of March, 1966, with respect to the costs, as determined by the Board, incurred on the project on or before that date	10,000,000	
			49,264,202
	FISHERIES		
	FISHERIES MANAGEMENT AND DEVELOPMENT		
5b	Operation and Maintenance including Canada's share of expenses of the International Commissions detailed in the Estimates and of the costs of programs and projects shared jointly with the Provinces and industry	2,121,200	
10b	Construction or Acquisition of Buildings, Works, Land and Equipment	632,000	
15b	Grants, contributions and subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	2,150,000	
	FISHERIES RESEARCH BOARD OF CANADA		
20b	Administration, Operation and Maintenance	388,300	
			5,291,500

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FORESTRY		
5b	Contributions to the Provinces in the amounts and subject to the terms specified in the Details of Estimates.....	675,000	
	GENERAL		
11b	Payment in respect of extra costs resulting from unloading the S.S. "Wheat King" at Quebec while en route to deliver grain at Halifax (Revote).....	58,400	
			733,400
	INDUSTRY		
10b	To advance the technological capability of Canadian manufacturing industry by supporting selected civil (non-defence) development projects on terms and conditions approved by Treasury Board and to authorize, notwithstanding section 30 of the Financial Administration Act, total commitments of $20,000,000 for the foregoing purposes during the current and subsequent fiscal years.....	.....	5,000,000
	JUSTICE		
	LEGAL AND OTHER SERVICES		
1b	Administration—To extend Justice Vote 1 of the Main Estimates, 1965-66, for the purposes set out in the sub-vote title relating to a Committee on Corrections and in the sub-vote title relating to the "Statute Revision Commission", to include grants as detailed in the Estimates and to provide a further amount of.....	.....	224,100
	LABOUR		
1b	General Administration.....	1,065,000	
5b	Payments to carry out the purposes of the Vocational Rehabilitation of Disabled Persons Act and agreements made thereunder, including undischarged commitments under previous agreements; payments to Provinces under agreements entered into with the Provinces by the Minister of Labour with the approval of the Governor in Council for the organization and use of workers for farming and related industries; and to authorize payments in accordance with agreements entered into with the approval of the Governor in Council by the Minister of Labour with Provinces, employers and workers in respect of labour mobility and assessment incentives.....	115,000	
	TECHNICAL AND VOCATIONAL TRAINING ASSISTANCE		
12b	Acquisition of the buildings, works and lands commonly known as The Missisauga Indian Village at Elliot Lake, Ontario, for the purposes of the Elliot Lake Centre for Continuing Education.....	437,000	
15b	Payments to the Provinces to carry out the purposes of the Technical and Vocational Training Assistance Act and agreements made thereunder and payments under agreements providing for the sharing of expenditures for research projects to provide information relating to vocational training and manpower requirements.....	42,000,000	

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SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR (Continued)		
	GOVERNMENT EMPLOYEES COMPENSATION		
25b	Administration of the Government Employees Compensation Act	6,000	
	NATIONAL EMPLOYMENT SERVICE		
30b	Administration of the National Employment Service—To extend the purposes of Vote 30 of the Main Estimates for 1965-66 to include a grant of $2,500 to the Canadian Association for Adult Education to assist in defraying the expenses of a founding conference for a Canadian Guidance and Counselling Association, and to provide a further amount of	4,237,000	
35b	To authorize, in accordance with regulations approved by the Governor in Council, grants to workers who move from one place in Canada to another place in Canada where employment is available to provide for payment of (a) the actual cost of their transportation and that of their dependents, (b) the actual cost of movement of their household effects, and (c) an amount in respect of resettlement and other incidental expenses	5,000,000	
			52,860,000
	LEGISLATION		
	HOUSE OF COMMONS		
10b	Members of the House of Commons—Allowances in lieu of residence to the Speaker of the House of Commons, and in lieu of Apartments to the Deputy Speaker of the House of Commons; allowance to the Deputy Chairman of Committees	2,000	
20b	General Administration	10,000	
			12,000
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
5b	Construction or Acquisition of Buildings, Works, Land and Equipment including Common-Use Field Survey Equipment	215,000	
	FIELD AND AIR SURVEYS, MAPPING AND AERONAUTICAL CHARTING		
10b	Administration, Operation and Maintenance	40,000	
	MARINE SURVEYS AND RESEARCH		
20b	Construction or Acquisition of Buildings, Works, Land and Equipment	179,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS (Continued)		
	A—DEPARTMENT (Continued)		
	MINING AND METALLURGICAL INVESTIGATIONS AND RESEARCH		
35b	Administration, Operation and Maintenance	49,000	
40b	Construction or Acquisition of Buildings, Works, Land and Equipment	261,000	
	RESEARCH IN ASTRONOMY AND GEOPHYSICS		
55b	Construction or Acquisition of Buildings, Works, Land and Equipment	1,414,000	
			2,158,000
	B—DOMINION COAL BOARD		
70b	Subventions in respect of eastern coal under agreements entered into pursuant to the Atlantic Provinces Power Development Act	.....	130,000
	NATIONAL GALLERY OF CANADA		
1b	Administration, Operation and Maintenance—To increase to $692,900 the amount of the payment to the National Gallery Purchase Account for the purpose of acquiring works of art in conformity with section 8 of the National Gallery Act	.....	392,900
	NATIONAL HEALTH AND WELFARE		
	WELFARE SERVICES		
40b	Administration, Operation and Maintenance	.....	838,000
	NATIONAL RESEARCH COUNCIL, INCLUDING THE MEDICAL RESEARCH COUNCIL		
1b	Salaries and Other Expenses—To extend the purposes of Vote 1 of the Main Estimates for 1965–66 to include the making of recoverable advances not exceeding the amount of the share of the United States Government of the cost of operation of the Churchill Research Range and to provide a further amount of	2,141,000	
5b	Construction or Acquisition of Buildings, Works, Land and Equipment—To extend the purposes of Vote 5 of the Main Estimates for 1965–66 to include the making of recoverable advances not exceeding the amount of the share of the United States Government of the cost of improvements to the Churchill Research Range	1	
			2,141,001

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	ADMINISTRATION AND GENERAL		
1b	Departmental Administration—To extend the purposes of Vote 1 of the Main Estimates for 1965-66 to include the grant detailed in these Estimates, to raise the limit of the contribution to the Canadian Council of Resource Ministers to an amount not exceeding $76,919 and to provide a further amount of	125,719	
12b	Subventions under agreements entered into pursuant to the Atlantic Provinces Power Development Act in respect of electric power generated from eastern coal during the fiscal year 1965-66	1,800,000	
	NATIONAL PARKS		
15b	Administration, Operation and Maintenance—To extend the purposes of Northern Affairs and National Resources Vote 15 of the Main Estimates for 1965-66 to include authority to make preliminary expenditures on the proposed new National Park in the area of Kejimkujik Lake in Nova Scotia and to provide a further amount of	130,600	
20b	Construction or Acquisition of Buildings, Works, Land and Equipment—To extend the purposes of Northern Affairs and National Resources Vote 20 of the Main Estimates for 1965-66 to include authority to make preliminary expenditures on the proposed new National Park in the area of Kejimkujik Lake in Nova Scotia	1	
	NORTHERN ADMINISTRATION		
45b	Administration, Operation and Maintenance including grants and contributions as detailed in the Estimates	1	
			2,056,321
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
10b	General Administration	257,000	
15b	Expenses of the Royal Commissions listed in the Details of Estimates	233,900	
			490,900
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	A—PUBLIC ARCHIVES		
1b	General Administration and Technical Services		26,000
	B—NATIONAL LIBRARY		
5b	General Administration		22,500

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS		
	A—DEPARTMENT		
	ACCOMMODATION SERVICES		
5b	Maintenance and operation of public buildings and grounds, acquisition of furniture and furnishings for government departments	766,000	
15b	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings (including expenditures on works on other than federal property); provided that no contract may be entered into for new construction with an estimated total cost of $50,000 or more unless the project is individually listed in the Details of Estimates	1	
	HARBOURS AND RIVERS ENGINEERING SERVICES		
20b	Operation and Maintenance	600,000	
30b	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works (including expenditures on works on other than federal property); provided that no contract may be entered into for new construction with an estimated total cost of $50,000 or more unless the project is individually listed in the Details of Estimates	1,200,000	
	ROADS, BRIDGES AND OTHER ENGINEERING SERVICES		
40b	Construction, acquisition, major repairs and improvements of, and plans and sites for, roads, bridges and other engineering works	1	
			2,566,002
	ROYAL CANADIAN MOUNTED POLICE		
1b	National Police Services, Federal Law Enforcement Duties and Provincial and Municipal Policing under Contract—Administration, Operation and Maintenance—To increase as detailed in these Estimates the pensions to families of members of the Royal Canadian Mounted Police who have lost their lives while on duty	2,130	
5b	National Police Services, Federal Law Enforcement Duties and Provincial and Municipal Policing under Contract—Construction or Acquisition of Buildings, Works, Land and Equipment	814,000	
			816,130
	SECRETARY OF STATE		
	A—DEPARTMENT		
1b	Departmental Administration—To extend the purposes of Vote 1 of the Main Estimates for 1965-66 to include the expenses of the Committee on Broadcasting, the Committee on Feature Films and the Committee on Election Expenses, the grant detailed in these Estimates, and to provide a further amount of	540,000	
5b	Companies and Corporations Branch	6,500	
10b	Translation Bureau	60,000	
			606,500

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	SECRETARY OF STATE (Continued)		
	B—CENTENNIAL COMMISSION		
25b	General Administration	582,300	
30b	Programs and projects of national significance including grants towards such programs and projects	3,902,800	
			4,485,100
	C—ECONOMIC COUNCIL OF CANADA		
40b	Administration		132,500
	TRADE AND COMMERCE		
	A—DEPARTMENT		
5b	Trade Commissioner Service—Administration, Operation and Maintenance		138,000
	TRANSPORT		
	A—DEPARTMENT		
1b	Departmental Administration	118,000	
	MARINE SERVICES		
5b	Administration, Operation and Maintenance—To extend the purposes of Transport Vote 5 of the Main Estimates, 1965–66, to include contributions and payments, as detailed in these Estimates, in connection with, or towards the costs of repairs, operation or maintenance of certain canal property and facilities transferred pursuant to the Public Lands Grants Act	781,000	
8b	To authorize in accordance with such terms and conditions as the Governor in Council may prescribe, the transfer of the assets and administration of the Pension Fund of the British Columbia Pilotage District established under the Canada Shipping Act, 1934, to such person as the Governor in Council may approve, and to authorize the investment of the assets of the Pension Fund, subject to the terms and conditions of the transfer, in such manner as may be determined by agreement between the person to whom the transfer is made and the Corporation of the British Columbia Coast Pilots	1	
	RAILWAYS AND STEAMSHIPS		
20b	Construction or Acquisition of Buildings, Works and Land, Dock and Terminal Facilities, and of Vessels and Related Equipment as listed in the Details of the Estimates provided that Treasury Board may increase or decrease the amounts within the Vote to be expended on individually listed projects—To extend the purposes of Transport Vote 20 of the Main Estimates, 1965–66, to include repairs and improvements to terminal facilities owned by Newfoundland	8,582,500	
25b	Payments in respect of the Maritime Freight Rates Act and for supplemental pension allowances to railway employees—To extend the purposes of Transport Vote 25 of the Main Estimates for 1965–66 to include payments to provinces as contributions, as detailed in the Estimates, to assist highway construction related to the abandonment of railway branch lines	1,250,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT (Continued)		
	AIR SERVICES		
30b	Administration, Operation and Maintenance—To extend the purposes of Transport Vote 30 of the Main Estimates for 1965–66 to include the payment of $7,276 to the Town of Peace River, Alberta, as an airport operating subsidy for the period October 23, 1963, to March 31, 1964, and the gifts detailed in the Estimates and to provide a further amount of.....	319,900	
35b	Construction or Acquisition of Buildings, Works, Land and Equipment including national airports (as determined by the Minister of Transport) and related facilities, including authority, notwithstanding section 30, of the Financial Administration Act, to increase to $16,216,500 the commitments for the current fiscal year for Radio Aids to Air and Marine Navigation.....	1	
40b	Contributions to assist in the establishment or improvement of local airports and related facilities.....	591,300	
			11,642,702
	C—BOARD OF TRANSPORT COMMISSIONERS FOR CANADA		
83b	Notwithstanding any limitation that may be contained in section 265 of the Railway Act, to authorize the payment of an amount not exceeding $2,000,000 from The Railway Grade Crossing Fund to be applied towards the cost of any relocation of the Canadian Pacific Railway line in Sault Ste. Marie pursuant to an Order of the Board.....	1	
84b	To provide for balance of payments to companies subject to Order Number 96300, dated November 17, 1958, of the Board of Transport Commissioners, for Canada in respect of the period April 1, 1964, to March 31, 1965, payable to said companies for such diminution in their aggregate gross revenues during the said period as in the opinion of the said Board is attributable to such companies maintaining the rate level for freight traffic at an 8% increase instead of 17% as authorized by the said Order.....	600,000	
			600,001
	D—CANADIAN MARITIME COMMISSION		
90b	Steamship Subventions for Coastal Services, as detailed in the Estimates.....	299,000	
95b	Capital subsidies for the construction of commercial and fishing vessels in accordance with regulations of the Governor in Council.....	14,000,000	
			14,299,000
	E—NATIONAL HARBOURS BOARD		
100b	Advances to National Harbours Board, subject to the provisions of section 29 of the National Harbours Board Act, to meet reconstruction and capital expenditures during the calendar year 1965 as detailed in the Estimates.....	615,000	
103b	To authorize expenditures by the National Harbours Board, either by itself or on behalf of or in cooperation with others, for certain purposes relating to the Canadian Universal and International Exhibition, Montreal, 1967, and to provide, notwithstanding sections 28 and 29 of the National Harbours Board Act, for an absolute grant to the Board for such purposes to be credited to the National Harbours Board Special Account.....	960,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT (Continued)		
	E—NATIONAL HARBOURS BOARD (Continued)		
104b	Payment to the National Harbours Board to be applied in payment of the deficit (exclusive of interest on advances authorized by Parliament and depreciation on capital structures) expected to be incurred in the calendar year 1965 in the operation of the Jacques Cartier Bridge, Montreal Harbour	160,000	
			1,735,000
	G—ATLANTIC DEVELOPMENT BOARD		
110b	Administration and Operation		190,700
	LOANS, INVESTMENTS AND ADVANCES		
	AGRICULTURE		
L1b	To increase to $335,000 the amount that may be charged at any time to the revolving fund established by Vote 539 of the Appropriation Act No. 3, 1953 for the purpose of financing the purchase of stores for use in the construction, maintenance and operation of projects under the direction of the Prairie Farm Rehabilitation Administration; additional amount required	135,000	
	EXTERNAL AFFAIRS		
L21b	Loans to the Government of India to finance the purchase in Canada of aircraft and associated spare parts and equipment in accordance with a financial agreement entered into between the Government of Canada and the Government of India	444,300	
	FINANCE		
L26b	To provide for the purchase, acquisition, and holding by the Minister of Finance of securities issued by the Canadian Corporation for the 1967 World Exhibition pursuant to subsection 1 of Section 12 of the Canadian Corporation for the 1967 World Exhibition Act and to subsequently dispose thereof	80,000,000	
	NATIONAL DEFENCE		
L30b	To authorize, in the current and subsequent fiscal years, under such terms and conditions as the Governor in Council prescribes, a capital assistance loan to the Town of Oromocto, New Brunswick, to be covered by town debentures, for the purpose of assisting in the completion of the physical development of municipal works and the further development of the Town's assets	400,000	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES (Continued)		
	SECRETARY OF STATE		
L74b	To authorize the operation of a revolving fund in accordance with section 58 of the Financial Administration Act, for the purpose of acquiring, for resale to the public, articles related to the purposes and activities of the National Museum of Canada; the amount to be charged to the revolving fund at any time not to exceed	10,000	
	TRADE AND COMMERCE		
L78b	To increase to $850,000 the amount that may be charged at any time to the special account mentioned in Vote L61e of the Appropriation Act No. 4, 1964, that was established for the purpose of providing working capital advances to posts and to employees on posting abroad and to departmental field offices in Canada	150,000	
	TRANSPORT		
	Canadian Overseas Telecommunication Corporation		
L80b	Loan to the Canadian Overseas Telecommunication Corporation in accordance with section 14 of the Canadian Overseas Telecommunication Act for additions and betterments to facilities	2,071,000	
	General		
L81b	To increase to $10,500,000, the amount that may be charged at any time to the revolving fund mentioned in subsection (2) of section 101 of the Financial Administration Act, Chap. 12, Statutes of 1951 (2nd Session), and extended by Vote 630 of the Appropriation Act No. 2, 1955, Vote 662 of the Appropriation Act No. 5, 1958, Vote 710 of the Appropriation Act No. 3, 1960, and Vote 602 of the Appropriation Act No. 5, 1961; and also to extend the purpose of the revolving fund to include the operation of departmental workshops; additional amount required	1,000,000	
	NATIONAL HARBOURS BOARD		
L85b	Advances to National Harbours Board, subject to the provisions of section 29 of the National Harbours Board Act, to meet expenditures applicable to the calendar year 1965 on any or all of the following Accounts: Reconstruction and Capital Expenditures— Trois Rivieres 48,500 Montreal 4,980,000 5,028,500 Less: Amount to be expended from Replacement and Other Funds 48,500	4,980,000	
			89,190,300
			*273,389,959

* Net total $18,199,163.24.

22880—6

SCHEDULE C

Based on the Supplementary Estimates (D), 1965–66. The amount hereby granted is $23,110,529.08, being the total of the amounts of the items in the said Estimates as contained in this Schedule, less the amounts voted on account of the said items by the *Appropriation Act No. 1, 1966.*

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1966, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION AND MARKETING		
	Administration		
15d	Administration, Operation and Maintenance—To increase to $132,000 the payment of expenses for a travelling Canadian livestock and seed exhibition outside Canada.....	32,000	
	Animal and Animal Products		
25d	Grants, Contributions and Subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates.....	309,000	
	Plant and Plant Products		
35d	Grants, Contributions and Subsidies as detailed in the Estimates	10,450,000	
	HEALTH OF ANIMALS		
45d	Grants, Contributions and Subsidies as detailed in the Estimates	24,500	
	LAND REHABILITATION, IRRIGATION AND WATER STORAGE PROJECTS		
55d	Irrigation and Water Storage Projects—To extend the purposes of Agriculture Vote 55 of the Main Estimates for 1965-66 to authorize expenditures in respect of irrigating drought-stricken farms in Ontario and Quebec.....	1	
			10,815,501
	CITIZENSHIP AND IMMIGRATION		
	IMMIGRATION		
10d	Administration, Operation and Maintenance including Trans-Oceanic and Inland Transportation and other Assistance for Immigrants and Settlers subject to the approval of Treasury Board, including care en route and while awaiting employment; and payments to the Provinces, pursuant to agreements entered into, with the approval of the Governor in Council, in respect of expenses incurred by the Provinces for indigent immigrants.....	700,000	

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION (Continued)		
	INDIAN AFFAIRS (Responsibility transferred to Minister of Northern Affairs and National Resources)		
15d	Administration, Operation and Maintenance including expenditures on works on other than federal property, grants, contributions and special payments including those specified in the sub-vote titles in the Estimates and authority to make grants and contributions pursuant to agreements entered into with the governments of the Provinces or the Territories or other groups or authorities approved of by the Governor in Council for the provision of welfare and other services to Indians	3,358,500	
20d	Construction or Acquisition of Buildings, Works, Land and Equipment including construction or acquisition of works for Indian Bands, the operation and control of which may be transferred to the Indian Bands at the discretion of the Minister, expenditures on works on other than federal property, assistance to Indians and Indian Bands for the construction or acquisition of housing and other buildings and related works, land and equipment and recoverable expenditures under agreements entered into with the approval of the Governor in Council with the Governments of the Provinces and the Territories and with local School Boards in respect of the education in Indian Schools of children other than Indian children	1,061,000	
			5,119,500
	DEFENCE PRODUCTION		
	A—DEPARTMENT		
1d	Departmental Administration including the care, maintenance and custody of standby defence plants, buildings, machine tools and production tooling and grants to municipalities in lieu of taxes on Crown-owned defence plants operated by private contractors	.....	155,000
	EXTERNAL AFFAIRS		
	A—DEPARTMENT		
1d	Administration, Operation and Maintenance including grants as detailed in the Estimates	655,000	
20d	Other Payments to International Organizations and Programs as detailed in the Estimates, including authority to pay the amounts specified in the currencies of the countries indicated, notwithstanding that the total of such payments may exceed the equivalent in Canadian dollars, estimated as of January, 1966, which is	4,290,250	
25d	Assessments for Membership in the International (including Commonwealth) Organizations that are detailed in the Estimates, including authority to pay such assessments in the amounts and in the currencies in which they are levied, notwithstanding that the total of such payments may exceed the equivalent in Canadian dollars, estimated as of January, 1966, which is	245,000	
	EXTERNAL AID OFFICE		
35d	Economic, technical, educational and other assistance as detailed in the Estimates	15,000,000	
			20,190,250

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE		
	ADMINISTRATION		
1d	Department administration, and grants as detailed in the estimates	15,000	
	GOVERNMENT ADMINISTRATION		
15d	Contingencies—To extend the purposes of Finance Vote 15 of the Main Estimates for 1965–66 to supplement, in such amounts and in accordance with such terms and conditions as the Treasury Board may prescribe, the 1965–66 and 1966–67 Estimates of other Departments in order to provide for a winter construction and repair program and to provide a further amount of	25,000,000	
17d	Government's contribution as an employer under the Canada Pension Plan and the Quebec Pension Plan in respect of persons employed in the Public Service whose remuneration is payable out of the Consolidated Revenue Fund	3,550,000	
22d	To authorize with effect from April 1, 1965, payment in the current and subsequent fiscal years of an annuity under the Locally-Engaged (Non Contributory) Pension Regulations in respect to Mr. Julio Moreira as if upon retirement from employment he was an employee within the meaning of the said Regulations on July 1, 1961 and to repeal with effect from April 1, 1965, Vote 734 of Appropriation Act No. 4, 1954	1	
			28,565,001
	FISHERIES		
	FISHERIES MANAGEMENT AND DEVELOPMENT		
5d	Operation and Maintenance including Canada's share of expenses of the International Commissions detailed in the Estimates—To extend the purposes of Fisheries Vote 5 of the Main Estimates for 1965–66 to approve any agreement entered into between Canada and the United States to amend the Convention on Great Lakes Fisheries between Canada and the United States as set out in the Schedule to the Great Lakes Fisheries Convention Act increasing each section's membership in the Commission from three to four members and to authorize payment of the expenses of the fourth member	1	
10d	Construction or Acquisition of Buildings, Works, Land and Equipment	559,600	
15d	Grants, contributions and subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of Estimates	866,000	
			1,425,601
	FORESTRY		
10d	Freight assistance on western feed grains including assistance in respect of grain storage costs in accordance with terms and conditions prescribed by the Governor in Council		1,500,000
	JUSTICE		
	LEGAL AND OTHER SERVICES		
1d	Administration, including grants and contributions as detailed in the Estimates	15,424	

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	JUSTICE (Continued)		
	CORRECTIONAL SERVICES (responsibility transferred to Solicitor General)		
15d	Construction or Acquisition of Buildings, Works, Land and Equipment	2,800,000	2,815,424
	LABOUR		
1d	General Administration	345,000	
6d	Payments in accordance with terms and conditions approved by the Governor in Council to Provinces and in respect of Indian Bands under the Municipal Winter Works Incentive Program during the 1965–66 and 1966–67 fiscal years of amounts not exceeding fifty per cent of the cost of labour incurred in the period from November 1, 1965 to such day or days in the fiscal year 1966–67 as may be determined by the Governor in Council, and in the case of projects in designated areas within the meaning of the Department of Industry Act and in areas determined by the Minister of Labour to be areas of high winter unemployment, sixty per cent of such cost; and to authorize payments in those fiscal years to Provinces in respect of previous Municipal Winter Works Incentive Programs	54,000,000	
	(to be administered by Citizenship and Immigration)		
8d	Payments in accordance with terms and conditions approved by the Governor in Council under the Winter House Building Incentive Program during the fiscal years 1965–66 and 1966–67 of $500 per dwelling unit substantially built during the period November 15, 1965 to April 15, 1966; and to authorize payments in those fiscal years in respect of previous Winter House Building Incentive Programs	17,000,000	
	TECHNICAL AND VOCATIONAL TRAINING ASSISTANCE (Responsibility transferred to Minister of Citizenship and Immigration)		
10d	Administration	35,500	
15d	To extend the purpose of Labour Vote 15 of the Main Estimates for 1965–66 to include authority for the Minister of Citizenship and Immigration to pay to or in respect of persons resident in designated areas within the meaning of the Department of Industry Act up to 100% of the costs, in accordance with terms and conditions approved by the Governor in Council, of (*a*) allowances; (*b*) developing experimental training methods and techniques; and (*c*) related activities including training programs	30,000	
	NATIONAL EMPLOYMENT SERVICE (Responsibility transferred to Minister of Citizenship and Immigration)		
35d	To extend the purposes of Labour Vote 35b in Supplementary Estimates (B) 1965–66, which provided for the establishment of a manpower mobility program, to authorize, in accordance with regulations approved by the Governor in Council, grants to or in respect of persons who are moved from one place in Canada to another place in Canada in connection with the manpower mobility program	1	71,410,501

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION		
	HOUSE OF COMMONS		
15d	Expenses of the Canada-United States Inter-Parliamentary Group, of delegates attending other inter-parliamentary conferences, and expenses connected with visits of delegates from other legislatures, including the expenses of the Inter-Parliamentary Conference to be held in Ottawa in 1965.....	.....	55,000
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	MARINE SURVEYS AND RESEARCH		
15d	Administration, Operation and Maintenance—To extend the purposes of Mines and Technical Surveys Vote 15 of the Main Estimates for 1965–66 to permit oceanographic and hydrographic ships to carry out work in extraterritorial waters during the fiscal years 1965–66 and 1966–67, notwithstanding the Department of Mines and Technical Surveys Act.....	1	
	GENERAL		
62d	Payment of subsidy to San Antonio Gold Mines Limited during the 1965–66 and 1966–67 fiscal years in accordance with an agreement entered into by the Minister of Mines and Technical Surveys, with the approval of the Governor in Council, and the Government of Manitoba, the total cost of the subsidy to be borne in equal shares by the Government of Canada and the Government of Manitoba, the payments by the Government of Canada not to exceed $45,000.....	45,000	45,001
	B—DOMINION COAL BOARD		
75d	To extend the authority granted by Mines and Technical Surveys Vote 75b, Appropriation Act No. 10, 1964, to increase to $22,500,000 the amount that may be expended annually in each of the five fiscal years commencing on the 1st day of April, 1965, and ending on the 31st day of March, 1970, as payments in connection with the movement of coal in accordance with such regulations as may be prescribed by the Governor in Council for the purpose of enabling Canadian coal to be laid down in prescribed markets at a price competitive with imported coal and imported residual oil; additional amount required for 1965–66.....	.....	7,557,000
	NATIONAL DEFENCE		
	DEFENCE RESEARCH AND DEVELOPMENT		
40d	Development.....	9,300,000	
	PENSIONS AND OTHER BENEFITS		
50d	Civil Pensions as detailed in the Estimates.....	193	9,300,193

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE		
	MEDICAL SERVICES		
25d	Construction or Acquisition of Buildings, Works, Land and Equipment	700,000	
	WELFARE SERVICES		
41d	Family Assistance, under such terms and conditions as may be approved by the Treasury Board, in respect of children of immigrants and settlers	475,000	
			1,175,000
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	WATER RESOURCES (Responsibility transferred to Minister of Mines and Technical Surveys)		
30d	Administration, Operation and Maintenance	168,500	
	NORTHERN ADMINISTRATION		
45d	Administration, Operation and Maintenance, including grants and contributions as detailed in the Estimates	425,000	
			593,500
	PRIVY COUNCIL		
	PRIVY COUNCIL OFFICE		
10d	General Administration—To extend the purposes of Privy Council Vote 10 of the Main Estimates for 1965–66 to include the expenses of a pilot program, undertaken by volunteers, to advance social and economic development in community affairs and to provide a further amount of	.....	88,000
	TRANSPORT		
	A—DEPARTMENT		
	RAILWAYS AND STEAMSHIPS		
25d	Payments in respect of the Maritime Freight Rates Act—To extend the purposes of Transport Vote 25 of the Main Estimates for 1965–66 to include the grants detailed in these Estimates	7,000	
	AIR SERVICES		
30d	Administration, Operation and Maintenance—To extend the purposes of Transport Vote 30 of the Main Estimates for 1965–66 to include the grant detailed in these Estimates	1	
			7,001

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	B—AIR TRANSPORT BOARD		
77d	Payment to Nordair Limited for operation of international charter flights undertaken but not completed by World Wide Airways Incorporated	.....	381,000
	C—BOARD OF TRANSPORT COMMISSIONERS		
84d	To provide payments to companies subject to Order Number 96300, dated November 17, 1958, of the Board of Transport Commissioners for Canada of an aggregate amount of $20,000,000 in respect of the period April 1, 1965 to March 31, 1966, to be paid in instalments at such times as may be determined by the said Board for the purpose of reimbursing the said companies for such diminution in their aggregate gross revenues during the said period as in the opinion of the said Board is attributable to such companies maintaining the rate level for freight traffic at an 8% increase instead of 17% as authorized by the said Order; and to provide payments to the said companies of an aggregate amount in respect of the calendar year 1965 of $50,000,000 to be paid in instalments at such times and in accordance with such methods of allocation as may be determined by the said Board for the maintenance by such companies of the rates of freight traffic at the said reduced level	.....	70,000,000
	D—CANADIAN MARITIME COMMISSION		
90d	Steamship Subventions for Coastal Services as detailed in the Estimates	36,875	
95d	Capital subsidies for the construction of commercial and fishing vessels in accordance with regulations of the Governor in Council	1,541,000	
			1,577,875
	VETERANS AFFAIRS		
	WELFARE SERVICES, ALLOWANCES AND OTHER BENEFITS		
10d	War Veterans Allowances, Civilian War Allowances and Assistance in accordance with the provisions of the Assistance Fund (War Veterans Allowances) Regulations	500,000	
	PENSIONS		
25d	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order, P.C. 45/8848 of November 22, 1944, which shall be subject to the Pension Act; Newfoundland Special Awards; and Gallantry Awards (World War II and Special Force)	1,700,000	
			2,200,000

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	CITIZENSHIP AND IMMIGRATION		
L15d	To provide that the total amount of outstanding advances at any one time with respect to loans to Indians under section 69 of the Indian Act, notwithstanding subsection 5 thereof, shall not exceed $1,500,000	1	
	(to be administered by Northern Affairs and National Resources)		
	FINANCE		
L100d	Special accountable advances during the 1965–66 and 1966–67 fiscal years to or in respect of persons employed in the public service whose remuneration is payable out of the Consolidated Revenue Fund and who are required to make contributions under (*a*) the Public Service Superannuation Act or the Diplomatic Service (Special) Superannuation Act, and (*b*) the Canada Pension Plan or the Quebec Pension Plan, in the amounts by which the combined contributions required from such persons in respect of remuneration to which an Act referred to in paragraph (*a*) and an Act referred to in paragraph (*b*) both apply exceed 6½ per cent of such remuneration in the case of males and 5 per cent of such remuneration in the case of females	3,550,000	
	LABOUR		
L28d	To authorize in the current and subsequent fiscal years, in accordance with regulations approved by the Governor in Council, loans to provide financial assistance to workers who move from one place in Canada to another place in Canada where employment is available, to authorize advances to cover transportation costs incurred for the movement of workers on behalf of employers subject to reimbursement by employers, to authorize the Minister of Citizenship and Immigration, in accordance with regulations approved by the Governor in Council, to forgive the re-payment of a loan or any part thereof made to a worker under this authority and to authorize a special account in the Consolidated Revenue Fund to be known as the Assisted Movement Account, (*a*) to which all loans to workers and advances made on behalf of employers will be charged; and (*b*) to which shall be credited (i) all repayments of principal amounts of loans (ii) all amounts reimbursed by employers, and (iii) all amounts the payment of which is forgiven by the Minister of Citizenship and Immigration under this authority; the total amount that may be charged to the account at any time not to exceed $5,000,000; and to repeal Labour Vote L28b as set out in Supplementary Estimates (B) 1965–66 and to apply to this Vote the moneys appropriated for the purposes of Labour Vote L28b by Appropriation Act No. 6, 1965 and Appropriation Act No. 1, 1966	5,000,000	
	(to be administered by Citizenship and Immigration)		

SCHEDULE C—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES (Continued)		
	TRADE AND COMMERCE		
L77d	Acquisition in the current and subsequent fiscal years of uranium concentrates in accordance with contracts to be entered into, with the approval of the Governor in Council, by Eldorado Mining and Refining Limited on behalf of Her Majesty in right of Canada and uranium producers; and to provide in the current and subsequent fiscal years in respect of the uranium concentrates purchased under the said contracts (*a*) the cost of stock-piling; (*b*) the cost of refining to uranium trioxide; and (*c*) interest payments to Eldorado Mining and Refining Limited at a rate equal to the monthly average of weekly three-month Treasury bill tender rates less 0.5 per cent; authority is granted to expend in the current and subsequent fiscal years in respect of this program an amount not exceeding $135,000,000; estimated amount required for the current fiscal year	13,500,000	
L78d	To increase to $1,150,000 the amount that may be charged at any time to the special account mentioned in Vote L61e of the Appropriation Act No. 4, 1964, that was established for the purpose of providing working capital advances to posts and to employees on posting abroad and to departmental field offices in Canada	300,000	
	TRANSPORT		
L82d	Advances to Canadian National Railways and Air Canada in such manner and subject to such terms and conditions as the Governor in Council may approve	20,000,000	42,350,001
			*277,326,349

* Net total $23,110,529.08.

C-141.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-141.

An Act to amend the Criminal Code
(Cruelty to Animals and to Human Beings).

First reading, March 10, 1966.

Mr. KLEIN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23669

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-141.

1953-54, c. 51; 1955, cc. 2, 45; 1956, c. 48; 1957-58, c. 28; 1958, c. 18; 1959, c. 41; 1960, c. 37; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, cc. 35, 53.

An Act to amend the Criminal Code (Cruelty to Animals and to Human Beings).

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

1. The heading immediately preceding section 387 and the said section 387 of the *Criminal Code* are repealed and the following substituted therefor:

"CRUELTY TO ANIMALS AND TO HUMAN BEINGS.

"**387.** (1) Every one commits an offence who

Causing unnecessary suffering.

(*a*) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or bird.

Causing injury by negligence.

(*b*) by wilful neglect causes damage or injury to animals or birds while they are being driven or conveyed,

Abandoning.

(*c*) being the owner or the person having the custody or control of a domestic animal or bird or an animal or bird wild by nature that is in captivity, abandons it in distress or wilfully neglects or fails to provide suitable and adequate food, water, shelter and care for it,

Baiting.

(*d*) in any manner encourages, aids or assists at the fighting or baiting of animals, birds or human beings,

Poisoning.

(*e*) wilfully, without reasonable excuse, administers a poisonous or injurious drug or substance to a domestic animal or bird or an animal or bird wild by nature that is kept in captivity or being the owner of such an animal or bird, wilfully permits a poisonous or injurious drug or substance to be administered to it, or

Explanatory Notes.

The only change in section 387 consists in the addition of the words "or human beings" (underlined on the opposite page) at the end of paragraph (*d*) of subsection (1).

The object of this proposed amendment is to extend to human beings the protection now extended to animals.

Field trials.

(*f*) promotes, arranges, conducts, assists in, receives money for, or takes part in a meeting, competition, exhibition, pastime, practice, display, or event at or in the course of which captive birds are liberated by hand, trap, contrivance or any other means for the purpose of being shot when they are liberated, or

(*g*) being the owner, occupier, or person in charge of any premises, permits the premises or any part thereof to be used for a purpose mentioned in paragraph (*f*).

Punishment.

(2) Every one who commits an offence under subsection (1) is guilty of an offence punishable on summary conviction."

C-142.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-142.

An Act to amend the Canada Shipping Act.
(Canadian ships in coasting trade).

First reading, March 14, 1966.

Mr. HOWARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23629

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-142.

An Act to amend the Canada Shipping Act.
(Canadian ships in coasting trade).

R.S., c. 29; 1952-53, c. 20; 1956, c. 34; 1957, c. 4; 1960, c. 40; 1960-61, c. 32; 1964-65, c. 39.

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

1. Subsections (1) and (2) of section 671 of the *Canada Shipping Act* are repealed and the following substituted therefore.

Canadian ships only may engage in coasting trade.

"**671.** (1) No goods shall be transported by water or by land and water, from one place in Canada to another place in Canada, either directly or by way of a foreign port, or for any part of the transportation in any ship other than a Canadian ship.

(2) No passengers shall be transported by water either directly or by way of a foreign port in any ship other than a Canadian ship from one place in Canada to another place in Canada."

2. Section 673 of the said Act is repealed and the following substituted therefor:

Power to suspend application of ss. (1) and (2) of s. 671.

"**673.** (1) The Governor in Council may by order in Council declare that subsections (1) and (2) of section 671 of this Part shall not, for the period specified in such order, but in any event not exceeding three years, apply in any specified waters of Canada, to a specified ship or vessel of any country other than Canada.

Explanatory Notes.

1. Section 671 of the *Canada Shipping Act* provided for many years that only British ships could engage in Canada's coasting trade.

This situation was changed slightly by the enactment of subsection (2a) of section 671 effective January 1, 1966, to provide that only Canadian ships could engage in coasting trade in the Great Lakes and certain parts of the River St. Lawrence-Gulf of St. Lawrence area.

Subsections (1), (2) and (2a) of section 671 at present read as follows:

"**671.** (1) No goods shall be transported by water or by land and water, from one in place in Canada to another place in Canada, either directly or by way of a foreign port, or for any part of the transportation in any ship other than a *British* ship.

(2) *No ship other than a British ship shall transport passengers from one place in Canada to another place in Canada either directly or by way of a foreign port.*

(2a) Notwithstanding subsections (1) and (2),

(*a*) no goods shall be transported by water or by land and water, and

(*b*) no passengers shall be transported by water either directly or by way of a foreign port in any ship other than a Canadian ship from one place in Canada to another place in Canada both of which places are situated within the area comprising the Great Lakes, their connecting and tributary waters and the River St. Lawrence and its tributary waters as far seaward as a straight line drawn.

(*c*) from Cap des Rosiers to West Point Anticosti Island, and

(*d*) from Anticosti Island to the north shore of the River St. Lawrence along the meridian of longitude sixty-three degrees west."

2. This Bill provides that only Canadian ships may engage in Canada's coasting trade. A provision is made to exempt specified ships of countries other than Canada with the proviso that such exemptions are subject to ratification by the House of Commons.

The right of Canadian ships to engage in coasting trade on the Great Lakes-River St. Lawrence system as set out in subsection (2a) of section 671 as enacted by section 38 of chapter 39 of the Statutes of 1964-65, was subject to the exemption provisions of section 673. This Bill seeks to amend section 673 so that this right becomes an exclusive right not subject to exemption.

Section 673 at present reads as follows:

"**673.** The Governor in Council may, from time to time, by order in council declare that the foregoing provisions of this Part shall not, for the period specified in such order in council, apply, either throughout Canada or in any specified waters of Canada, to the ships or vessels, or to any specified ascertained or ascertainable class or number of the ships or vessels, of any foreign country."

Order in Council to be laid before the House.

(2) An order in Council under subsection (1) shall be laid before the House of Commons not later than fifteen days after its issue, or, if Parliament is not then sitting, within the first fifteen days next thereafter that the House of Commons is sitting.

Motion to be debated.

(3) Where an order in Council has been laid before the House of Commons pursuant to subsection (2), a notice of motion made within ten days of the day the order in Council was laid before the House of Commons, revoking the order in Council, shall be debated at the first convenient opportunity within the four sitting days next after the day the motion was made."

C-143.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-143.

An Act to repeal the Electoral Boundaries Readjustment Act.

First reading, March 14, 1966.

Mr. CAOUETTE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23738

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-143.

An Act to repeal the Electoral Boundaries Readjustment Act.

Preamble.

WHEREAS, as it appears from the Votes and Proceedings of the House of Commons, 158 Members of the House of Commons, belonging to all political parties and groups represented in Parliament, have filed objection during the present Session of Parliament with the Speaker of the House of Commons, pursuant to the *Electoral Boundaries Readjustment Act*;

WHEREAS, the reports and maps published in the *Canada Gazette* in 1965 and subsequently tabled in the House of Commons by the Chairman of the Readjustment Commissions for each one of the ten provinces are unfair, unsatisfactory and not in accordance with the letter and spirit of the *Electoral Boundaries Readjustment Act*;

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

Repeal of 1964-65, c. 31.

1. The *Electoral Boundaries Readjustment Act* is repealed.

Reports and maps to be null and void.

2. The reports and maps above referred to are declared to be null and void and shall be non existent for all the purposes of the law.

Readjustment to be referred to a special committee.

3. The readjustment of the electoral boundaries of the various constituencies within each province of Canada shall be referred to a special Committee of the House of Commons, which will draw new electoral maps and report to the Speaker of the House of Commons for the boundaries readjustment of each constituency in each province.

C-144.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-144.

An Act to amend the Bretton Woods Agreements Act.

First reading, March 15, 1966.

THE MINISTER OF FINANCE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22887

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-144.

An Act to amend the Bretton Woods Agreements Act.

R.S., c. 19; 1959, c. 19.

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

1959, c. 19, s. 1.

1. Section 5 of the *Bretton Woods Agreements Act* is repealed and the following substituted therefor:

Payment of subscriptions out of C.R. Fund.

"**5.** The Minister of Finance may provide for payment out of the Consolidated Revenue Fund to the International Monetary Fund and to the International Bank for Reconstruction and Development in the manner and at the times provided for by the Agreements therefor set out in the Schedules, of a sum or sums of money, not exceeding in the whole an amount equivalent to the subscriptions required from Canada, that is to say, one thousand five hundred and thirty-two million United States dollars."

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

Annual report.

"**7.** The Minister of Finance shall, on or before the 31st day of March next following the end of each year or, if Parliament is not then sitting, on any of the first thirty days next thereafter that Parliament is sitting, submit to Parliament a report containing a general summary of operations under this Act and details of all such operations that directly affect Canada."

Explanatory Notes.

Clause 1: The purpose of this amendment is to authorize Canada's participation in a general increase of the resources of the International Monetary Fund and to authorize the acceptance of an additional special increase in its quota to that Fund and a corresponding increase in its subscriptions to the resources of the International Bank for Reconstruction and Development.

Section 5 at present reads as follows:

"**5.** The Minister of Finance may provide for the payment out of the Consolidated Revenue Fund to the International Monetary Fund and to the International Bank for Reconstruction and Development in the manner and at the times provided for by the Agreements therefor set out in the Schedules, of a sum or sums of money, not exceeding in the whole an amount equivalent to the subscriptions required from Canada, that is to say, *thirteen hundred* million United States dollars."

Clause 2: The purpose of this amendment is to provide for the submission of an annual report on operations under this Act in summary form together with details of operations that directly affect Canada and to provide for the submission of such report on a calendar year basis rather than on a fiscal year basis.

Section 7 at present reads as follows:

"**7.** The Minister of Finance shall prepare and lay before Parliament a report of operations under this Act as soon as practicable after the close of each *fiscal* year, but in any event within thirty days after the end of each *fiscal* year, or, if Parliament be not then sitting, within thirty days after the commencement of the next ensuing session."

C-145.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-145.

An Act to provide for the development of the commercial fisheries of Canada.

First reading, March 16, 1966.

THE MINISTER OF FISHERIES.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22903

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-145.

An Act to provide for the development of the commercial fisheries of Canada.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Fisheries Development Act*.

INTERPRETATION.

Definitions.

2. In this Act,

"Fishery products."

(*a*) "fishery products" includes any fishery resources and any products derived from the fishery resources of Canada;

"Fishery resources."

(*b*) "fishery resources" includes fish, molluscs, crustaceans, marine mammals and marine plants; and

"Minister."

(*c*) "Minister" means the Minister of Fisheries.

FISHERIES DEVELOPMENT PROJECTS.

Minister may undertake projects.

3. (1) The Minister may undertake projects,

(*a*) for the more efficient exploitation of fishery resources and for the exploration for and development of new fishery resources and new fisheries;

(*b*) for the introduction and demonstration to fishermen of new types of fishing vessels and fishing equipment and of new fishing techniques; and

(*c*) for the development of new fishery products and for the improvement of the handling, processing and distribution of fishery products.

Minister may undertake projects jointly with a province.

(2) The Minister may enter into an agreement with any province providing for the undertaking jointly with the government of the province or any agency thereof of any project that the Minister is authorized to undertake under subsection (1).

Minister may make payments to a province.

(3) The Minister may, with the approval of the Governor in Council, enter into an agreement with any province providing for the payment to the province of contributions in respect of the cost of any project that is undertaken by the government of the province or any agency thereof and that the Minister is authorized to undertake under subsection (1).

Economic studies.

(4) For the purpose of assisting the formulation and assessment of fisheries development projects, the Minister may undertake economic studies alone or jointly with the government of any province or agency thereof or with any university, educational institution or person, and may coordinate such studies with similar studies undertaken in Canada.

Minister to make use of services, etc. of other departments.

4. The Minister shall, in carrying out any project or economic study under this Act, make use, wherever possible, of the services and facilities of other departments of the Government of Canada or of any agencies thereof.

Minister may make payments.

5. The Minister may make payments to such persons or classes of persons, in such amounts and on such terms and conditions as may be prescribed by the Governor in Council,

(*a*) for the construction and equipment of

(i) commercial cold storages, or

(ii) commercial bait freezing facilities equipped with mechanical refrigeration,

that will be suitable for the preservation of fishery products;

(*b*) for the modification of

(i) commercial cold storages, or

(ii) commercial bait freezing facilities equipped with mechanical refrigeration,

to make such cold storages or bait freezing facilities suitable for the preservation of fishery products; and

(*c*) for the construction and equipment of fishing vessels.

TERMS AND CONDITIONS OF AGREEMENTS.

Provisions to be included in agreements.

6. Every agreement entered into pursuant to subsection (2) or (3) of section 3 shall,

(*a*) specify the respective proportions of the cost of any project to which the agreement relates that shall be paid by the Minister and the province or the contribution in respect of such project that shall be paid by the Minister, and the times at which such amounts to be paid by the Minister or the province shall be paid;

(*b*) specify the authority that shall be responsible for the undertaking, operation and maintenance of any project or any part thereof to which the agreement relates;

(*c*) specify the respective proportions of the revenues from any project to which the agreement relates that are to be paid to the Minister and the province; and

(*d*) specify the terms and conditions as to the operation and maintenance of any project to which the agreement relates and the charges, if any, to be charged to persons to whom any of the benefits of the project are made available.

GENERAL.

Advisory committees.

7. (1) The Minister may, in order to carry out the purposes and provisions of this Act, establish such advisory committees as he deems necessary and appoint the members thereof.

Remuneration and expenses of members.

(2) Each member of a committee established under subsection (1) is entitled to be paid such amount for each day he attends any meeting of the committee as may be fixed by the Governor in Council and is entitled to be paid reasonable travelling and living expenses while absent from his ordinary place of residence in the course of his duties.

Expenditures.

8. (1) All expenditures for the purposes of this Act shall be paid out of money appropriated by Parliament therefor.

Validity of agreements.

(2) No agreement entered into pursuant to subsection (2) or (3) of section 3 providing for the payment of any money by the Minister has any force or effect until such time as money has been appropriated by Parliament for the purpose of discharging any commitment under that agreement.

Regulations.

9. The Governor in Council may make regulations,

(*a*) prescribing, for the purposes of section 5, the persons to whom payments may be made, the maximum amount of each such payment and the terms and conditions on which such payments may be made; and

(*b*) with respect to any other matter concerning which he deems regulations necessary or desirable to carry out the purposes and provisions of this Act.

Report.

10. The Minister shall, as soon as possible after the termination of each fiscal year, submit a report to Parliament respecting the operations for that year under this Act and under agreements made under this Act.

C-146.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-146.

An Act to amend the Northwest Territories Act.

First reading, March 17, 1966.

MINISTER OF NORTHERN AFFAIRS AND NATIONAL RESOURCES.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22969

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-146.

An Act to amend the Northwest Territories Act.

R.S., 1952, c. 331; 1953-54, c. 8; 1955, cc. 21, 48; 1957-58, c. 30; 1959, c. 7; 1960, c. 20.

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

1953-54, c. 8, s. 8(1).

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

Council.

"**8.** (1) There shall be a Council of the Territories consisting of twelve members, seven of whom shall be elected to represent such electoral districts in the Territories as are named and described by the Commissioner in Council, and five of whom shall be appointed by the Governor in Council."

2. Subsection (1) of section 9 of the said Act is repealed and the following substituted therefor:

Commissioner in Council may prescribe qualifications of electors, candidates, etc.

"**9.** (1) Subject to subsection (2), the Commissioner in Council may prescribe the qualifications of those entitled to vote at an election of members to the Council and of those eligible for nomination and election as members of the Council and the reasons for or matters by which an elected member may be or become disqualified from being or sitting as a member of the Council."

1955, c. 21, s. 1.

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

Sessional indemnity for members.

"**12.** (1) Subject to this section, the Commissioner in Council may provide for the payment out of the Northwest Territories Consolidated Revenue Fund of indemnities to members of the Council as follows:

EXPLANATORY NOTES.

Clause 1: The purpose of this amendment is to increase the number of elected members of the Council from four to seven.

Subsection (1) at present reads as follows:

"8. (1) There shall be a Council of the Territories consisting of *nine* members *four* of whom shall be elected to represent such electoral districts in the Territories as are named and described by the Commissioner in Council, and five of whom shall be appointed by the Governor in Council."

Clause 2: The purpose of this amendment is to give the Commissioner in Council the power to prescribe the qualifications of those entitled to vote in territorial elections and of those eligible for nomination and election as members of the Council. The power is at present vested in the Governor in Council.

Subsection (1) at present reads as follows:

"9. (1) Subject to subsection (2), the *Governor* in Council may prescribe the qualifications of those entitled to vote at an election of members to the Council and of those eligible for nomination and election as members of the Council and the reasons for or matters by which an elected member may be or become disqualified from being or sitting as a member of the Council."

Clause 3: The purposes of this amendment are

(*a*) to increase to five thousand dollars the maximum indemnity payable to elected members;

(*b*) to provide for the payment of a maximum indemnity of three thousand five hundred dollars to appointed members;

(*a*) each elected member of the Council may be paid an indemnity at the rate of five thousand dollars per annum, and

(*b*) each appointed member of the Council may be paid an indemnity at the rate of three thousand five hundred dollars per annum,

less a deduction of one hundred and fifty dollars for each day in a session in excess of three on which the member does not attend a sitting of the Council, if the Council sits on that day.

Payment of indemnities.

(2) Indemnities provided under subsection (1) shall be paid quarterly, in equal amounts as nearly as may be, on or before the last day of March, June, September and December in each year.

No indemnity for employee in Public Service.

(3) An appointed member is not entitled to an indemnity under subsection (1) if he is employed in the Public Service within the meaning of the *Public Service Superannuation Act*.

Expenses of councillors.

(4) In addition to the indemnities payable under subsection (1), each member of the Council may be paid the reasonable travelling and living expenses incurred by him in going from his ordinary place of residence to the place where the Council holds its session and in returning from such place to his ordinary place of residence, but no payment of travelling and living expenses shall be made to a member in respect of more than one return trip for each session of the Council.

When member deemed in attendance for purposes of ascertaining indemnity.

(5) For the purpose of ascertaining the indemnity to which a member is entitled under subsection (1), a member of the Council shall be deemed to have attended a sitting of the Council on each day when

(*a*) there is a sitting of the Council and he is absent therefrom because of public or official business; or

(*b*) he is in the place where a sitting of the Council is held but is unable to attend the sitting because of his illness.

Indemnity not taxable.

(6) The first one thousand dollars of the indemnity paid to a member of the Council under subsection (1) in any year is not income for the purposes of the *Income Tax Act*."

Money.

4. Section 13 of the said Act is amended by adding thereto, immediately after paragraph (*v*) thereof, the following paragraph:

"(*va*) the expenditure of money for territorial purposes;"

(*c*) to provide for the payment of the reasonable travelling and living expenses incurred by members in attending at sessions of the Council, and

(*d*) to provide that the first one thousand dollars of the indemnity paid to a member is not subject to income tax.

Section 12 at present reads as follows:

"**12.** (1) Subject to this section

(*a*) where in any one calendar year the total number of days on which there was a sitting of the Council is ten or less, each elected member may be paid in that year an indemnity of one thousand dollars, less one hundred dollars for every such day on which the member was not in attendance, and

(*b*) where in any one calendar year the total number of days on which there was a sitting of the Council is greater than ten, each elected member may be paid in that year an indemnity at the rate of one hundred dollars for each such day on which the member was in attendance, or two thousand dollars, whichever is the lesser.

(2) In addition to the payments under subsection (1), each member of the Council, whether elected or appointed, may be paid

(*a*) the actual travelling expenses incurred by him in travelling from his place of residence to the place where the Council holds its session and return, but no payment shall be made to a member in respect of more than one return trip for each session of the Council; and

(*b*) an allowance for living expenses not exceeding twenty-five dollars for each day he is in attendance at a session of the Council.

(3) An allowance for living expenses that is paid to a member of the Council under paragraph (*b*) of subsection (2) is not income for that member for the purposes of the *Income Tax Act*.

(4) For the purposes of subsection (1), each day on which an elected member is in the place where a session of the Council is held but is because of illness unable to be in attendance at the session shall be deemed to be a day on which he is in attendance at the session.

(5) For the purpose of ascertaining a member's allowance for living expenses,

(*a*) each day during a session on which there has been no sitting of the Council in consequence of its having adjourned over that day, and

(*b*) each day on which a member is in the place where the session is held but is because of illness unable to be in attendance at the session,

shall be deemed to be a day on which he is in attendance at the session."

Clause 4: The purpose of this amendment is to give to the Commissioner in Council power to make ordinances respecting the expenditure of territorial funds. This power is at present given by section 19(3), but clause 5 of this Bill provides for the repeal of that subsection.

1957-58, c. 30, s. 1.

5. The heading preceding section 19, section 19 and section 19A of the said Act are repealed and the following substituted therefor:

"Northwest Territories Consolidated Revenue Fund.

Northwest Territories Consolidated Revenue Fund.

19. (1) All public moneys and revenue over which the Commissioner in Council has the power of appropriation shall form a fund to be known as the Northwest Territories Consolidated Revenue Fund.

Establishment of bank accounts.

(2) The Commissioner shall establish, in the name of the government of the Northwest Territories, accounts with such banks to which the *Bank Act* applies as he designates for the deposit of public moneys and revenue.

Recommendation of Commissioner.

19A. It shall not be lawful for the Council to adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue of the Territories, or of any tax or impost, to any purpose that has not been first recommended to the Council by message of the Commissioner in the session in which such vote, resolution, address or bill is proposed.

Appropriation of moneys granted by Parliament.

19B. When any sum of money is granted to Her Majesty by Parliament to defray expenses for any specified public service in the Territories, the power of appropriation by the Commissioner in Council over that sum is subject to the specified purpose for which it is granted.

Territorial Accounts.

Submission of Territorial Accounts to Council.

19C. (1) A report for each fiscal year of the Territories, called the Territorial Accounts, shall be laid before the Council by the Commissioner on or before the thirtieth day of June next following the termination of the fiscal year, or if the Council is not then in session, on the opening day of the next ensuing session, and the Council shall consider the same.

Contents of Territorial Accounts.

(2) The Territorial Accounts shall be in such form as the Commissioner may direct and shall include

(*a*) a report on the financial transactions of the fiscal year;

(*b*) a statement, certified by the Auditor General, of the expenditures and revenues of the Territories for the fiscal year;

Clause 5: The purposes of these new sections are:

(*a*) to establish a separate Consolidated Revenue Fund for the Territories;

(*b*) to provide for the keeping of Territorial accounts and for the examination of these accounts by the Auditor General;

(*c*) to give to the Commissioner in Council, in addition to the power he now possesses to make ordinances respecting the borrowing or lending of money by the Commissioner on behalf of the Territories, the power to make ordinances respecting the investment of territorial funds; and

(*d*) to give to the Commissioner in Council the power to make ordinances for the lending of money by the Commissioner to any person.

The sections being amended at present read as follows:

"*Northwest Territories Revenue Account.*

19. (1) All territorial revenues shall be paid into the Consolidated Revenue Fund.

(2) There shall be established in the Consolidated Revenue Fund an account to be known as the Northwest Territories Revenue Account to which shall be credited

(*a*) amounts equal to the territorial revenues paid from time to time into the Consolidated Revenue Fund pursuant to subsection (1);

(*b*) all moneys appropriated by Parliament to be credited to the Northwest Territories Revenue Account; and

(*c*) an amount equal to the amount standing to the credit, at the commencement of this Act, of the account then known as the Northwest Territories Revenue Account.

(3) The Commissioner in Council may make ordinances providing for the expenditure of money for territorial purposes and, subject to subsection (5), any money required for the territorial purposes specified in such ordinances may, on the requisition of the Minister or a person authorized by him in writing, be paid out of the Consolidated Revenue Fund.

(4) All payments made out of the Consolidated Revenue Fund pursuant to subsection (3) shall be charged to the Northwest Territories Revenue Account.

(5) A payment made out of the Consolidated Revenue Fund under subsection (3) shall not be greater than the amount by which the aggregate of all moneys credited to the Northwest Territories Revenue Account exceeds the aggregate of all amounts charged to that Account.

19A. (1) The Commissioner in Council may make ordinances

(*a*) for the borrowing of money by the Commissioner for territorial, municipal or local purposes on behalf of the Territories, and

(*b*) for the lending of money by the Commissioner to municipalities and school districts in the Territories.

(2) No money shall be borrowed by the Commissioner under the authority of this section without the approval of the Governor in Council.

(3) For the purposes of section 19, money borrowed by the Commissioner under the authority of paragraph (*a*) of subsection (1) and money received by the Commissioner pursuant to a loan made under the authority of paragraph (*b*) of subsection (1) shall be deemed to be territorial revenue."

(*c*) a statement, certified by the Auditor General, of assets and liabilities as at the termination of the fiscal year; and

(*d*) such other information or statements as are required in support of the statements referred to in paragraphs (*b*) and (*c*), or as are required by Ordinance or by the Minister.

Fiscal year.

(3) The fiscal year of the Territories shall be the period from the first day of April in one year to the thirty-first day of March in the next year.

Examination by Auditor General.

(4) The accounts and financial transactions of the Territories shall be examined by the Auditor General who shall report annually to the Council the result of his examination, and the report shall state whether in his opinion

(*a*) proper books of account have been kept by the Territories;

(*b*) the financial statements of the Territories

(i) were prepared on a basis consistent with that of the preceding fiscal year and are in agreement with the books of account,

(ii) in the case of the statement of expenditures and revenues, give a true and fair view of the expenditures and revenues of the Territories for the fiscal year, and

(iii) in the case of the statement of assets and liabilities, give a true and fair view of the affairs of the Territories at the end of the fiscal year; and

(*c*) the transactions of the Territories that have come under his notice have been within the powers of the Territories under this Act and any other Act applicable to the Territories;

and the Auditor General shall call attention to any other matter falling within the scope of his examination that in his opinion should be brought to the attention of the Council.

Powers of Auditor General.

(5) The Auditor General has, in connection with his examination of the accounts of the Territories, all the powers that the Auditor General has under the *Financial Administration Act* in connection with the examination of the accounts of Canada.

Powers to Borrow, Lend and Invest Money.

Further legislative powers of Commissioner in Council.

19D. (1) The Commissioner in Council may make Ordinances

(*a*) for the borrowing of money by the Commissioner for territorial, municipal or local purposes on behalf of the Territories;

(*b*) for the lending of money by the Commissioner to any person in the Territories; and

(*c*) for the investing by the Commissioner of surplus money standing to the credit of the Northwest Territories Consolidated Revenue Fund.

Approval of the Governor in Council.

(2) No money shall be borrowed, loaned or invested under the authority of this section without the approval of the Governor in Council.

Charge on Northwest Territories Consolidated Revenue Fund.

(3) The repayment of any money borrowed under the authority of this section, and the payment of interest thereon, is a charge on and payable out of the Northwest Territories Consolidated Revenue Fund."

6. Paragraph (*b*) of subsection (1) of section 38 of the said Act is repealed and the following substituted therefor:

"(*b*) every building or part thereof or other enclosure, other than those referred to in paragraph (*a*), that is designated as a prison, gaol or lockup for the purposes of this section by the Commissioner in Council."

7. Section 39 of the said Act is repealed and the following substituted therefor:

Regulations respecting R.C.M.P. guardhouses, etc.

"**39.** (1) The Governor in Council may make rules and regulations for the management, discipline and policy of guardhouses, guardrooms or other places of confinement referred to in paragraph (*a*) of subsection (1) of section 38, for the duties and conduct of persons employed therein or otherwise charged with the custody of prisoners and for all matters pertaining to the maintenance, discipline or conduct of prisoners including their employment without as well as within any such guardhouse, guardroom or other place of confinement.

Regulations respecting prisons and prisoners.

(2) The Commissioner may make rules and regulations for the management, discipline and policy of prisons, gaols or lockups designated as such by the Commissioner in Council under paragraph (*b*) of subsection (1) of section 38, for the duties and conduct of persons employed therein or otherwise charged with the custody of prisoners and for all matters pertaining to the maintenance, discipline or conduct of prisoners including their employment without as well as within any such prison, gaol or lockup."

Clause 6: The purpose of this amendment is to vest in the Commissioner in Council power to designate prisons, gaols and lockups in the Territories. This power is at present vested in the Governor in Council.

Paragraph (*b*) at present reads as follows:

"(*b*) every building or part thereof or other enclosure, other than those referred to in paragraph (*a*), that is designated as a prison, gaol or lockup for the purposes of this section by the *Governor* in Council."

Clause 7: This clause is in essence consequential on the amendment proposed in clause 6. It gives to the Commissioner power to make rules and regulations respecting prisons, gaols and lockups designated as such pursuant to the proposed section 38(1)(*b*).

Section 39 at present reads as follows:

"**39.** The Governor in Council may make rules and regulations for the management, discipline and policy of *prisons, gaols and lockups in the Territories*, for the duties and conduct of persons employed therein or otherwise charged with the custody of prisoners and for all matters pertaining to the maintenance, discipline or conduct of prisoners including their employment without as well as within any *prison, gaol or lockup*."

1953-54, c. 8, s. 12.

8. Section 40 of the said Act is amended by striking out the word "and" at the end of paragraph (*b*) thereof, by adding the word "and" at the end of paragraph (*c*) thereof and by adding thereto, immediately after paragraph (*c*) thereof, the following paragraph:

"(*d*) lands acquired by the Territories pursuant to tax sale proceedings,"

9. The heading preceding section 43 and section 43 of the said Act are repealed and the following substituted therefor:

"Mentally Disordered Persons.

Arrangements for transfer to provincial institutions.

43. (1) The Commissioner may, subject to the approval of the Minister, arrange with any province of Canada for the admission to mental institutions, asylums or other suitable places in the province of

(*a*) mentally disordered persons and for the confinement, care and maintenance of such persons until the pleasure of the Commissioner is made known or until they are discharged by law,

(*b*) persons in respect of whom the Court, a police magistrate of the Territories or a justice of the peace in and for the Territories has ordered that a psychiatric examination be made, for the purpose of such examination, and

(*c*) persons in respect of whom the Commissioner has approved psychiatric examination and treatment, for the purpose of such examination and, where necessary, such treatment,

and for the compensation to be paid to the province in respect of the confinement, care, maintenance, examination and treatment of such persons.

Payment out of Northwest Territories Consolidated Revenue Fund.

(2) The compensation to be paid to a province under subsection (1) shall be paid out of the Northwest Territories Consolidated Revenue Fund."

10. Subsections (1) and (2) of section 44 of the said Act are repealed and the following substituted therefor:

Recapture of escaped mentally disordered persons.

"**44.** (1) Where a mentally disordered person has escaped from a mental institution, asylum or other place of confinement, within or without the Territories, any person employed therein or connected therewith or other person requested by the person in immediate charge or control thereof may, within forty-eight hours after such escape, without a warrant, retake the escaped

Clause 8: The purpose of this amendment is to add to the property, the beneficial use of which is subject to the control of the Commissioner in Council, lands acquired pursuant to tax sale proceedings.

Section 40 at present reads as follows:

"**40.** The following properties, namely,

(*a*) lands acquired before or after the coming into force of this Act with territorial funds;

(*b*) public lands, the administration of which has before or after the coming into force of this Act been transferred by the Governor in Council to the Territories; and

(*c*) all roads, streets, lanes and trails on public lands;

are and remain vested in Her Majesty in right of Canada, but the right to the beneficial use or to the proceeds thereof is hereby appropriated to the Territories and is subject to the control of the Commissioner in Council; and any such lands, roads, streets, lanes or trails may be held by and in the name of the Commissioner for the beneficial use of the Territories."

Clause 9: The purpose of this amendment is to give the Commissioner the power to make arrangements for the care and maintenance of mentally disordered persons and for the psychiatric examination and treatment of certain other persons.

Section 43 at present reads as follows:

"*Insane Persons.*

43. (1) The Commissioner may, subject to the approval of the Minister, arrange with any province of Canada for the removal of *insane* persons from the Territories to mental institutions, asylums or other suitable places of confinement in that province, for their confinement, care and maintenance therein until the pleasure of the Commissioner is made known or until they are discharged by law and for the compensation to be paid to that province in respect of the confinement, care and maintenance of such *insane* persons.

(2) The compensation to be paid to a province under subsection (1) shall be paid out of *territorial revenues.*"

Clause 10: The purpose of this amendment is to substitute the words "mentally disordered" for the word "insane" in subsections (1) and (2) of section 44.

Subsections (1) and (2) at present read as follows:

"**44.** (1) Where an *insane* person has escaped from a mental institution, asylum or other place of confinement, within or without the Territories, any person employed therein or connected therewith or other person requested by the person in immediate charge or control thereof may, within forty-eight hours after such escape, without a warrant, retake the escaped person and return him thereto, or may, at any time after such escape up to the time specified in the warrant, do so if a warrant is issued to him for that purpose.

(2) A warrant may be issued for the purposes of subsection (1) by the person in immediate charge or control of the mental institution, asylum or other place of confinement from which the escape was made and shall contain the name and description of the escaped *insane* person, the name and office, if any, of the person to whom it is issued, the place to which and the person to whom the escaped person is to be returned and the time, not exceeding three months for which the warrant is valid."

person and return him thereto, or may, at any time after such escape up to the time specified in the warrant, do so if a warrant is issued to him for that purpose.

Warrants.

(2) A warrant may be issued for the purposes of subsection (1) by the person in immediate charge or control of the mental institution, asylum or other place of confinement from which the escape was made and shall contain the name and description of the escaped mentally disordered person, the name and office, if any, of the person to whom it is issued, the place to which and the person to whom the escaped person is to be returned and the time, not exceeding three months, for which the warrant is valid."

11. The Ordinance entitled the *Electoral Districts Ordinance*, being chapter 4 of the Ordinances of the Northwest Territories, 1965, 2nd Session, shall be deemed for all purposes to have been validly made under sections 8 and 9 of the *Northwest Territories Act*, as amended by this Act, and where the Commissioner makes the order referred to in section 2 of the Ordinance, the electoral districts of the Northwest Territories shall be those named and described in Schedule A to the Ordinance and the qualifications of those entitled to vote at an election of members of the Council and of those eligible for nomination to be elected as members of the Council shall be those prescribed in Schedule B to the Ordinance.

12. If an election of members of the Council of the Northwest Territories is held at any time in the year 1966 after the coming into force of this Act, subsection (4) of section 112 of the *Canada Election Act* shall be read, in respect of that election only, as follows:

"(4) The qualifications for electors in Northwest Territories elections shall be those established pursuant to section 9 of the *Northwest Territories Act* and in force on the day that the writs of election are issued."

13. Section 5 of this Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

Clause 11: The purpose of this section is to validate for all purposes the *Electoral Districts Ordinance* passed by the Council at the 2nd Session in 1965.

Clause 12: The purpose of this section is to permit the holding of an election in 1966 by providing that the qualifications for electors shall be those in force on the day that the writs of election are issued. The present section provides that the qualifications for electors are those in force six months prior to the polling day for the election.

Subsection (4) of section 112 of the *Canada Elections Act* at present reads as follows:

"(4) The qualifications of electors for Northwest Territories elections shall be those established pursuant to section 9 of the *Northwest Territories Act* and in force six months prior to the polling day for such election."

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-147.

An Act to amend the Yukon Act.

First reading, March 17, 1966.

MINISTER OF NORTHERN AFFAIRS AND
NATIONAL RESOURCES.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22977

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-147.

An Act to amend the Yukon Act.

1952–53, c.53; 1955, cc. 23, 48; 1958, c. 9; 1960, c. 24.

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

1960, c. 24, s. 3.

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

Payment of indemnities and expenses to Committee members.

"(4) The Commissioner in Council may provide for the payment out of the Yukon Consolidated Revenue Fund to members of the Committee of indemnities and travelling and living expenses as follows:

(*a*) each member may be paid, in equal amounts at the end of each quarter, an indemnity of three hundred dollars for each calendar year; and

(*b*) in respect of any sitting of the Committee that is held at any time when the Council is not in session, the reasonable travelling and living expenses incurred by the member in going from his ordinary place of residence to the place where the sitting is held, in attending at such place for the purposes of the Committee and in returning therefrom to his ordinary place of residence, but no payment of travelling and living expenses shall be made to a member in respect of more than one return trip for each sitting of the Committee."

1955, c. 23, s. 1.

2. Section 15 of the said Act is repealed and the following substituted therefor:

Sessional indemnity and expenses.

"15. (1) The Commissioner in Council may provide for the payment out of the Yukon Consolidated Revenue Fund of indemnities to members of the Council and travelling and living expenses as follows:

Explanatory Notes.

Clause 1: The purpose of this amendment is to provide for the payment of an annual indemnity of three hundred dollars to each member of the Advisory Committee on Finance and for the payment of the reasonable travelling and living expenses incurred by him in attending at sittings of the Committee. The present section provides for the payment of a per diem allowance of twenty-five dollars for each day the member attends at a sitting and for the payment of his actual travelling expenses in attending at the place where the sitting is held.

Subsection (4) at present reads as follows:

"(4) The Commissioner in Council may provide for the payment out of the Yukon Consolidated Revenue Fund to each member of the Committee, in respect of any sitting of the Committee that has been convened by the Commissioner at any time when the Council is not in session, allowances for living expenses and travelling expenses as follows:

(*a*) an allowance for living expenses not exceeding twenty-five dollars for each day he is in attendance at the sitting; and

(*b*) the actual travelling expenses incurred by him in travelling from his place of residence to the place where the sitting is held and return, but no payment shall be made to a member in respect of more than one return trip for each sitting of the Committee."

Clause 2: The purposes of this amendment are

(*a*) to increase to five thousand dollars the maximum indemnity payable to members of the Council;

(*b*) to provide for the payment of the reasonable travelling and living expenses incurred by members in attending sessions of the Council; and

(*c*) to provide that the first one thousand dollars of the indemnity paid to a member is not subject to income tax.

Section 15 at present reads as follows:

"**15.** (1) The Commissioner in Council may provide for the payment out of the Yukon Consolidated Revenue Fund of indemnities to members of the Council, allowances for living expenses, and travelling expenses as follows:

(*a*) each member may be paid an indemnity at the rate of five thousand dollars per annum, less a deduction of one hundred and fifty dollars for each day in a session in excess of three on which the member does not attend a sitting of the Council, if the Council sits on that day; and

(*b*) the reasonable travelling and living expenses incurred by the member in going from his ordinary place of residence to the place where the Council holds its session and in returning from such place to his ordinary place of residence, but no payment of travelling and living expenses shall be made to a member in respect of more than one return trip for each session of the Council.

Payment of indemnities.

(2) An indemnity provided under paragraph (*a*) of subsection (1) shall be paid quarterly, in equal amounts as nearly as may be, on or before the last day of March, June, September and December in each year.

When member deemed in attendance for purposes of ascertaining indemnity.

(3) For the purpose of ascertaining the indemnity to which a member is entitled under paragraph (*a*) of subsection (1), a member of the Council shall be deemed to have attended a sitting of the Council on each day when

(*a*) there is a sitting of the Council and he is absent therefrom because of public or official business; and

(*b*) he is in the place where a sitting of the Council is held but is unable to attend the sitting because of his illness.

Indemnity not taxable.

(4) The first one thousand dollars of the indemnity paid to a member of the Council under subsection (1) in any year is not income for the purposes of the *Income Tax Act*."

1958, c. 23, s. 1(1).

3. (1) Paragraph (*b*) of subsection (1) of section 19 of the said Act is repealed and the following substituted therefor:

"(*b*) for the lending of money by the Commissioner to any person in the Territory; and"

(2) Subsection (3) of section 19 of the said Act is repealed and the following substituted therefor:

Restriction.

"(3) No money shall be borrowed, loaned or invested under the authority of this section without the approval of the Governor in Council."

(*a*) where in any one calendar year the total number of days on which there was a sitting of the Council is ten or less, each member may be paid in that year an indemnity of one thousand dollars, less one hundred dollars for each such day on which the member was not in attendance,

(*b*) where in any one calendar year the total number of days on which there was a sitting of the council is greater than ten, each member may be paid in that year an indemnity at the rate of one hundred dollars for each such day on which the member was in attendance, or two thousand dollars, whichever is the lesser,

(*c*) an allowance for living expenses, not exceeding twenty-five dollars for each day he is in attendance at a session of the Council, and

(*d*) the actual travelling expenses incurred by the member in travelling from his place of residence to the place where the Council holds its session and return, but no payment shall be made to a member in respect of more than one return trip for each session of the Council.

(2) An allowance for living expenses that is paid to a member of the Council under paragraph (*c*) of subsection (1) is not income for that member for the purposes of the *Income Tax Act*.

(3) For the purpose of ascertaining the indemnity to which a member is entitled under subsection (1), each day on which a member is in the place where a session of the Council is held but is because of illness unable to be in attendance at the session shall be deemed to be a day on which he is in attendance at the session.

(4) For the purpose of ascertaining a member's allowance for living expenses,

(*a*) each day during a session on which there has been no sitting of the Council in consequence of its having adjourned over that day, and

(*b*) each day on which a member is in the place where the session is held but is because of illness unable to be in attendance at the session,

shall be deemed to be a day on which he is in attendance at the session."

Clause 3: (1) The purpose of this amendment is to give to the Commissioner in Council the power to make ordinances for the lending of money by the Commissioner to any person.

Paragraph (*b*) at present reads as follows:

"(*b*) for the lending of money by the Commissioner to *municipalities and school districts* in the Territory, and"

(2) This amendment is consequential on the proposed amendment to paragraph (*b*) of subsection (1).

Subsection (3) at present reads as follows:

"(3) No money shall be borrowed or invested under the authority of this section without the approval of the Governor in Council."

4. Section 23 of the said Act is amended by adding thereto the following subsection:

Establishment of bank accounts.

"(2) The Commissioner shall establish, in the name of the government of the Yukon Territory, accounts with such banks to which the *Bank Act* applies as he designates for the deposit of public moneys and revenue."

5. Section 26 of the said Act is repealed and the following heading and section substituted therefor:

"Territorial Accounts.

Submission of Territorial Accounts to Council.

26. (1) A report for each fiscal year of the Territory, called the Territorial Accounts, shall be laid before the Council by the Commissioner on or before the thirtieth day of June next following the termination of the fiscal year, or if the Council is not then in session, on the opening day of the next ensuing session and the Council shall consider the same.

Contents of Territorial Accounts.

(2) The Territorial Accounts shall be in such form as the Commissioner may direct, and shall include

(*a*) a report on the financial transactions of the fiscal year;

(*b*) a statement, certified by the Auditor General, of the expenditures and revenues of the Territory for the fiscal year;

(*c*) a statement, certified by the Auditor General, of assets and liabilities as at the termination of the fiscal year; and

(*d*) such other information or statements as are required in support of the statements referred to in paragraphs (*b*) and (*c*), or as are required by Ordinance or by the Minister.

Fiscal year.

(3) The fiscal year of the Territory shall be the period from the first day of April in one year to the thirty-first day of March in the next year.

Examination by Auditor General.

(4) The accounts and financial transactions of the Territory shall be examined by the Auditor General who shall report annually to the Council the result of his examination, and the report shall state whether in his opinion

(*a*) proper books of account have been kept by the Territory;

(*b*) the financial statements of the Territory

(i) were prepared on a basis consistent with that of the preceding fiscal year and are in agreement with the books of account,

Clause 4: The purpose of this amendment is to require the Commissioner to establish accounts, for the deposit of public funds, with banks to which the *Bank Act* applies.

Clause 5: The purpose of this amendment is to provide in greater detail for the keeping of Territorial Accounts and for the examination of these accounts by the Auditor General.

Section 26 at present reads as follows:

"**26.** (1) The receipt and expenditure of territorial funds and of such portion of any moneys appropriated by Parliament for the Territory 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 receipt and expenditure, are subject to examination and audit by the Auditor General in the same manner and to the same extent as are the receipt and expenditure of public moneys of Canada and the accounts with respect thereto under the *Financial Administration Act.*

(2) The Auditor General shall, whenever he deems it necessary or desirable, send an officer of his office to the Territory for the purpose of examining and auditing such receipt, expenditure and accounts, and report thereon to him.

(3) The public accounts of the Territory shall include the period from the 1st day of April in one year to the 31st day of March in the next year, both inclusive, which period constitutes the fiscal year.

(4) The Auditor General, and while he is engaged in any inspection, examination and audit under this section, the officer referred to in subsection (2), has, in connection with such inspection, examination and audit all the powers that the Auditor General has under the *Financial Administration Act* in connection with the examination and audit of the receipt and expenditure of public moneys of Canada and the accounts with respect thereto."

(ii) in the case of the statement of expenditurse and revenues, give a true and fair view of the expenditures and revenues of the Territory for the fiscal year, and

(iii) in the case of the statement of assets and liabilities, give a true and fair view of the affairs of the Territory at the end of the fiscal year; and

(*c*) the transactions of the Territory that have come under his notice have been within the powers of the Territory under this Act and any other Act applicable to the Territory;

and the Auditor General shall call attention to any other matter falling within the scope of his examination that in his opinion should be brought to the attention of the Council.

Powers of Auditor General.

(5) The Auditor General has, in connection with his examination of the Accounts of the Territory, all the powers that the Auditor General has under the *Financial Administration Act* in connection with the examination of the accounts of Canada."

6. Paragraph (*b*) of subsection (1) of section 43 of the said Act is repealed and the following substituted therefor:

"(*b*) every building or part thereof or other enclosure, other than those referred to in paragraph (*a*), that is designated as a prison, gaol or lockup for the purposes of this section by the Commissioner in Council."

7. Section 44 of the said Act is repealed and the following substituted therefor:

Regulations respecting R.C.M.P. guardhouses, etc.

"**44.** (1) The Governor in Council may make rules and regulations for the management, discipline and policy of guardhouses, guardrooms or other places of confinement referred to in paragraph (*a*) of subsection (1) of section 43, for the duties and conduct of persons employed therein or otherwise charged with the custody of prisoners and for all matters pertaining to the maintenance, discipline or conduct of prisoners including their employment without as well as within any such guardhouse, guardroom or other place of confinement.

Clause 6: The purpose of this amendment is to vest in the Commissioner in Council power to designate prisons, gaols and lockups in the Territory. This power is at present vested in the Governor in Council.

Paragraph (*b*) at present reads as follows:

"(*b*) every building or part thereof or other enclosure, other than those referred to in paragraph (*a*), that is designated as a prison, gaol or lockup for the purposes of this section by the *Governor* in Council."

Clause 7: This clause is in essence consequential on the amendment proposed in clause 6. It gives to the Commissioner power to make rules and regulations respecting prisons, gaols and lockups designated as such pursuant to the proposed section 38(1)(*b*).

Section 44 at present reads as follows:

"**44.** The *Governor* in Council may make rules and regulations for the management, discipline and policy of prisons, gaols and lockups in the Territory, for the duties and conduct of persons employed therein or otherwise charged with the custody of prisoners and for all matters pertaining to the maintenance, discipline or conduct of prisoners including their employment without as well as within any prison, gaol or lockup."

Regulations respecting prisons and prisoners.

(2) The Commissioner may make rules and regulations for the management, discipline and policy of prisons, gaols or lockups designated as such by the Commissioner in Council under paragraph (*b*) of subsection (1) of section 43, for the duties and conduct of persons employed therein or otherwise charged with the custody of prisoners and for all matters pertaining to the maintenance, discipline or conduct of prisoners including their employment without as well as within any such prison, gaol or lockup."

8. Section 45 of the said Act is amended by striking out the word "and" at the end of paragraph (*b*) thereof, by adding the word "and" at the end of paragraph (*c*) thereof and by adding thereto, immediately after paragraph (*c*) thereof, the following paragraph:

"(*d*) lands acquired by the Territory pursuant to tax sale proceedings,"

9. The heading preceding section 48 and section 48 of the said Act are repealed and the following substituted therefor:

"*Mentally Disordered Persons.*

Arrangements for transfer to provincial institutions.

48. (1) The Commissioner may, subject to the approval of the Minister, arrange with any province of Canada for the admission to mental institutions, asylums or other suitable places in the province of

(*a*) mentally disordered persons and for the confinement, care and maintenance of such persons until the pleasure of the Commissioner is made known or until they are discharged by law;

(*b*) persons in respect of whom the Court, a police magistrate of the Territory or a justice of the peace in and for the Territory has ordered that a psychiatric examination be made, for the purpose of such examination; and

(*c*) persons in respect of whom the Commissioner has approved psychiatric examination and treatment, for the purpose of such examination and, where necessary, such treatment,

and for the compensation to be paid to the province in respect of the confinement, care, maintenance, examination and treatment of such persons.

Payment out of Yukon Consolidated Revenue Fund.

(2) The compensation to be paid to a province under subsection (1) shall be paid out of the Yukon Consolidated Revenue Fund."

Clause 8: The purpose of this amendment is to add to the property, the beneficial use of which is subject to the control of the Commissioner in Council, lands acquired pursuant to tax sale proceedings.

Section 45 at present reads as follows:

"**45.** The following properties, namely,

(*a*) lands acquired before or after the coming into force of this Act with territorial funds;

(*b*) public lands, the administration of which has before or after the coming into force of this Act been transferred by the Governor in Council to the Territory; and

(*c*) all roads, streets, lanes and trails on public lands;

are and remain vested in Her Majesty in right of Canada, but the right to the beneficial use or to the proceeds thereof is hereby appropriated to the Territory and is subject to the control of the Commissioner in Council; and any such lands, roads, streets, lanes or trails may be held by and in the name of the Commissioner for the beneficial use of the Territory."

Clause 9: The purpose of this amendment is to give the Commissioner the power to make arrangements for the care and maintenance of mentally disordered persons and for the psychiatric examination and treatment of certain other persons.

Section 48 at present reads as follows:

"*Insane Persons.*

48. (1) The Commissioner may, subject to the approval of the Minister, arrange with any province of Canada for the removal of *insane* persons from the Territory to mental institutions, asylums or other suitable places of confinement in that province, for their confinement, care and maintenance therein until the pleasure of the Commissioner is made known or until they are discharged by law and for the compensation to be paid to that province in respect of the confinement, care and maintenance of such *insane* persons.

(2) The compensation to be paid to a province under subsection (1) shall be paid out of *territorial revenues.*"

Recapture of escaped mentally disordered person.

10. Subsections (1) and (2) of section 49 of the said Act are repealed and the following substituted therefor:

"**49.** (1) Where a mentally disordered person has escaped from a mental institution, asylum or other place of confinement, within or without the Territory, any person employed therein or connected therewith or other person requested by the person in immediate charge or control thereof may, within forty-eight hours after such escape, without a warrant, retake the escaped person and return him thereto, or may, at any time after such escape up to the time specified in the warrant, do so if a warrant is issued to him for that purpose.

Warrants.

(2) A warrant may be issued for the purposes of subsection (1) by the person in immediate charge or control of the mental institution, asylum or other place of confinement from which the escape was made and shall contain the name and description of the escaped mentally disordered person, the name and office, if any, of the person to whom it is issued, the place to which and the person to whom the escaped person is to be returned and the time, not exceeding three months, for which the warrant is valid."

Clause 10: The purpose of this amendment is to substitute the words "mentally disordered" for the word "insane" in subsections (1) and (2) of section 49.

Subsections (1) and (2) at present read as follows:

"**49.** (1) Where an *insane* person has escaped from a mental institution, asylum or other place of confinement, within or without the Territory, any person employed therein or connected therewith or other person requested by the person in immediate charge or control thereof may, within forty-eight hours after such escape, without a warrant, retake the escaped person and return him thereto, or may, at any time after such escape up to the time specified in the warrant, do so if a warrant is issued to him for that purpose.

(2) A warrant may be issued for the purposes of subsection (1) by the person in immediate charge or control of the mental institution, asylum or other place of confinement from which the escape was made and shall contain the name and description of the escaped *insane* person, the name and office, if any, of the person to whom it is issued, the place to which and the person to whom the escaped person is to be returned and the time, not exceeding three months, for which the warrant is valid."

C-148.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-148.

An Act to amend the Industrial Relations and Disputes Investigation Act (Meaning of "Unit").

First reading, March 18, 1966.

Mr. ALLARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23771

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-148.

An Act to amend the Industrial Relations and Disputes Investigation Act (Meaning of "Unit").

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

R.S., c. 152.

1. Subsection (3) of section 2 of the *Industrial Relations and Disputes Investigation Act* is repealed and the following substituted therefor:

"Unit."

"(3) For the purposes of this Act a "unit" means a group of employees whether regional or national and "appropriate for collective bargaining" with reference to a unit, means a unit that is appropriate for such purposes whether it be an employer unit, craft unit, technical unit, plant unit, or any other unit and whether or not the employees therein are employed by one or more employer."

"Appropriate for collective bargaining."

Explanatory Note.

The purpose of this bill is to clarify the wording of subsection (3) of section 2 of the *Industrial Relations and Disputes Investigation Act*, so that it will be understood that the word "unit" will mean not only a group of employees but a group of employees whether the said group be regional or national.

C-149.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-149.

An Act to provide for the establishment of a Science Council of Canada.

First reading, March 18, 1966.

THE PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23384

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-149.

An Act to provide for the establishment of a Science Council of Canada.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Science Council of Canada Act*.

INTERPRETATION.

Definitions. "Council." "Minister."

2. In this Act,

(*a*) "Council" means the Science Council of Canada established pursuant to section 3; and

(*b*) "Minister" means such member of the Queen's Privy Council for Canada as may be designated by the Governor in Council to act as the Minister for the purposes of this Act.

SCIENCE COUNCIL.

Establishment and constitution.

3. There shall be a Science Council of Canada consisting of not more than

(*a*) twenty-five members chosen from among persons having a specialized interest in science or technology; and

(*b*) four associate members chosen from among officers or employees of Her Majesty employed in departments or agencies of the Government of Canada,

to be appointed by the Governor in Council as provided in section 4.

Tenure of members.

4. (1) Each of the members of the Council shall be appointed to hold office for a term of not more than three years, except that of those first appointed not less than one-third shall be appointed for a term of two years and not less than one-third shall be appointed for a term of four years.

Tenure of associate members.

(2) Each of the associate members of the Council shall be appointed to hold office during pleasure.

Chairman and vice-chairman of Council.

5. (1) The Governor in Council shall appoint one of the members to be chairman of the Council and one of the members to be vice-chairman of the Council for such term, not exceeding three years, as is fixed by the Governor in Council.

Absence of chairman.

(2) In the event of the absence or incapacity of the chairman, or if the office of chairman is vacant, the vice-chairman shall act as chairman.

Reappointment.

6. A retiring chairman, vice-chairman or other member is eligible for reappointment to the Council in the same or another capacity.

Remuneration of chairman.

7. (1) The chairman of the Council shall be paid such remuneration and expenses as are authorized by the Governor in Council.

Travelling and living expenses.

(2) The members and associate members of the Council, other than the chairman, shall serve without remuneration but are entitled to be paid reasonable travelling and other expenses while absent from their ordinary place of residence in the course of their duties.

Remuneration of members for additional duties.

(3) Notwithstanding subsection (2), a member of the Council other than the chairman may, for any period during which he performs with the approval of the Council any duties on behalf of the Council in addition to his ordinary duties as a member thereof, be paid such remuneration therefor as may be authorized by the Governor in Council.

Quorum.

8. A majority of the members constitutes a quorum of the Council.

Meetings.

9. The Council shall meet at least twice a year at the City of Ottawa and may meet at such other places at such times as it deems necessary.

Procedure and establishment of committees.

10. The Council may make rules for the regulation of its proceedings and the performance of its functions and may establish special or standing committees of its members and advisory committees consisting of members of the Council and persons other than members.

Duties.

Duties of the Council.

11. It shall be the duty of the Council to assess in a comprehensive manner Canada's scientific and technological resources, requirements and potentialities and to make recommendations thereon to the Minister; and in particular it shall be the duty of the Council to give consideration to, and make reports and recommendations to the Minister on,

(*a*) the adequacy of the scientific and technological research and development being carried on in Canada;

(*b*) the priorities that should be assigned in Canada to specific areas of scientific and technological research;

(*c*) the effective development and utilization of scientific and technological manpower in Canada;

(*d*) long term planning in scientific and technological research and development in Canada;

(*e*) the factors involved in Canada's participation in international scientific or technological affairs;

(*f*) the responsibilities of departments and agencies of the Government of Canada, in relation to those of universities, private companies and other organizations, in furthering science and technology in Canada;

(*g*) the statistical and other information on scientific and technological research and development that should be obtained in order to provide a proper basis for the formulation of government policy in relation to science and technology in Canada; and

(*h*) the best means of developing and maintaining cooperation and the exchange of information between the Council and other public or private organizations concerned with the scientific, technological, economic or social aspects of life in Canada.

Reference to the Council.

12. (1) The Minister may refer to the Council for its consideration and advice such matters relating to science and technology in Canada or otherwise relating to the operation of this Act as he thinks fit.

Council to investigate and report.

(2) The Council shall investigate and report to the Minister on all matters referred to it pursuant to subsection (1) and shall make such recommendations to the Minister in respect thereof as it deems appropriate.

Initiation of studies, etc.

13. The Council shall on its own initiative, or if directed to do so by the Minister, conduct such studies, inquiries and other undertakings as may be necessary with respect to any matter coming within sections 11 and 12 or with respect to any other matter relating to the carrying out of its duties under those sections, and shall report to, advise or make recommendations to the Minister with respect thereto as the circumstances require.

GENERAL.

Council may utilize services of employees of other Departments.

14. (1) In carrying out its duties the Council may utilize the services of such officers and employees of Her Majesty employed in departments of the Government of Canada as the Minister may designate.

Advisors.

(2) The Minister may, at the request of the Council, engage for temporary periods or for specific projects persons having a technical or specialized knowledge of any matter relating to the work of the Council, to advise and assist the Council in the performance of its duties under this Act and such persons shall receive such remuneration for their services as the Treasury Board may authorize.

Not agent of Her Majesty.

15. The Council is not an agent of Her Majesty and the members of the Council as such are not part of the public service of Canada.

Financial.

16. All expenditures for the purposes of this Act shall be paid out of moneys appropriated by Parliament therefor.

Annual report.

17. The chairman of the Council shall, within three months after the termination of each fiscal year, transmit to the Minister a report of the operations of the Council for that fiscal year and the Minister shall cause such report to be laid before Parliament within fifteen days after the receipt thereof, or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

C-150.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-150.

An Act to amend the Research Council Act.

First reading, March 18, 1966.

THE MINISTER OF INDUSTRY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22947

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-150.

An Act to amend the Research Council Act.

R.S., 1952, c. 239; 1953-54, cc. 40, 42.

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

1. The long title of the *Research Council Act* is repealed and the following substituted therefor:

"An Act respecting the National Research Council of Canada."

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

Short title.

"**1.** This Act may be cited as the *National Research Council Act*."

3. Paragraphs (*d*) to (*g*) of section 2 of the said Act are repealed and the following substituted therefor:

"Council."

"(*d*) "Council" means the Council referred to in section 3; and

"President."

(*e*) "President" means the President of the National Research Council of Canada."

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

Council.

"**3.** There shall be a Council to be called the National Research Council of Canada."

Explanatory Notes.

Clause 1 to 4: The purpose of the amendment contained in clause 4 is to change the formal title of the National Research Council to the title by which it is more commonly known. The amendments contained in clauses 1 to 3 are consequential on this change.

5. Subsection (2) of section 5 of the said Act is repealed and the following substituted therefor:

Tenure of office.

"(2) Each member of the Council, other than the President, the Vice-President (Administration) and the Vice-Presidents (Scientific) shall be appointed to hold office for a term of not more than three years."

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

Duties of Council.

"**7.** The Council has charge of all matters affecting scientific and industrial research in Canada that may be assigned to it by the Committee."

7. Subsection (2) of section 8 of the said Act is repealed.

8. Section 12 of the said Act is amended by adding thereto the following subsection:

Remuneration of members for additional duties.

"(2) Notwithstanding subsection (1), a member of the Council other than the President or a Vice-President may, for any period during which he performs with the approval of the Council any duties on behalf of the Council in addition to his ordinary duties as a member thereof, be paid such remuneration as may be authorized by the Council."

1953-54, c. 42, s. 3(2).

9. (1) Paragraph (*e*) of section 13 of the said Act is repealed and the following substituted therefor:

"(*e*) to expend, for the purposes of this Act, any money appropriated by Parliament for the work of the Council;

(*ea*) to acquire any money, securities, or other property by gift, bequest or otherwise, and to expend, administer or dispose of any such money, securities or other property subject to the terms, if any, upon which such money, securities or other property is given, bequeathed or otherwise made available to the Council;"

(2) Section 13 of the said Act is further amended by adding thereto, immediately after paragraph (*f*) thereof, the following paragraphs:

"(*fa*) to authorize the President or any other officer of the Council to appoint persons to perform duties of a temporary nature for a period not exceeding six months;

Clause 5: Subsection (2) at present reads as follows:

"(2) The members of the Council, with the exception of the President, the Vice-President (Administration), and the Vice-Presidents (Scientific) hold office for a *period* of three years."

The purpose of this amendment is to provide that members of the Council, other than the President and the Vice-Presidents, shall be appointed to hold office for a term of not more than three years.

Clause 6: Section 7 at present reads as follows:

"**7.** The Council has charge of all matters affecting scientific and industrial research in Canada that may be assigned to it by the Committee, *and also has the duty of advising the Committee on questions of scientific and technological methods affecting the expansion of Canadian industries or the utilization of the natural resources of Canada.*"

This amendment is consequential on the establishment of the new Science Council, one of the duties of which will be to advise the Government on scientific and technological matters affecting the expansion of Canadian industries or the utilization of the natural resources of Canada.

Clause 7: The subsection being repealed at present reads as follows:

"(2) The Council may be called the National Research Council."

Because of the proposed change in the name of the Council this subsection is no longer necessary.

Clause 8: Section 12 at present reads as follows:

"**12.** No member of the Council, with the exception of the President, the Vice-President (Administration) and the Vice-Presidents (Scientific) shall receive any payment or emolument for his services, but each member shall receive such travelling and other expenses in connection with the work of the Council as may be approved by the Governor in Council."

New. The purpose of this amendment is to provide that members of the Council, other than the President and Vice-Presidents may, during any period in which they perform duties on behalf of the Council in addition to their ordinary duties, be paid such remuneration therefor as the Council may authorize.

Clause 9: (1) and (2) The purposes of these amendments are:

(*a*) to make it clear that the Council has the power to accept gifts or bequests of property and deal with such property, subject to the terms on which it is given;

(*fb*) to establish, operate and maintain a national science library;"

10. The said Act is further amended by adding thereto, immediately after section 13 thereof, the following section:

Delegation.

"**14.** The Chairman may authorize the President to approve on his behalf the publication, sale or other distribution by the Council of scientific and technical information."

11. Section 16 of the said Act is repealed and the following substituted therefor:

Annual report.

"**16.** The President shall, within four months after the termination of each fiscal year, transmit to the Chairman a report of the operations of the Council for that fiscal year and the Chairman shall cause such report to be laid before Parliament within fifteen days after the receipt thereof, or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting."

One and same corporation.

12. The corporation called The Honorary Advisory Council for Scientific and Industrial Research and the National Research Council of Canada are hereby declared for all purposes to be one and the same corporation.

Substitution of names in Acts, orders, etc.

13. Wherever in any Act, order, regulation, deed, contract, lease or other document, the Honorary Advisory Council for Scientific and Industrial Research is mentioned or referred to, there shall, in each and every case, be substituted the National Research Council of Canada.

(*b*) to empower the Council to authorize the appointment of persons to perform duties of a temporary nature for a period of not more than six months; and

(*c*) to authorize the Council to establish, operate and maintain a national science library.

Clause 10: New. The purpose of this amendment is to provide that the Chairman of the Privy Council Committee on Scientific and Industrial Research may authorize the President to approve on his behalf the publication, sale or distribution by the Council of scientific and technical information.

Clause 11: Section 16 at present reads as follows:

"**16.** (1) The President shall report annually to the Council upon the progress and efficiency of the work of the Council and as to its requirements, and shall make such recommendations therein as he may deem necessary.

(2) The Council shall, after the conclusion of the fiscal year, make a report to the Committee containing the report of the President to the Council and also containing a statement of the receipts and expenditures of the Council during the preceding fiscal year.

(3) Such reports shall be printed and laid before Parliament within fifteen days of the making thereof, or, if Parliament is not then in session, within fifteen days after the commencement of the next session of Parliament."

The purpose of this amendment is to provide that the President shall make an annual report on the operations of the Council to the Chairman of the Privy Council Committee on Scientific and Industrial Research rather than to the Council. The report made by the President will be required to be laid before Parliament.

Clauses 12 and 13: These clauses are consequential on the change of the name of the Council proposed in clause 4.

C-151.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-151.

An Act to provide for the establishment of a fund for the economic and social development of special rural development areas.

First reading, March 18, 1966.

THE MINISTER OF FORESTRY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22907

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-151.

An Act to provide for the establishment of a fund for the economic and social development of special rural development areas.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Fund for Rural Economic Development Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"Advisory Board" or "Board."

(*a*) "Advisory Board" or "Board" means the Advisory Board established by subsection (1) of section 7;

"Fund."

(*b*) "Fund" means the Fund for Rural Economic Development; and

"Minister."

(*c*) "Minister" means the Minister of Forestry.

FUND FOR RURAL ECONOMIC DEVELOPMENT.

F.R.E.D. established.

3. (1) There shall be established in the Consolidated Revenue Fund a special account to be known as the Fund for Rural Economic Development.

Payment out of C.R.F.

(2) All amounts required to be paid by the Minister under agreements entered into under subsection (1) of section 4 shall be paid by the Minister of Finance out of the Consolidated Revenue Fund from time to time on the requisition of the Minister and charged to the Fund.

Limitation.

(3) The amounts that may be paid by the Minister of Finance pursuant to subsection (2) shall not exceed in the aggregate fifty million dollars.

No agreement unless Comptroller certifies.

(4) No agreement under section 4 has any force or effect unless the Comptroller of the Treasury certifies there is a sufficient unencumbered balance in the appropriation authorized by this Act to discharge all financial commitments made by the Minister under such agreement.

COMPREHENSIVE RURAL DEVELOPMENT PROGRAMS.

Agreements for comprehensive rural development programs authorized.

4. (1) The Minister may, on the recommendation of the Advisory Board and with the approval of the Governor in Council, enter into an agreement with any province providing for

(*a*) the undertaking jointly with the province or any agency thereof of a comprehensive rural development program in a special rural development area; or

(*b*) the payment to the province of contributions in respect of the cost of a comprehensive rural development program in a special rural development area undertaken by the government of the province or any agency thereof.

Idem.

(2) No agreement shall be entered into under this section after the 31st day of March, 1970.

Minister to make use of services, etc., of other departments.

(3) The Minister shall, in carrying out any comprehensive rural development program, make use, wherever possible, of the services and facilities of other departments of the Government of Canada or of any agencies thereof.

Comprehensive rural development program and special rural development area defined.

5. For the purposes of this Act,

(*a*) a comprehensive rural development program is a program, consisting of several development projects, that is designed to promote the social and economic development of a special rural development area and to increase income and employment opportunities and raise living standards in the area, and that makes provision for participation by residents of the area in the carrying out of the program; and

(*b*) a special rural development area is a predominantly rural area within a province that is designated in an agreement between the province and the Minister under section 4 to be an area of widespread low incomes resulting from economic and social adjustment problems and that, in the opinion of the Board based on information submitted by the province

with respect to physical, economic and social conditions in the area, has a reasonable potential for economic and social development.

TERMS AND CONDITIONS OF AGREEMENTS.

Provisions to be included in agreements.

6. Every agreement entered into pursuant to section 4 shall

(*a*) specify the respective proportions of the cost of any program to which the agreement relates that shall be paid by the Minister and the province, or the contribution in respect of any such program that shall be paid by the Minister, and the times at which such amounts to be paid by the Minister or the province shall be paid;

(*b*) specify the authority that shall be responsible for the undertaking, operation and maintenance of any program or any part thereof to which the agreement relates;

(*c*) specify the respective proportions of the revenues from any program or any part thereof to which the agreement relates that are to be paid to the Minister and the province; and

(*d*) specify the terms and conditions as to the operation and maintenance of any program to which the agreement relates.

ADVISORY BOARD.

Establishment of Advisory Board.

7. (1) There shall be an Advisory Board consisting of not more than ten senior officials of departments or agencies of the Government of Canada to be appointed by the Governor in Council to hold office during pleasure.

Chairman.

(2) The Governor in Council shall appoint one of the members of the Board to be the chairman of the Board.

Meetings.

(3) The Board shall meet at least once a year in the City of Ottawa, and at such other times and places as it deems necessary in order to carry out its duties under this Act.

Rules of procedure.

(4) The Board may make such rules as it deems necessary for the regulation of its proceedings, for the fixing of a quorum for any of its meetings and generally for the conduct of its activities.

Duties of the Board.

8. (1) The Board shall consider and review each proposal for a comprehensive rural development program submitted to the Minister by a province and shall make recommendations to the Minister with respect to each such program.

Agreements providing for payment by the Minister not to be recommended on certain programs.

(2) The Board shall recommend that the Minister not enter into an agreement under section 4 providing for the payment of money by him with respect to any program, or any part of any program, that, in the opinion of the Board, can be more appropriately carried out under any other assistance program or can be reasonably carried out without federal assistance.

GENERAL.

Regulations.

9. The Governor in Council may make regulations to provide for any matter concerning which he deems regulations necessary or desirable to carry out the purposes and provisions of this Act.

Report.

10. The Minister shall, as soon as possible after the termination of each fiscal year, submit a report to Parliament respecting the operations for that year under this Act.

C-152.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-152.

An Act to amend the Agricultural Rehabilitation and Development Act.

First reading, March 18, 1966.

THE MINISTER OF FORESTRY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22868

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-152.

An Act to amend the Agricultural Rehabilitation and Development Act.

1960-61, c. 30.

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

1. The long title of the *Agricultural Rehabilitation and Development Act* and the preamble to the said Act are repealed and the following substituted therefor:

"An Act to provide for the rehabilitation and development of rural areas in Canada."

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

Short title.

"**1.** This Act may be cited as the *Rural Development Act.*"

3. The said Act is further amended by adding thereto, immediately after section 1 thereof, the following heading and section:

"*Interpretation.*

"Minister."

1A. In this Act, "Minister" means such member of the Queen's Privy Council for Canada as is designated by the Governor in Council."

4. (1) All that portion of subsection (1) of section 2 of the said Act preceding paragraph (*b*) thereof is repealed and the following substituted therefor:

Agreements for alternative land use projects authorized.

"**2.** (1) The Minister may, with the approval of the Governor in Council, enter into an agreement with any province providing for

EXPLANATORY NOTES.

Clause 1: The long title of the *Agricultural Rehabilitation and Development Act* and the preamble at present read as follows:

"An Act to provide for the Rehabilitation of *Agricultural Lands and the* Development of Rural Areas in Canada.

WHEREAS agriculture in Canada is undergoing technological changes that necessitate adjustments on the part of many Canadians engaged in this basic industry in order to maintain or raise their standard of living;

AND WHEREAS all Canadians, and Canadians engaged in agriculture in particular, may benefit by projects providing for the alternative uses of agricultural lands that are marginal or of low productivity, by projects for the development of new opportunities for increased income and employment in rural agricultural areas and by projects for the development and conservation of the soil and water resources in Canada;

AND WHEREAS such projects can best be advanced on the part of Canada by the undertaking of research and the providing of assistance to provincial governments and agencies thereof with respect to such projects;

NOW THEREFORE Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:"

The general purpose of these amendments is to extend the application of the Act to all rural areas in Canada where projects of the nature provided for under the Act can be advantageously undertaken whether or not the area in question is in whole or in part an agricultural area.

This amendment removes the reference to agricultural lands from the long title and eliminates the preamble which is considered to restrict the application of the Act.

Clause 2: Section 1 at present reads as follows:

"1. This Act may be cited as the *Agricultural Rehabilitation and Development Act*."

This amendment is consequential on the change in the long title proposed in Clause 1.

Clause 3: New.

Clause 4: (1) The relevant portion of subsection (1) at present reads as follows:

"2. (1) The Minister of *Agriculture* (hereinafter referred to as the "Minister") may, with the approval of the Governor in Council, enter into an agreement with any province providing for

(*a*) the undertaking jointly with the government of the province or any agency thereof of projects for the more efficient use and economic development of *marginal or submarginal agricultural* lands specified in the agreement; or"

The purpose of this amendment is to amend paragraph (*a*) in accordance with the general purpose of these amendments.

(*a*) the undertaking jointly with the government of the province or any agency thereof of projects for the more efficient use and economic development of rural lands specified in the agreement; or"

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

Research and investigation.

"(2) The Minister may cause to be prepared and undertaken, directly or in cooperation with the government of any province or any agency thereof, programmes of research and investigation respecting the more effective use and economic development of rural lands in that province."

5. (1) Paragraph (*a*) of subsection (1) of section 3 of the said Act is repealed and the following substituted therefor:

"(*a*) the undertaking jointly with the government of the province or any agency thereof of projects for the development of income and employment opportunities in rural areas specified in the agreement and for improving standards of living in those areas; or"

(2) Subsections (2) and (3) of section 3 of the said Act are repealed and the following substituted therefor:

Research and investigation.

"(2) For the purpose of assisting the development of income and employment opportunities in rural areas in Canada and the improvement of standards of living in those areas, the Minister may cause to be prepared and undertaken with the government of any province or any agency thereof or with any university, educational institution or person, programmes of research and investigation, and co-ordinate such programmes with other similar programmes being undertaken in Canada.

Minister to make use of services, etc., of other departments.

(3) The Minister shall, in carrying out any project or research programme for the development of income and employment opportunities in rural areas, make use, wherever possible, of the services and facilities of other departments of the Government of Canada or of any agencies thereof."

(2) Subsection (2) at present reads as follows:

"(2) The Minister may cause to be prepared and undertaken, directly or in co-operation with the government of any province or any agency thereof, programmes of research and investigation respecting the more effective use and economic development of *agricultural* lands in that province."

The amendment is consequential on the general purpose of these amendments.

Clause 5: (1) The relevant portion of subsection (1) at present reads as follows:

"**3.** (1) The Minister may, with the approval of the Governor in Council, enter into an agreement with any province providing for

(*a*) the undertaking jointly with the government of the province or any agency thereof of projects for the development of income and employment opportunities in rural *agricultural* areas specified in the agreement and for improving standards of living in those areas; or"

This amendment is consequential on the general purpose of these amendments.

(2) Subsections (2) and (3) at present read as follows:

"(2) For the purpose of assisting the development of income and employment opportunities in rural *agricultural* areas in Canada and the improvement of standards of living in those areas, the Minister may cause to be prepared and undertaken with the government of any province or any agency thereof or with any university, educational institution or person, programmes of research and investigation, and co-ordinate such programmes with other similar programmes being undertaken in Canada.

(3) The Minister shall, in carrying out any project or research programme for the development of income and employment opportunities in rural *agricultural* areas, make use, wherever possible, of the services and facilities of other departments of the Government of Canada or of any agencies thereof."

This amendment is consequential on the general purpose of these amendments.

6. Subparagraphs (i) and (ii) of paragraph (*a*) of subsection (1) of section 4 of the said Act are repealed and the following substituted therefor:

"(i) projects for the development and conservation of water supplies for agricultural or other rural purposes, and

(ii) projects for soil improvement and the conservation of rural lands in that province or in any area thereof specified in the agreement; or"

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

Advisory committees.

"**6.** (1) The Minister may, in order to carry out the purposes and provisions of this Act, establish such advisory committees as he deems necessary and appoint the members thereof.

Remuneration and expenses of members.

(2) Each member of a committee established under subsection (1) is entitled to be paid such amount for each day he attends any meeting of the committee as may be fixed by the Governor in Council and is entitled to be paid reasonable travelling and living expenses while absent from his ordinary place of residence in the course of his duties."

Clause 6: The relevant portion of subsection (1) at present reads as follows:

"4. (1) The Minister may, with the approval of the Governor in Council, enter into an agreement with any province providing for

(*a*) the undertaking jointly with the government of the province or any agency thereof of

(i) projects for the development and conservation of water supplies for agricultural purposes, and

(ii) projects for soil improvement and conservation that will improve agricultural efficiency in that province or in any area thereof specified in the agreement; or"

This amendment is consequential on the general purpose of these amendments.

Clause 7: Section 6 at present reads as follows:

"6. The Minister may, for the purpose of carrying out the purposes and provisions of this Act, establish such advisory committees as he deems necessary and appoint the members thereof, and the members of such committees are entitled to be paid reasonable travelling and living expenses while absent from their ordinary place of residence in the course of their duties."

The purpose of this amendment is to provide authority for the payment of remuneration to members of advisory committees.

C-153.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-153.

An Act to amend the Aeronautics Act.

First reading, March 18, 1966.

THE MINISTER OF TRANSPORT.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22891

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-153.

An Act to amend the Aeronautics Act.

R.S., cc. 2, 302; 1964-65, c.22.

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

1. The *Aeronautics Act* is amended by adding thereto, immediately after section 3 thereof, the following section:

Regulations.

"**3A.** (1) The Governor in Council may make regulations

(*a*) prescribing charges for the use of

(i) any facility or service provided by or on behalf of the Minister for or in respect of any aircraft, and

(ii) any facility or service not coming within subparagraph (i) provided by or on behalf of the Minister at any airport, and

(*b*) imposing upon the owners or operators of aircraft, wherever resident, in respect of flights within Canada, charges for the availability during such flights of any facility or service provided by or on behalf of the Minister, and every charge so imposed constitutes a legal obligation enforceable by Her Majesty by action in the Exchequer Court of Canada.

Orders and directions of Minister.

(2) Any regulations made under subsection (1) may authorize the Minister to make orders or directions with respect to such matters coming within this section as the regulations may prescribe."

Explanatory Notes.

Clause 1: New. The purpose of this amendment is to provide, under the specific authority of the *Aeronautics Act*, for the making of regulations, orders or directions prescribing charges for the use of certain facilities and services provided by or on behalf of the Minister of Transport for or in respect of aircraft or at airports. The amendment would also authorize the making of regulations imposing on owners or operators of aircraft, in respect of flights within Canada, charges for the availability during such flights of facilities or services provided by or on behalf of the Minister.

1964-65, c. 22, s. 7(2).

2. (1) Subsection (1) of section 4 of the said Act is amended by adding thereto the following paragraphs:

"(*k*) the maximum hours of work and other working conditions for pilots, co-pilots, navigators and flight engineers employed by any person operating a commercial air service licensed by the Air Transport Board;

(*l*) the entering of the premises of any aircraft manufacturer and the inspecting of those premises, including any equipment, stock or records found therein for the purpose of determining the air-worthiness of aircraft manufactured by that manufacturer;

(*m*) the preservation, protection and removal of aircraft involved in accidents, including the cargo thereof, the preservation, protection, removal and testing of any part of such aircraft and the protection of aircraft accident sites;

(*n*) the use and operation of rockets, moored balloons and kites that, in the opinion of the Minister, are hazardous to air navigation; and

(*o*) the investigation of any accident involving an aircraft, of any alleged breach of any regulation made under this section or of any incident involving an aircraft that, in the opinion of the Minister, endangered the safety of persons, including regulations with respect to the entering of premises of the owner, manufacturer, repairer, servicer or operator of any aircraft, aircraft engine or component of an aircraft or aircraft engine involved in any such accident, alleged breach or incident and the inspection of such premises including any equipment, stock or records found therein, and with respect to the taking of statements by investigators for the purpose of any such investigation."

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

Idem.

"(4) Every person who violates an order or direction of the Minister made under a regulation, or who obstructs or hinders an investigation carried on under the provisions of this Act or the regulations, is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

Clause 2: (1) New. The purpose of this amendment is to authorize the Minister, subject to the approval of the Governor in Council, to make regulations respecting the matters set out in paragraphs (*k*) to (*o*).

(2) The purpose of the amendment to subsection (4) is to provide that obstruction or hindrance of any investigation carried on under the provisions of the Act or regulations constitutes an offence, and to provide a penalty for the commission of such offence.

Subsection (4) at present reads as follows:

"(4) Every person who violates an order or direction of the Minister made under a regulation is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment."

Jurisdiction where offences committed outside Canada.

(4a) Where a person has violated a provision of a regulation or an order or direction of the Minister made under a regulation with respect to the operation over the high seas or any territory not within Canada of an aircraft registered in Canada the violation of which is an offence by virtue of subsection (3) or (4), the offence is within the competence of and may be charged, tried and punished by the court having jurisdiction in respect of similar offences in the judicial division of Canada where that person is found in the same manner as if the offence had been committed in that judicial division."

3. The said Act is further amended by adding thereto, immediately after section 5 thereof, the following section:

Boards of inquiry.

"**5A.** (1) The Minister may establish a board of inquiry to investigate the circumstances of any accident involving an aircraft or of any alleged breach of any regulation made under section 4 or of any incident involving an aircraft that, in the opinion of the Minister, endangered the safety of persons, and may designate the persons that are to be members of that board.

Powers of boards.

(2) Every person designated by the Minister as a member of a board of inquiry has and may exercise all the powers of a person appointed as a commissioner under Part I of the *Inquiries Act*, including the powers that may be conferred on a commissioner under section 11 of that Act, and may administer such oaths and take and receive such affidavits, declarations and affirmations as are necessary for the purpose of the inquiry.

Witnesses.

(3) Every witness who attends and gives evidence before a board of inquiry established pursuant to subsection (1) is entitled to be paid

(*a*) reasonable travelling and living expenses incurred by him in so attending and giving evidence; and

(*b*) the witness fees prescribed in the tariff of fees in use in the superior courts of the province in which his evidence is given.

Reports.

(4) Each board of inquiry shall send a full report of the inquiry conducted by it to the Minister."

Subsection (4a) is new. Subsection (1) of section 4 authorizes the Minister to make regulations, subject to the approval of the Governor in Council, respecting the conditions under which aircraft registered in Canada may be operated outside of Canada. The purpose of this amendment is to give jurisdiction to courts in Canada to try violations of these regulations occurring outside of Canada.

Clause 3: New. The purpose of this amendment is to authorize the Minister of Transport to establish boards of inquiry to investigate aircraft accidents, alleged breaches of regulations and certain incidents involving an aircraft, to give such boards the necessary powers to carry out their functions, to provide for the payment of the expenses of witnesses appearing before these boards and to provide for a full report by every such board to the Minister of Transport.

4. Subsections (1), (2) and (3) of section 7 of the said Act are repealed and the following substituted therefor:

Air Transport Board.

"**7.** (1) There shall be a board to be known as the Air Transport Board consisting of not less than three and not more than five members appointed by the Governor in Council.

Ten year office.

(2) Subject to subsection (3), each member shall be appointed for a term not exceeding ten years and shall hold office during good behaviour, but may be removed at any time for cause by the Governor in Council.

Eligibility for reappointment; retirement.

(3) A retiring member of the Board is eligible to be reappointed, but no person appointed or reappointed after the coming into force of this subsection to hold office as a member of the Board shall hold such office after attaining the age of seventy years."

5. Paragraph (*l*) of section 13 of the said Act is repealed and the following substituted therefor:

"(*l*) prescribing the conditions with which an applicant for a licence to operate a commercial air service or an applicant for the renewal of any such licence must comply;"

6. (1) Subsection (1) of section 15 of the said Act is repealed and the following substituted therefor:

Licences.

"**15.** (1) The Board may issue to any person applying therefor a licence to operate a commercial air service in the form of licence applied for or in any other form."

(2) Section 15 of the said Act is further amended by adding thereto, immediately after subsection (4) thereof, the following subsection:

Appeal.

"(4a) Any applicant or any intervener on an application to the Board for a licence to operate a commercial air service may appeal to the Minister from a final decision of the Board with respect to the application, and the Minister shall thereupon certify his opinion to the Board and the Board shall comply therewith."

Clause 4: The purpose of this amendment is to provide that the Air Transport Board shall consist of not less than three and not more than five members, to provide that members of the Board shall be appointed for a term not exceeding ten years and to provide for retirement of members of the Board appointed after the coming into force of the proposed subsection (3) at seventy years of age.

Subsections (1), (2) and (3) of section 7 at present read as follows:

"7. (1) There shall be a board to be known as the Air Transport Board consisting of three members appointed by the Governor in Council.

(2) The members shall hold office during good behaviour *for a period of* ten years, but may be removed at any time for cause by the Governor in Council *and the members first appointed shall be appointed for periods of ten, seven and four years respectively.*

(3) Any retiring member is eligible for re-appointment."

Clause 5: The repeal of paragraph (*l*) of section 13 is consequential upon the amendment proposed in clause 2. Paragraph (*l*) at present reads as follows:

"(*l*) prescribing maximum hours and other working conditions for pilots and co-pilots employed by any air carrier;"

The purpose of the substituted paragraph (*l*) is to authorize the Air Transport Board, subject to the approval of the Governor in Council, to make regulations respecting the matters set out therein.

Clause 6: (1) The purpose of this amendment is to consolidate certain licencing powers of the Air Transport Board and to remove the condition that the issuance of any such licence is subject to the approval of the Minister of Transport.

Subsection (1) of section 15 at present reads as follows:

"**15.** (1) *Subject to the approval of the Minister*, the Board may issue to any person applying therefor a licence to operate a commercial air service."

(2) New. The purpose of this amendment is to consolidate the provision for appeal by an applicant from a final decision of the Air Transport Board with a provision for appeal to be given to any intervener on an application.

(3) Subsection (5) of section 15 of the said Act is repealed and the following substituted therefor:

Operating certificate necessary.

"(5) Notwithstanding the issue of a licence under subsection (1), no air carrier shall operate a commercial air service unless he holds a valid and subsisting certificate issued to him by the Minister certifying that the holder is adequately equipped and able to conduct a safe operation as an air carrier."

(4) Subsection (8) of section 15 of the said Act is repealed and the following substituted therefor:

Suspension, cancellation or amendment.

"(8) The Board may suspend, cancel or amend any licence or any part thereof where, in the opinion of the Board, the public convenience and necessity so requires."

(5) Subsection (9) of section 15 of the said Act is repealed.

(6) Subsections (11) and (12) of section 15 of the said Act are repealed and the following substituted therefor:

Appeal.

"(11) Any air carrier whose licence has been suspended, cancelled or amended may appeal to the Minister, and the Minister shall thereupon certify his opinion to the Board and the Board shall comply therewith.

Time for appeal to Minister.

(12) Every appeal to the Minister under this section shall be brought within thirty days of the date of the decision, ruling or order appealed from or within such longer period as the Minister may allow.

Rules as to appeal.

(13) The Board may make rules prescribing the manner in which appeals to the Minister may be made."

(3) The purpose of this amendment is to remove the provision restricting operating certificates to a prescribed route or area.

Subsection (5) at present reads as follows:

"(5) Notwithstanding the issue of a licence under subsection (1), no air carrier shall operate a commercial air service unless he holds a valid and subsisting certificate issued to him by the Minister certifying that the holder is adequately equipped and able to conduct a safe operation as an air carrier *over the prescribed route or in the prescribed area.*"

(4) This amendment is consequential upon the amendment proposed in subclause (1) of clause 6.

Subsection (8) at present reads as follows:

"(8) The Board may *issue a licence that differs from the licence applied for and may* suspend, cancel or amend any licence or any part thereof where, in the opinion of the Board, public convenience and necessity so requires."

(5) This amendment is consequential upon the amendments contained in subclauses (2) and (6) of this clause.

The subsection being repealed at present reads as follows:

"(9) Where the Board suspends, cancels or amends a licence or any part thereof, refuses to issue a licence applied for, or attaches conditions to which the applicant objects, an appeal may be made to the Minister."

(6) The purpose of the proposed subsection (11) is to consolidate the provisions for appeal in the case of suspension, cancellation or amendment of a commercial air service licence that are presently contained in subsections (9) and (11).

Subsection (11) at present reads as follows:

"(11) Any air carrier whose licence has been so cancelled or suspended may appeal to the Minister."

The purpose of the proposed subsection (12) is to incorporate into the Bill the time limit on appeals to the Minister under section 15 of the Act. The time limit is presently prescribed by the rules of the Air Transport Board enacted under subsection (12) which at present reads as follows:

"(12) The Board may make rules *limiting the time and* prescribing the manner in which appeals to the Minister may be made."

C-154.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-154.

An Act to implement an Agreement between Canada and the United Kingdom for the avoidance of double taxation with respect to taxes on certain classes of income and to implement a Supplementary Income Tax Agreement between Canada and Sweden.

First reading, March 24, 1966.

MINISTER OF FINANCE

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23689

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-154.

An Act to implement an Agreement between Canada and the United Kingdom for the avoidance of double taxation with respect to taxes on certain classes of income and to implement a Supplementary Income Tax Agreement between Canada and Sweden.

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

PART I.

CANADA-UNITED KINGDOM INCOME TAX AGREEMENT.

Short title for Part I.

1. This Part may be cited as the *Canada-United Kingdom Income Tax Agreement Act, 1966*.

Agreement approved.

2. (1) The Agreement entered into between Canada and the United Kingdom, set out in Schedule I, is approved and declared to have the force of law in Canada during such period as, by its terms, the Agreement is in force.

Inconsistent laws.

(2) In the event of any inconsistency between the provisions of this Part, or the Agreement, and the operation of any other law, the provisions of this Part and the Agreement prevail to the extent of the inconsistency.

Orders and regulations.

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

Promulgation of commencement and termination date of Agreement.

3. Notice of the day the Agreement comes into force and of the day the Agreement ceases to be effective shall be given by proclamation of the Governor in Council published in the *Canada Gazette*.

PART II.

Canada-Sweden Supplementary Income Tax Agreement.

Supplementary Agreement with Sweden approved.

1951 (1 Sess.), c. 42.

4. The Supplementary Agreement entered into between Canada and Sweden, set out in Schedule II, is approved and declared to have the force of law in Canada while the Agreement set out in the Schedule to *The Canada-Sweden Income Tax Agreement Act, 1951*, continues in force.

Promulgation of commencement of Supplementary Agreement.

5. Notice of the day the Supplementary Agreement comes into force shall be given by proclamation of the Governor in Council published in the *Canada Gazette*.

SCHEDULE I.

AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED KINGDOM FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES ON CERTAIN CLASSES OF INCOME

The Government of Canada and the Government of the United Kingdom of Great Britain and Northern Ireland,

Desiring to conclude an Agreement for the avoidance of double taxation with respect to taxes on certain classes of income,

Have agreed as follows:

ARTICLE I.

(1) The taxes which are the subject of this Agreement are—

(*a*) In Canada:
the income taxes, including the old age security tax on income, which are imposed by the Government of Canada (hereinafter referred to as "Canadian tax").

(*b*) In the United Kingdom of Great Britain and Northern Ireland:
the income tax, including surtax, the profits tax and the corporation tax (hereinafter referred to as "United Kingdom tax").

(2) This Agreement shall also apply to any identical or substantially similar taxes which are subsequently imposed in addition to, or in place of, the taxes referred to in paragraph (1) by either Contracting Government.

ARTICLE II.

(1) In this Agreement, unless the context otherwise requires—

(*a*) the term "United Kingdom" means Great Britain and Northern Ireland;

(*b*) the terms "one of the territories" and "the other territory" mean the United Kingdom or Canada, as the context requires;

(*c*) the term "taxation authorities" means, in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorized representative; in the case of Canada, the Minister of National Revenue or his authorized representative; and, in the case of any territory to which this Agreement is extended under Article IX, the competent authority for the administration in such territory of the taxes to which this Agreement applies;

(*d*) the term "tax" means United Kingdom tax or Canadian tax, as the context requires;

(*e*) the term "person" includes any body of persons, corporate or not corporate;

(*f*) the term "company" includes any body corporate;

(*g*) (i) the terms "resident of the United Kingdom" and "resident of Canada" mean respectively any person who is resident in the United Kingdom for the purposes of United Kingdom tax and any person who is resident in Canada for the purposes of Canadian tax;

(ii) where, by reason of the provisions of sub-paragraph (i) above, an individual is a resident of both territories, then this case shall be solved in accordance with the following rules:

(*aa*) he shall be deemed to be a resident of the territory in which he has a permanent home available to him; if he has a permanent home available to him in both territories, he shall be deemed to be a resident of the territory with which his personal and economic relations are closest (hereinafter referred to as his centre of vital interests);

(*bb*) if the territory in which he has his centre of vital interests cannot be determined, or if he has not a permanent home available to him in either territory, he shall be deemed to be a resident of the territory in which he has an habitual abode;

(*cc*) if he has an habitual abode in both territories or in neither of them, he shall be deemed to be a resident of the territory of which he is a national;

(*dd*) if he is a national of both territories or of neither of them, the taxation authorities of the territories shall determine the question by mutual agreement;

(iii) where, by reason of the provisions of sub-paragraph (i) above, a person other than an individual is a resident of both territories, then it shall be deemed to be a resident of the territory in which its place of effective management is situated;

(*h*) the terms "resident of one of the territories" and "resident of the other territory" mean a person who is a resident of the United Kingdom, or a person who is a resident of Canada, as the context requires;

(*i*) the terms "United Kingdom enterprise" and "Canadian enterprise" mean respectively an industrial or commercial enterprise or undertaking carried on by a resident

of the United Kingdom and an industrial or commercial enterprise or undertaking carried on by a resident of Canada, and the terms "enterprise of one of the territories" and "enterprise of the other territory" mean a United Kingdom enterprise or a Canadian enterprise, as the context requires;

(*j*) (i) the term "permanent establishment" means a fixed place of business in which the business of an enterprise is wholly or partly carried on;

(ii) the term "permanent establishment" shall include especially—

(*aa*) a place of management;

(*bb*) a branch;

(*cc*) an office;

(*dd*) a factory;

(*ee*) a workshop;

(*ff*) a mine, quarry or other place of extraction of natural resources;

(*gg*) a building site or construction or assembly project which exists for more than twelve months;

(iii) the term "permanent establishment" shall not be deemed to include—

(*aa*) the use of facilities solely for the purpose of storage, display or delivery of goods or merchandise belonging to the enterprise;

(*bb*) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage, display or delivery;

(*cc*) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise;

(*dd*) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise or for collecting information, for the enterprise;

(*ee*) the maintenance of a fixed place of business solely for the purpose of advertising, for the supply of information, for scientific research or for similar activities which have a preparatory or auxiliary character, for the enterprise;

(iv) a person acting in one of the territories on behalf of an enterprise of the other territory—other than an agent of an independent status to whom subparagraph (*j*) (v) applies—shall be deemed to be a permanent establishment in the first-mentioned territory—

(*aa*) if he has, and habitually exercises in that first-mentioned territory, an authority to conclude contracts in the name of the enterprise, unless his activities are limited to the purchase of goods or merchandise for the enterprise, or

(*bb*) if he maintains in that first-mentioned territory a stock of goods or merchandise belonging to the enterprise from which he regularly fills orders on behalf of the enterprise;

(v) an enterprise of one of the territories shall not be deemed to have a permanent establishment in the other territory merely because it carries on business in that other territory through a broker, general commission agent or any other agent of an independent status, where such persons are acting in the ordinary course of their business;

(vi) the fact that a company which is a resident of one of the territories controls or is controlled by a company which is a resident of the other territory, or which carries on business in that other territory (whether through a permanent establishment or otherwise), shall not of itself constitute either company a permanent establishment of the other;

(*k*) the term "international traffic" includes traffic between places in one country in the course of a voyage which extends over more than one country;

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

(2) In the application of the provisions of this Agreement by one of the Contracting Governments any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting Government relating to the taxes which are the subject of this Agreement.

Article III.

(1) The industrial or commercial profits of a United Kingdom enterprise shall not be subject to Canadian tax unless the enterprise carries on business in Canada through a permanent establishment situated therein. If the enterprise carries on business as aforesaid, tax may be imposed by Canada on those profits but only on so much of them as is attributable to that permanent establishment.

(2) The industrial or commercial profits of a Canadian enterprise shall not be subject to United Kingdom tax unless the enterprise carries on business in the United Kingdom through a permanent

establishment situated therein. If the enterprise carries on business as aforesaid, tax may be imposed by the United Kingdom on those profits but only on so much of them as is attributable to that permanent establishment.

(3) Where an enterprise of one of the territories carries on business in the other territory through a permanent establishment situated therein, there shall in each territory be attributed to that permanent establishment the industrial or commercial profits which it might be expected to make if it were a distinct and separate enterprise engaged in the same or similar activities under the same or similar conditions and dealing wholly independently with the enterprise of which it is a permanent establishment.

(4) In determining the industrial or commercial profits of a permanent establishment, there shall be allowed as deductions all expenses which would be deductible if the permanent establishment were an independent enterprise in so far as they are reasonably allocable to the permanent establishment, including executive and general administrative expenses so deductible and allocable, whether incurred in the territory in which the permanent establishment is situated or elsewhere.

(5) No profits shall be attributed to a permanent establishment by reason of the mere purchase by that permanent establishment of goods or merchandise for the enterprise.

(6) Any dividend, interest, royalty or rent arising in one of the territories to a resident of the other territory who has in the first-mentioned territory a permanent establishment with which, as the case may be, the holding by virtue of which the dividend is paid, or the debt-claim from which the interest arises, or the right or property giving rise to the royalty or rent, is effectively connected, may be taxed as industrial or commercial profits; subject to this, the term "industrial or commercial profits" does not include income in the form of dividends, interest, royalties, or rents or remuneration for labour or personal services.

Article IV.

Where

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

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

and in either case conditions are made or imposed between the two enterprises, in their commercial or financial relations, which differ from those which would be made between independent enterprises, then any profits which would, but for those conditions, have accrued to one of the enterprises, but, by reason of those conditions, have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

ARTICLE V.

Profits of an enterprise from the operation of ships or aircraft in international traffic shall be taxable only in the territory in which the place of effective management of the enterprise is situated.

ARTICLE VI.

Subject to paragraph (6) of Article III, copyright royalties and other like payments in respect of the production or reproduction of any literary, dramatic, musical or artistic work (but not including rents or royalties in respect of motion picture films and films or video tapes for use in connection with television) derived from sources within one of the territories by a resident of the other territory who is subject to tax in that other territory in respect thereof shall be exempt from tax in that first-mentioned territory.

ARTICLE VII.

(1) Any pension (other than a pension referred to in paragraph (2), (3) or (4) of this Article), or any annuity derived from sources within one of the territories by an individual who is a resident of the other territory shall be exempt from tax in the first-mentioned territory.

Provided that this paragraph shall also apply instead of paragraphs (2), (3) and (4) to any pensions referred to in those paragraphs if the provisions of this paragraph are more favourable to the individual to whom the pension is paid.

(2) Subject to the proviso to paragraph (1), any pension paid by one of the Contracting Governments to an individual for services rendered to it in the discharge of governmental functions by that individual shall be exempt from tax in the territory of the other Contracting Government if

(*a*) that individual was a resident of the other territory on the relevant date;

(*b*) the first payment period of that pension commenced before the relevant date; and

(*c*) that pension would have been exempt from tax in that territory if Article VIII of the Agreement between Canada and the United Kingdom with respect to taxes on income signed in London on the 5th day of June 1946 were in force.

(3) Subject to the proviso to paragraph (1), any pension paid by one of the Contracting Governments to the surviving spouse or other surviving dependant of an individual who died before the relevant date, in respect of services rendered to it in the discharge of governmental functions by that individual, shall be exempt from tax in the territory of the other Contracting Government if

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(*a*) that spouse or other dependant was a resident of the other territory on the relevant date, and

(*b*) that pension would have been exempt from tax in that territory if Article VIII of the Agreement between Canada and the United Kingdom with respect to taxes on income signed in London on the 5th day of June 1946 were in force.

(4) Subject to the proviso to paragraph (1), any pension paid by one of the Contracting Governments to the surviving spouse or other surviving dependant of an individual who died after the relevant date in respect of services rendered to it in the discharge of governmental functions by that individual shall be exempt from tax in the territory of the other Contracting Government if it relates to a pension paid to that individual which was exempt from tax in the territory of the other Contracting Government by virtue of paragraph (2).

(5) In this Article the term "relevant date" means, in relation to a pension paid to a resident of Canada, 1st day of January 1965 and, in relation to a pension paid to a resident of the United Kindom, 6th day of April 1965.

Article VIII.

(1) The taxation authorities of the Contracting Governments shall, on request, exchange such information (being information which is at their disposal under their respective taxation laws in the normal course of administration) as is necessary for carrying out the provisions of this Agreement. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those concerned with the assessment and collection of the taxes which are the subject of this Agreement. No information as aforesaid shall be exchanged which would disclose any trade, business, industrial or professional secret or trade process.

(2) The taxation authorities of the Contracting Governments may communicate with each other directly for the purpose of giving effect to the provisions of this Agreement and for resolving any difficulty or doubt as to the application or interpretation of the Agreement.

Article IX.

(1) This Agreement may be extended, either in its entirety or with modifications, to any territory for whose international relations the United Kingdom is responsible, and which imposes taxes substantially similar in character to those which are the subject of this Agreement, and any such extension shall take effect from such date and subject to such modifications and conditions (including conditions as to termination) as may be specified and agreed between the Contracting Governments in notes to be exchanged for this purpose.

(2) The termination of this Agreement under Article XI shall, unless otherwise expressly agreed by both Contracting Governments, terminate the application of the Agreement to any territory to which it has been extended under this Article.

ARTICLE X.

This Agreement shall come into force on the date on which the last of all such things shall have been done in the United Kingdom and Canada as are necessary to give the Agreement the force of law in the United Kingdom and Canada respectively, and shall thereupon have effect—

(*a*) in Canada:

(i) in respect of tax withheld at the source on amounts paid or credited to non-residents on or after the 1st day of January 1965;

(ii) in respect of other Canadian tax, for the 1965 taxation year and subsequent years;

(*b*) in the United Kingdom:

(i) in respect of income tax for the year of assessment beginning on the 6th day of April, 1965, and subsequent years;

(ii) in respect of surtax for the year of assessment beginning on the 6th day of April, 1964, and subsequent years;

(iii) in respect of profits tax for any chargeable accounting period beginning on or after the 1st day of January, 1965, and for the unexpired portion of any chargeable accounting period current at that date; and

(iv) in respect of corporation tax for the financial year 1964 and subsequent years.

ARTICLE XI.

This Agreement shall continue in effect until terminated in accordance with the provisions of this Article. Notice of termination may be given by either Contracting Government to the other Contracting Government on, or before the 30th day of June in any calendar year and in such event this Agreement shall cease to be effective—

(*a*) in Canada:

(i) in respect of tax withheld at the source on amounts paid or credited to non-residents on or after the 1st day of January in the calendar year next following that in which such notice is given; and

(ii) in respect of other Canadian tax for any taxation year ending in or after the calendar year next following that in which such notice is given;

(*b*) in the United Kingdom:

(i) in respect of income tax for any year of assessment beginning on or after the 6th day of April in the calendar year next following that in which such notice is given;

(ii) in respect of surtax for any year of assessment beginning on or after the 6th day of April in the calendar year in which such notice is given;

(iii) in respect of corporation tax for any financial year beginning on or after the 1st day of April in the calendar year next following that in which notice is given.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Agreement.

DONE at Ottawa this sixth day of December, 1965, in two copies in the English and French languages, both texts being equally authentic.

(Sgd.) MITCHELL W. SHARP
FOR THE GOVERNMENT OF CANADA

(Sgd.) H. LINTOTT
FOR THE GOVERNMENT OF THE UNITED KINGDOM

SCHEDULE II.

SUPPLEMENTARY AGREEMENT MODIFYING THE AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE ROYAL GOVERNMENT OF SWEDEN FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE ESTABLISHMENT OF RULES FOR RECIPROCAL FISCAL ASSISTANCE IN THE MATTER OF INCOME TAXES SIGNED AT OTTAWA ON APRIL 6, 1951

The Goverment of Canada and the Royal Government of Sweden desiring to conclude a Supplementary Agreement modifying the Agreement for the avoidance of double taxation and the establishment of rules for reciprocal fiscal assistance in the matter of income taxes signed at Ottawa on April 6, 1951, have agreed as follows:

Article I.

The provisions of the above-mentioned Agreement are hereby modified as follows:

(*a*) by deleting Article I and replacing it with the following:

"Article I.

1. The taxes which are subject to this Agreement are

(*a*) In Canada:

income taxes, including the old age security tax on income, which are imposed by the Government of Canada;

(hereinafter referred to as "Canadian tax").

(*b*) In Sweden:

(i) the State income tax, including sailors tax and coupon tax;

(ii) the tax on public entertainers;

(iii) the communal income tax;

(hereinafter referred to as "Swedish tax").

2. This Agreement shall also apply to any other taxes of a substantially similar character which are subsequently imposed by the Government of Canada, and to any other State income tax and communal income tax of a substantially similar character which are subsequently imposed in Sweden";

(*b*) by deleting in paragraph 1 of Article VI the words—

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

(*c*) by deleting in paragraph 2 of Article VI the words—

"Notwithstanding the provisions of the foregoing paragraph, the Swedish coupon tax on dividends paid to a company which is a resident of Canada by a company resident in Sweden, more than 50 per cent of whose shares which have under all circumstances full voting rights are owned by the former company, shall not exceed 5 per cent.";

(*d*) by deleting in paragraph 1 of Article XV the words—

"The special tax payable in Sweden by public entertainers such as theatre and radio artists, musicians and athletes (bevillningsavgifter för vissa offentliga föreställningar) shall be regarded, for purposes of this paragraph, as Swedish tax.";

(*e*) by deleting paragraph 2 of Article XV and replacing it with the following:

"2. Where income from sources in Canada under the laws of Canada and in accordance with this Agreement is subject to Canadian tax to which this Agreement applies, Sweden agrees to allow such Canadian tax paid in respect of that income as a deduction from and limited to the Swedish tax payable thereon.

However, where such income is a dividend paid by a company being a resident of Canada to a company which is a resident of Sweden, the dividend shall be exempt from Swedish tax, provided that in accordance with the laws of Sweden the dividend would be exempt from Swedish tax if the company paying the dividend had been a resident of Sweden and not a resident of Canada."

Article II.

(1) This Supplementary Agreement is done in the English, French and Swedish languages, the texts having equal force. It shall be ratified by the two Contracting Governments. Ratification by His Majesty the King of Sweden shall be subject to the consent of the Riksdag.

(2) The instruments of ratification shall be exchanged as soon as possible at Ottawa.

(3) This Supplementary Agreement shall come into force on the date on which the instruments of ratification are exchanged and shall thereupon have effect:

(*a*) In Sweden:

(i) in respect of tax on income for the assessment year 1967 and subsequent assessment years;

(ii) in respect of coupon tax on dividends payable on or after 1st April, 1966;

(iii) in respect of sailors tax and the tax on public entertainers on income derived on or after 1st January, 1966.

(*b*) In Canada:

(i) in respect of income taxes, including the old age security tax on income, for the taxation year 1966 and subsequent taxation years;

(ii) in respect of the tax withheld at the source on dividends, to any dividends paid or credited on or after 1st April, 1966.

(4) This Supplementary Agreement shall continue in force indefinitely as though it were an integral part of the Agreement of April 6, 1951.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Supplementary Agreement.

DONE in duplicate at Stockholm this 21st day of January, 1966.

FOR THE GOVERNMENT OF CANADA:
(Sgd.) A. J. ANDREW

FOR THE ROYAL GOVERNMENT OF SWEDEN:
(Sgd.) TORSTEN NILSSON

C-155.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-155.

An Act to amend the Criminal Code (Cruelty to Animals).

First reading, March 25, 1966.

Mr. MATHER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-155.

1953-54, c. 51; 1955, cc. 2, 45; 1956, c. 48; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37; c. 45, s. 21; 1960-61 cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10; and cc. 35, 53.

An Act to amend the Criminal Code (Cruelty to Animals).

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

1. Section 387 of the *Criminal Code* is amended by adding thereto the following:

Additional punishment.

"(3) In addition, the Court may, if it thinks fit, prohibit such person from owning, harbouring, or otherwise possessing any animal, bird, domestic, or otherwise, for a period not exceeding two months upon the first conviction and for a period not exceeding six months upon a second conviction, and for a period not exceeding two years upon any third or subsequent conviction.

Illegal owning, harbouring or possessing of animals.

(4) Everyone who owns, harbours or otherwise possesses any animal or bird, domestic or otherwise, during a period for which he is under prohibition as provided in the preceding subsection is guilty of an offence punishable on summary conviction and is liable to a fine of not less than two hundred and fifty dollars or to imprisonment for not less than three months, or to both."

Punishment.

Explanatory Notes.

The purpose of this bill is to enable a Magistrate who has imposed a sentence upon a person convicted of an offence of cruelty to animals to prohibit also such person from owning, harbouring or otherwise possessing an animal or a bird for a stated period of time as part of the sentence.

At present, Magistrates are limited to fining or jailing any person convicted of cruelty to animals. The vast majority of Magistrates are most reluctant to ever impose a jail sentence for this type of crime.

Section 387 now reads as follows:

"387. (1) Every one commits an offence who

(*a*) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or bird,

(*b*) by wilful neglect causes damage or injury to animals or birds while they are being driven or conveyed,

(*c*) being the owner or the person having the custody or control of a domestic animal or bird or an animal or bird wild by nature that is in captivity, abandons it in distress or wilfully neglects or fails to provide suitable and adequate food, water, shelter and care for it,

(*d*) in any manner encourages, aids or assists at the fighting or baiting of animals or birds,

(*e*) wilfully, without reasonable excuse, administers a poisonous or injurious drug or substance to a domestic animal or bird or an animal or bird wild by nature that is kept in captivity or being the owner of such an animal or bird, wilfully permits a poisonous or injurious drug or substance to be administered to it, or

(*f*) promotes, arranges, conducts, assists in, receives money for, or takes part in a meeting, competition, exhibition pastime, practice, display, or event at or in the course of which captive birds are liberated by hand, trap, contrivance or any other means for the purpose of being shot when they are liberated, or

(*g*) being the owner, occupier, or person in charge of any premises, permits the premises or any part thereof to be used for a purpose mentioned in paragraph (*f*).

(2) Every one who commits an offence under subsection (1) is guilty of an offence punishable on summary conviction.

A sentence that would include a prohibition of owning, harbouring or possessing animals for a certain period of time would certainly prevent the repetition of the crime provided for in section 387.

C-156.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-156.

An Act to amend the Industrial Relations and Disputes Investigation Act
(Powers of Chairman and of the Board).

First reading, March 25, 1966.

Mr. ALLARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-156.

An Act to amend the Industrial Relations and Disputes Investigation Act
(Powers of Chairman and of the Board)

R.S., c. 152.

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

1. Subsection (2) of section 61 of the *Industrial Relations and Investigation Act* is repealed and the following substituted therefore:

Decision of Chairman final and conclusive.

"(2) If in any proceeding before the Board a question arises under this Act concerning a conflict between two or more trade unions who make application to the Board to be certified as bargaining agent of the employees in the unit, each one claiming to represent such employees, the Chairman shall decide the question and his decision shall be final and conclusive for all the purposes of this Act.

Decision of the Board may be varied or revoked.

(3) A decision or order of the Board with respect to the matters enumerated in subsection (1) is final and conclusive and not open to question, or review, but the Board may, if it considers it advisable so to do, reconsider any decision or order made by it under this Act, and may vary or revoke any decision or order made by it under this Act.

Decision of Chairman may be varied or revoked.

(4) A decision or order of the Chairman with respect to the matter referred to in subsection (2) is final and conclusive and not open to question, or review, but the Chairman may, if he considers it advisable so to do, reconsider any decision or order made by him under this Act, and may vary or revoke any decision or order made by him under this Act."

Explanatory Notes.

The purpose of this Bill is to give the Chairman of the Canada Labour Relations Board the right, now exercised by the whole Board, to decide the question concerning a conflict between two or more trade unions who make application to the Board to be certified as bargaining agent of the employees in the unit, each one claiming to represent such employees.

Section 61 now reads as follows:

"**61.** (1) If in any proceeding before the Board a question arises under this Act as to whether

(*a*) a person is an employer or employee;

(*b*) an organization or association is an employers' organization or a trade union;

(*c*) in any case a collective agreement has been entered into and the terms thereof and the persons who are parties to or are bound by the collective agreement or on whose behalf the collective agreement was entered into;

(*d*) a collective agreement is by its terms in full force and effect;

(*e*) any party to collective bargaining has failed to comply with paragraph (*a*) of section 14 or with paragraph (*a*) of section 15;

(*f*) a group of employees is a unit appropriate for collective bargaining;

(*g*) an employee belongs to a craft or group exercising technical skills; or

(*h*) a person is a member in good standing of a trade union;

the Board shall decide the question and its decision is final and conclusive for all the purposes of this Act.

(2) A decision or order of the Board is final and conclusive and not open to question, or review, but the Board may, if it considers it advisable so to do, reconsider any decision or order made by it under this Act, and may vary or revoke any decision or order made by it under this Act."

C-157.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-157.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1967.

AS PASSED BY THE HOUSE OF COMMONS, 25th MARCH, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23786

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-157.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1967.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, General Georges Philias Vanier, DSO., MC., Governor General of Canada and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1967; and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 3, 1966.*

$870,275,281.00 granted for 1966–67.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole, eight hundred and seventy million, two hundred and seventy-five thousand, two hundred and eighty-one dollars, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1966 to the 31st day of March, 1967, not otherwise provided for, and being the aggregate of

(*a*) two-twelfths of the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1967, as laid before the House of Commons at the present session of Parliament.....
.....$817,997,151.83;

(*b*) nine-twelfths of the amount of the item in the said Main Estimates set forth in Schedule A $408,000.00;

(*c*) four-twelfths of the total of the amounts of the several items in the said Main Estimates set forth in Schedule B.....$3,382,966.67;

(*d*) three-twelfths of the total of the amounts of the several items in the said Main Estimates set forth in Schedule C.....$19,582,100.00;

(*e*) two-twelfths of the amount of the item in the said Main Estimates set forth in Schedule D... .....$959,816.67;

(*f*) one-twelfth of the total of the amounts of the several items in the said Main Estimates set forth in Schedule E.....$27,945,245.83.

Purpose and effect of each item.

3. The amount authorized by this Act to be paid or applied in respect of an item may be paid or applied only for the purposes and subject to any terms and conditions specified in the item, and the payment or application of any amount pursuant to the item has such operation and effect as may be stated or described therein.

Commitments.

4. Where an item in the said Estimates purports to confer authority to enter into commitments up to an amount stated therein, a commitment may be entered into in accordance with the terms of such item, if the Comptroller of the Treasury certifies that the amount of the commitment proposed to be entered into, together with all previous commitments entered into pursuant to this section, does not exceed the total amount of the commitment authority stated in such item.

Power to raise loan of $1,000,000,000 for public works and genera purpose s. R.S., c. 116.

5. (1) The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the *Financial Administration Act*, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rates of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not exceeding in the whole, the sum of one billion dollars, as may be required for public works and general purposes.

(2) All borrowing powers that are authorized by section 5 of chapter 49 of the Statutes of 1964–65 and by section 5 of chapter 11 of the Statutes of 1965 and are outstanding and unused shall expire on the date of the coming into force of this Act.

Account to be rendered. R.S., c. 116.

6. Amounts paid or applied under the authority of this Act shall be accounted for in the Public Accounts in accordance with section 64 of the *Financial Administration Act*.

SCHEDULE A.

Based on the Main Estimates, 1966–67. The amount hereby granted is $408,000.00, being nine-twelfths of the amount of the item in the said Estimates contained in this Schedule.

SUM granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which it is granted.

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT		
	E—NATIONAL HARBOURS BOARD		
103	To authorize expenditures by the National Harbours Board, either by itself or on behalf of or in cooperation with others, for certain purposes relating to the Canadian Universal and International Exhibition, Montreal, 1967, and to provide, notwithstanding sections 28 and 29 of the National Harbours Board Act, for an absolute grant to the Board for such purposes to be credited to the National Harbours Board Special Account.....	.....	*544,000

*Net total, $408,000.00.

SCHEDULE B.

Based on the Main Estimates, 1966–67. The amount hereby granted is $3,382,966.67, being four-twelfths of the total of the amounts of the several items in the said Estimates contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which it is granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION AND MARKETING		
	Plant and Plant Products		
35	Grants, Contributions and Subsidies as detailed in the Estimates	8,148,900	
	ATOMIC ENERGY		
	ATOMIC ENERGY CONTROL BOARD		
5	Grants for Researches and Investigations with respect to Atomic Energy	2,000,000	
			*10,148,900

*Net total $3,382,966.67.

SCHEDULE C.

Based on the Main Estimates, 1966–67. The amount hereby granted is $19,582,100.00, being three-twelfths of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	FINANCE		
	GOVERNMENT ADMINISTRATION		
15	Contingencies—To supplement other votes and to provide for miscellaneous minor and unforeseen expenses not otherwise provided for including awards under the Public Servants Inventions Act, subject to the approval of the Treasury Board, and authority to re-use any sums repaid to this appropriation from other appropriations	15,000,000	
	NATIONAL RESEARCH COUNCIL, INCLUDING THE MEDICAL RESEARCH COUNCIL		
10	Scholarships and Grants in Aid of Research	41,000,000	
	TRANSPORT		
	D—CANADIAN MARITIME COMMISSION		
95	Capital subsidies for the construction of commercial and fishing vessels in accordance with regulations of the Governor in Council	22,000,000	
	E—NATIONAL HARBOURS BOARD		
104	Payment to the National Harbours Board to be applied in payment of the deficit (exclusive of interest on advances authorized by Parliament and depreciation on capital structures) expected to be incurred in the calendar year 1966 in the operation of the Jacques Cartier Bridge, Montreal Harbour	328,400	
			*78,328,400

*Net total $19,582,100.00.

SCHEDULE D.

Based on the Main Estimates, 1966–67. The amount hereby granted is $959,816.67, being two-twelfths of the amount of the item in the said Estimates contained in this Schedule.

SUM granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which it is granted.

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION		
	HOUSE OF COMMONS		
20	General Administration	.....	*5,758,900

*Net total $959,816.67.

SCHEDULE E.

Based on the Main Estimates, 1966–67. The amount hereby granted is $27,945,245.83, being one-twelfth of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS		
5	Representation Abroad—Operational—including authority, notwithstanding the Civil Service Act, for the appointment and fixing of salaries of High Commissioners, Ambassadors, Ministers Plenipotentiary, Consuls, Secretaries and staff by the Governor in Council	19,131,000	
	JUSTICE		
1	Administration including the Office of the Superintendent of Bankruptcy, grants and contributions as detailed in the Estimates, gratuities to the widows or such dependents as may be approved by Treasury Board of Judges who die while in office and authority to make recoverable advances for the administration of justice on behalf of the Governments of the Northwest Territories and the Yukon Territory	2,719,950	
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	FIELD AND AIR SURVEYS, MAPPING AND AERONAUTICAL CHARTING		
20	Administration, Operation and Maintenance including purchases of air photography, the expenses of the Interdepartmental Committee on Air Surveys, the expenses of the National Advisory Committee on Control Surveys and Mapping, authority to make recoverable advances not exceeding the amount of the share of the United States Government of the cost of binding annual reports and maintaining boundary range lights, and grants as detailed in the Estimates	8,589,400	
	MARINE SURVEYS AND RESEARCH		
25	Administration, Operation and Maintenance including Canada's fee for membership in the International Hydrographic Bureau	9,181,200	
	GEOLOGICAL RESEARCH		
35	Administration, Operation and Maintenance including the expenses of the National Advisory Committee on Research in Geological Sciences, Canada's share of the cost of the Geological Liaison Office, British Commonwealth Scientific Conference, London, England, Canada's fee for membership in the International Union of Geological Sciences and $150,000 for grants in aid of Geological Research in Canadian Universities	6,927,000	

23786—2

SCHEDULE E—*Continued.*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS (Continued)		
	A—DEPARTMENT (Continued)		
	GEOGRAPHICAL SURVEYS AND RESEARCH		
55	Administration, Operation and Maintenance including the expenses of the Canadian Permanent Committee on Geographical Names, the National Advisory Committee on Geographical Research and the National Committee for Canada of the International Geographical Union, Canada's fee for membership in the International Geographical Union, and grants as detailed in the Estimates	962,300	
	RESEARCH IN ASTRONOMY AND GEOPHYSICS		
60	Administration, Operation and Maintenance including the expenses of the National Committee for Canada of the International Astronomical Union, Canada's fees for membership in the International Astronomical Union and grants and contributions as detailed in the Estimates	2,638,000	
	RESEARCH AND INVESTIGATIONS ON WATER RESOURCES		
70	Administration, Operation and Maintenance including Canada's share of the expenses of the International Executive Council, World Power Conference, authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the shares of the Province of Manitoba and of the Province of Ontario of the cost of regulating the levels of Lake of the Woods and Lac Seul and the amount of the shares of provincial and outside agencies of the cost of hydrometric surveys, and $50,000 for Grants to Universities for Hydrologic Research	5,609,000	
	GENERAL		
85	Polar Continental Shelf Project	1,695,000	
	NATIONAL HEALTH AND WELFARE		
	WELFARE SERVICES		
41	Family Assistance, under such terms and conditions as may be approved by the Treasury Board, in respect of children of immigrants and settlers	3,550,000	
	NATIONAL REVENUE		
	TAXATION		
5	General Administration and District Offices including recoverable expenditures on behalf of the Canada Pension Plan	44,986,300	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	ADMINISTRATION		
1	Departmental Administration, including grants as detailed in the Estimates	2,196,100	

SCHEDULE E—*Concluded.*

No. of Vote	Service	Amount	Total
		$	$
	SECRETARY OF STATE		
	B—CENTENNIAL COMMISSION		
40	Programs and projects of national significance including grants towards such programs and projects	9,519,500	
	SOLICITOR GENERAL		
	B—CORRECTIONAL SERVICES		
5	Administration, Operation and Maintenance including compensation to discharged inmates permanently disabled while in Penitentiaries	34,769,200	
	TRANSPORT		
	D—CANADIAN MARITIME COMMISSION		
85	Administration of the Commission and the degaussing of Canadian Government Ships and Canadian-owned merchant ships, of 3,000 gross tons to 20,000 gross tons, of Canadian registry or of United Kingdom registry if subject to re-transfer to Canadian registry under special inter-governmental arrangement	466,000	
	VETERANS AFFAIRS		
	PENSIONS		
25	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order, P.C. 45/8848 of November 22, 1944, which shall be subject to the Pension Act; Newfoundland Special Awards, and Gallantry Awards (World War II and Special Force)	182,403,000	
			*335,342,950

*Net total $27,945,245.83.

C-158.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-158.

An Act to amend the Senate and House of Commons Act (St. Luke 11;46).

First reading, March 28, 1966.

Mr. HERRIDGE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23833

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-158.

An Act to amend the Senate and House of Commons Act (St. Luke 11;46).

R.S., cc. 249 and 310; 1953-54, cc. 10 and 13; 1963, c. 14.

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

1. Section 22 of the *Senate and House of Commons Act* is amended by inserting therein, immediately after subsection (1) thereof, the following subsection:

Members not to act as barristers or solicitors with respect to certain matters.

"(1a) No member of the Senate or of the House of Commons who is admitted as a barrister or enrolled as a solicitor under the laws of a province shall directly or indirectly accept any fee or benefit for acting in his professional capacity in respect of any matter, wheresoever originating, that is or is intended to be a private or public proceeding in the Senate or House of Commons or in committee of either House or that is, under an Act of Parliament, within the discretion of a Minister of the Crown or the Governor-in-Council to determine, without the express sanction and authority of, and in accordance with rules prescribed by, the Speaker of that House of which he is a member."

Explanatory Notes.

This bill proposes to remedy the grievance that arises when the public relationship between member of Parliament and citizen is subverted to the private relationship between lawyer and client to the financial hurt of the citizen: as when, for example, the citizen asks his member to make inquiries of the Ministry in an immigration matter and is oftentimes dismayed to find that—his member being a lawyer—he is billed for fees on a solicitor-client basis.

This grievance is an ancient one and the remedy proposed is to revive and modernize an order of the United Kingdom that is 300 years old.

Parliament has delegated to the Executive the power to grant or refuse in its discretion many matters that once were entrusted to the House of Lords to investigate, hear, and grant or refuse. They were classed as "personal" petitions: the Commons delegated the airing and adjudication of these private grievances to the Upper Chamber by making no rules whereby the petitions could be initiated in the Commons.

The Commons, on account of the conflict of interest activities of its lawyer-members in intermeddling as lawyers on these private petitions, successively passed the following orders which placed the activities of these lawyer-members within the control of the Commons:

"1666, 6 Nov. Ordered,

That such Members of this House, as are of the Long-Robe, shall not be of Council on either Side, in any Bill, depending in the Lords House, before such Bill shall come down from the Lords to this House.

"1669, 10 Nov. Resolved, That no Member of this House, of the Long-Robe, do, during this Session of Parliament, plead as Council before the House of Lords, in any Cause, without leave asked and granted by this House, after ten o'clock.

"1693, 7 Dec. Ordered, That no Member of this House do presume to plead at the Bar of the House of Lords, without leave first obtained from this House, and to be moved for between the Hours of eleven and one o'clock.

"1695, 10 Dec. Revived."

The penalty proposed on this bill is already contained in section 22(2) of the Act, as follows:

"(2) Every member of the Senate offending against this section is liable to a fine of not less than one thousand dollars and not more than four thousand dollars; and every member of the House of Commons offending against this section is liable to a fine of not less than five hundred dollars and not more than two thousand dollars, and shall for five years after conviction of such offence, be disqualified from being a member of the House of Commons, and from holding any office in the public service of Canada."

C-159.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-159.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1966.

AS PASSED BY THE HOUSE OF COMMONS, 29th MARCH, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23804

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-159.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1966.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency, General Georges Philias Vanier, D.S.O., M.C., 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 31st day of March, 1966, and for other purposes connected with the Public Service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act, No. 4, 1966.*

$270,207,367 granted for 1965–66.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two hundred and seventy million, two hundred and seven thousand, and three hundred and sixty-seven dollars towards defraying the several charges and expenses of the public service, from the 1st day of April, 1965, to the 31st day of March, 1966, not otherwise provided for, and being the total of the amounts of the items set forth in the Schedule to this Act.

Purpose and effect of each item.

3. (1) The amount authorized by this Act to be paid or applied in respect of an item may be paid or applied only for the purposes and subject to any terms and conditions specified in the item, and the payment or application of any amount pursuant to the item has such operation and effect as may be stated or described therein.

(2) The provisions of each item in the Schedule shall be deemed to have been enacted by Parliament on the 1st day of April, 1965.

Commitments.

4. Where an item in the said Estimates purports to confer authority to enter into commitments up to an amount stated therein, a commitment may be entered into in accordance with the terms of such item, if the Comptroller of the Treasury certifies that the amount of the commitment proposed to be entered into, together with all previous commitments entered into pursuant to this section, does not exceed the total amount of the commitment authority stated in such item.

Amounts chargeable to year ending 31st March, 1966.

5. Notwithstanding the provisions of the *Financial Administration Act*, the amounts appropriated by this Act may be paid at any time on or before the thirtieth day of April, one thousand nine hundred and sixty-six, and such payment shall be deemed to have been made in and be chargeable to the fiscal year ending the thirty-first day of March, one thousand nine hundred and sixty-six.

Account to be rendered.

6. Amounts paid or applied under the authority of this Act shall be accounted for in the Public Accounts in accordance with section 64 of the *Financial Administration Act*.

SCHEDULE.

Based on the Supplementary Estimates (E), 1965–66. The amount hereby granted is $270,207,367, being the total of the amounts of the items in the Estimates as contained in this Schedule.

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1966, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION AND MARKETING		
	Administration		
17e	Grants, Contributions and Subsidies in the amounts and subject to the terms specified in the sub-vote titles listed in the Details of the Estimates	42,439,500	
	Plant and Plant Products		
35e	Grants, Contributions and Subsidies as detailed in the Estimates	20,900	
	HEALTH OF ANIMALS		
40e	Administration, Operation and Maintenance	216,000	
45e	Grants, Contributions and Subsidies as detailed in the Estimates	8,800	
	FARM CREDIT CORPORATION		
90e	Estimated amount required to provide for the operating loss of the Farm Credit Corporation for the fiscal year ending March 31, 1966	1,160,000	
95e	Payment to the Farm Credit Corporation for carrying out the purposes of the Farm Machinery Syndicates Credit Act	75,000	
			43,920,200
	CITIZENSHIP AND IMMIGRATION		
	CITIZENSHIP		
5e	Administration, Operation and Maintenance including grants and contributions for language instruction and citizenship promotion	40,000	
	INDIAN AFFAIRS (Responsibility transferred to Minister of Northern Affairs and National Resources)		
15e	Administration, Operation and Maintenance—To extend the purposes of Citizenship and Immigration Vote 15 of the Main Estimates for 1965–66 to authorize special payments in respect of social assistance to persons other than Indians residing on Indian Reserves and to authorize special payments in respect of the education in Indian schools of children other than Indian children and to provide a further amount of	1,000,000	
20e	Construction or Acquisition of Buildings, Works, Land and Equipment	500,000	
			1,540,000

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	CIVIL SERVICE COMMISSION		
1e	Salaries and Contingencies of the Commission		202,000
	DEFENCE PRODUCTION		
	A—DEPARTMENT		
11e	Reimbursement of the Queen's Printer's Advance Account for the value of stores which have become obsolete or unserviceable		44,477
	EXTERNAL AFFAIRS		
	A—DEPARTMENT		
1e	Administration, Operation and Maintenance including grants as detailed in the Estimates	474,100	
5e	Representation Abroad—Operational	96,000	
15e	Contributions to International Multilateral Economic and Special Aid Programs as detailed in the Estimates	3,515,000	
	EXTERNAL AID OFFICE		
35e	Economic, technical, educational, and other assistance as detailed in the Estimates—To extend the purposes of External Affairs Vote 35 of the Main Estimates for 1965-66 to include authority for crediting the amount of the sub-vote for International Development Assistance to the special account in the Consolodated Revenue Fund established by External Affairs Vote 33d of Appropriation Act No. 2, 1965	1	
			4,085,101
	B—INTERNATIONAL JOINT COMMISSION		
40e	Salaries and Expenses of the Commission and Canada's share of the expenses of studies, surveys and investigations of the Commission		76,200
	FINANCE		
	ADMINISTRATION		
1e	Departmental Administration and grants as detailed in the Estimates	123,000	
	GOVERNMENT ADMINISTRATION		
11e	To deem former members of the Senate who are in receipt of an annuity pursuant to Part III of An Act to make provision for the retirement of members of the Senate and dependents of such members to be, for purposes of Finance Vote 20b of the Appropriation Act No. 10, 1964 and the regulations made thereunder, former members of the Senate who are in receipt of an annual allowance pursuant to the Members of Parliament Retiring Allowances Act or dependents of such members, as the case may be	1	
15e	Contingencies—Subject to the approval of the Treasury Board, (*a*) to supplement the paylist provisions of other votes; (*b*) for miscellaneous minor or unforeseen expenses; and (*c*) for awards under the Public Servants Inventions Act; including authority to re-use any sums repaid to this appropriation from other appropriations	5,000,000	

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	FINANCE (Continued)		
	GOVERNMENT ADMINISTRATION (Continued)		
16e	To authorize the Treasury Board to delete from the accounts certain debts due, and claims by, Her Majesty, each of which is in excess of $1,000, amounting in the aggregate to $1,084,556.60	1	
17e	Government's contribution as an employer under the Canada Pension Plan and the Quebec Pension Plan in respect of persons employed in the Public Service whose remuneration is payable out of the Consolidated Revenue Fund	600,000	
23e	To provide that, for the purposes of the Public Service Superannuation Act, the period of employment in the Public Service of Joseph Charles Yvon Charlebois that commenced on September 9, 1954 and ended on March 16, 1955 shall, notwithstanding section 4(1)(*c*) of the Act, be deemed to be a period during which he was required by subsection (1) of section 4 to contribute to the Superannuation Account	1	
24e	To provide that where a person who (*a*) was employed in the Public Service on July 1, 1954; and (*b*) has not, before the coming into force of this item, made any contributions under section 42 of the Public Service Superannuation Act; made an election under section 52(1) of the Act in purported compliance therewith that was invalid by reason only that the person was not, on July 1, 1954, a participant within the meaning of the Act, the said election shall be deemed to have been validly made under and in accordance with section 52(1) of the Act	1	
	MUNICIPAL DEVELOPMENT AND LOAN BOARD		
50e	To extend the purposes of Finance Vote 50b, Supplementary Estimates (B), 1965-66 to authorize the Municipal Development and Loan Board in the current and subsequent fiscal years, notwithstanding sections 7 and 11 of the Municipal Development and Loan Act, in cases where a municipal project, in respect of which a loan is approved by the Board under the Municipal Development and Loan Act, (*a*) is completed to the satisfaction of the Board during the period commencing on April 1, 1966 and ending on September 30, 1966, to forgive payment of 25 per cent of the principal amount of the loan; and (*b*) is not completed on or before the 30th day of September, 1966, to forgive payment of 25 per cent of that portion of the principal amount of the loan that is made with respect to the cost, as determined by the Board, incurred on the project during the period commencing on April 1, 1966 and ending on September 30, 1966; and to authorize the Board to enter into an agreement for the purpose of implementing this provision with the government of any province with which an agreement has been entered into under section 7(2) of the Act, additional amount required	12,000,000	
			17,723,004
	FISHERIES		
	FISHERIES MANAGEMENT AND DEVELOPMENT		
15e	Grants, contributions and subsidies in the amounts and subject to the terms specified in the subvote titles listed in the Details of Estimates	150,000	

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES (Continued)		
	SPECIAL		
17e	Estimated amount required to recoup the Fishing Vessel Indemnity Account and the Lobster Trap Indemnity Account established under Vote 540 of the Appropriation Act No. 5, 1955 and Vote 527 of the Appropriation Act No. 6, 1956, to cover the net operating losses in the said Accounts as at March 31, 1966	56,000	206,000
	FORESTRY		
5e	Contributions to the Provinces in the amounts and subject to the terms specified in the Details of Estimates	.....	150,000
	INDUSTRY		
15e	To provide that the amount appropriated by section 5(1) of the Area Development Incentives Act may be credited to the Area Development Account from time to time as required; notwithstanding section 5(3) of the Act, to authorize payments out of the Consolidated Revenue Fund up to the amounts credited to the Account; and to authorize total commitments in respect of development grants under the Act in the current and subsequent fiscal years not exceeding $100,000,000	.....	1
	JUSTICE		
	LEGAL AND OTHER SERVICES		
1e	Administration	.....	35,500
	LABOUR		
1e	General Administration	.....	47,500
	LEGISLATION		
	THE SENATE		
5e	General Administration	79,200	
7e	To deem, for the purpose of enabling the Governor in Council to grant an annuity under section 16 of An Act to make provision for the retirement of members of the Senate, that Senator J. W. Comeau was, at the time of his death, a person who had been granted an annuity under section 15 of the said Act.	1	
	HOUSE OF COMMONS		
20e	General Administration	220,000	299,201

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	MARINE SURVEYS AND RESEARCH		
15e	Administration, Operation and Maintenance	100,000	
	MINING AND METALLURGICAL INVESTIGATIONS AND RESEARCH		
35e	Administration, Operation and Maintenance—To increase to $70,000 the grants in aid of Mining and Mineral Processing Research in Canadian Universities	1	
			100,001
	NATIONAL HEALTH AND WELFARE		
	MEDICAL SERVICES		
20e	Administration, Operation and Maintenance	.....	500,000
	NATIONAL RESEARCH COUNCIL, INCLUDING THE MEDICAL RESEARCH COUNCIL		
10e	Scholarships and Grants in Aid of Research	.....	3,000,000
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	ADMINISTRATION AND GENERAL (Responsibility transferred to Minister of Mines and Technical Surveys)		
5e	Contributions to the Provinces, pursuant to agreements entered into with the approval of the Governor in Council by Canada with the Provinces, to assist in the development of roads leading to resources	600,000	
10e	Contributions to the Provinces, pursuant to agreements entered into with the approval of the Governor in Council by Canada with the Provinces, of amounts equal to one-half of the amounts confirmed by the Provinces as having been spent by them for Campground and Picnic Area Developments	100,000	
12e	Subventions under agreements entered into pursuant to the Atlantic Provinces Power Development Act in respect of electric power generated from eastern coal during the fiscal year 1965–66	700,000	
	NORTHERN ADMINISTRATION		
45e	Administration, Operation and Maintenance including grants and contributions as detailed in the Estimates	1	
			1,400,001
	POST OFFICE		
1e	Postal Service	780,000	

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	POST OFFICE (Continued)		
	CENTRAL MORTGAGE AND HOUSING CORPORATION (Responsibility transferred to Minister of Labour)		
15e	To reimburse Central Mortgage and Housing Corporation, pursuant to Section 35 of the National Housing Act, 1954, for expenditures incurred during the period January 1, 1965 to December 31, 1965, for Housing Research and Community Planning as contemplated by Part V of the National Housing Act, 1954	1,489,905	
20e	To reimburse Central Mortgage and Housing Corporation, pursuant to Section 5(5) and Section 24(b) of the Central Mortgage and Housing Act, for net losses resulting from the sale of mortgages from its portfolio during the calendar year 1965	685,562	
25e	To reimburse Central Mortgage and Housing Corporation for losses sustained by it during the calendar year 1965 as a result of the operation of Public Housing Projects undertaken under Part VI of the National Housing Act, 1954	1,976,649	
30e	To reimburse Central Mortgage and Housing Corporation for amounts loaned under Section 36H of the National Housing Act, 1954, to any Province, Municipality or Municipal Sewerage Corporation, and forgiven by the Corporation during the calendar year 1965, pursuant to Section 36G of the Act	10,513,153	
35e	To reimburse Central Mortgage and Housing Corporation for grants charged to the Consolidated Revenue Fund as established by Section 23E of the National Housing Act, 1954, in respect of contributions made during the calendar year 1965, to any Province or Municipality for the preparation or implementation of an urban renewal scheme or pursuant to an urban redevelopment agreement	4,902,418	
			20,347,687
	PRIVY COUNCIL		
10e	General Administration	37,000	
15e	Expenses of the Royal Commissions listed in the Details of Estimates	150,000	
			187,000
	PUBLIC WORKS		
	A—DEPARTMENT		
1e	General Administration, including grants as detailed in the Estimates	44,500	
	ACCOMMODATION SERVICES		
5e	Maintenance and operation of public buildings and grounds, acquisition of furniture and furnishings for government departments	3,700,000	
15e	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings (including expenditures on works on other than federal property); provided that no contract may be entered into for new construction with an estimated total cost of $50,000 or more unless the project is individually listed in the Details of Estimates	1	

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS (Continued)		
	A—DEPARTMENT (Continued)		
	HARBOURS AND RIVERS ENGINEERING SERVICES		
30e	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works (including expenditures on works on other than federal property); provided that no contract may be entered into for new construction with an estimated total cost of $50,000 or more unless the project is individually listed in the Details of Estimates	360,000	
	ROADS, BRIDGES AND OTHER ENGINEERING SERVICES		
40e	Construction, acquisition, major repairs and improvements of, and plans and sites for, roads, bridges and other engineering works—To extend the purposes of Vote 40 of the Main Estimates for 1965-66 to provide for the construction of a Causeway and Associated Structures across Northumberland Strait	1	
	1967 WORLD EXHIBITION		
57e	Towards Federal Government's share of the cost of construction of an ice control structure	800,000	
			4,904,502
	SECRETARY OF STATE		
	A—DEPARTMENT		
5e	Companies and Corporations Branch	.....	9,500
	TRADE AND COMMERCE		
	A—DEPARTMENT		
	GENERAL ADMINISTRATION		
5e	Trade Commissioner Service—Administration, Operation and Maintenance	207,000	
10e	Exhibitions Branch	244,200	
15e	Canadian Government Travel Bureau	251,000	
			702,200
	TRANSPORT		
	A—DEPARTMENT		
	MARINE SERVICES		
5e	Administration, Operation and Maintenance	210,000	

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT (Continued)		
	A—DEPARTMENT (Continued)		
	RAILWAYS AND STEAMSHIPS		
15e	Payments to the Canadian National Railway Company (hereinafter called the Company) upon applications approved by the Minister of Transport made by the Company to the Minister of Finance, to be applied by the Company in payment of the deficits, certified by the auditors of the Company, arising in the operations in the calendar year 1965 in respect of the following services: Newfoundland Ferry and Terminals; Prince Edward Island Car Ferry and Terminals; Yarmouth, N.S.—Bar Harbour, Maine, U.S.A. Ferry Services	2,000,000	
25e	Payments in respect of the Maritime Freight Rates Act and for supplemental pension allowances to Railway employees in the amounts and subject to the terms specified in the sub-vote titles listed in the details of the Estimates	1	
27e	Canadian National Railways Deficit, 1965—Amount required to provide for payment to the Canadian National Railway Company (hereinafter called the Company) upon applications approved by the Minister of Transport, made by the Company to the Minister of Finance, and to be applied by the Company in payment of the system deficit (certified by the auditors of the Company) arising in the calendar year 1965, subject to recovery therefrom of accountable advances made to the Company from the Consolidated Revenue Fund	34,718,000	
	AIR SERVICES		
35e	Construction or Acquisition of Buildings, Works, Land and Equipment	3,000,000	
	GENERAL		
74e	Reimbursement of the Department of Transport Stores Account for the value of stores which have become obsolete, unserviceable, lost or destroyed	100,000	
			40,028,001
	C—BOARD OF TRANSPORT COMMISSIONERS FOR CANADA		
84e	To increase from $70,000,000 to $95,000,000 the payments authorized by Vote 84d of Supplementary Estimates (D) 1965–66 to railway companies to maintain the rates of freight traffic at a reduced level and to extend the purposes of the said Vote to authorize payments to the said companies in respect of the calendar year 1964	.....	25,000,000
	D—CANADIAN MARITIME COMMISSION		
85e	Administration of the Commission—To extend the purposes of Transport Vote 85 of the Main Estimates for 1965–66 to include federal assistance towards the cost of ice-breaking in the Miramichi River, N.B.	45,500	
90e	Steamship Subventions for Coastal Services as detailed in the Estimates	523,000	
			568,500

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT (Continued)		
	E—NATIONAL HARBOURS BOARD		
102e	To authorize, in accordance with terms and conditions approved by the Governor in Council, special assistance to firms displaced as a result of construction of the Saskatchewan Wheat Pool elevator in Vancouver Harbour, B.C.	.....	75,000
	F—ST. LAWRENCE SEAWAY AUTHORITY		
107e	Payment to The St. Lawrence Seaway Authority, upon application, approved by the Minister of Transport, made by the Authority to the Minister of Finance, to reimburse the Authority in respect of the Welland Canal deficit incurred by the Authority during the calendar year 1965	.....	8,250,000
	VETERANS AFFAIRS		
	TREATMENT SERVICES		
30e	Operation and Maintenance	.....	300,000
	LOANS, INVESTMENTS AND ADVANCES		
	DEFENCE PRODUCTION		
L18e	To authorize the operation, in accordance with section 58 of the Financial Administration Act, of a revolving fund, (*a*) for the purpose of acquiring and managing stores, for manufacturing, producing, processing or dealing in stores or materials, and (*b*) for the purchase and supply of repair services for office furniture and equipment, and for freight services, for federal government departments and agencies; the balance of the revolving fund at any time shall, notwithstanding section 58, be determined after deducting therefrom all amounts due at such time by federal government departments and agencies; the amount to be charged to the revolving fund at any time not to exceed	10,000,000	
	EXTERNAL AFFAIRS		
L22e	Additional advance to the Working Capital Fund of the Food and Agriculture Organization in an amount of $83,900 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of February, 1966, which is	90,600	
L23e	Additional advance to the Working Capital Fund of the Interim Commission for the International Trade Organization in an amount of $6,278 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of February, 1966, which is	6,750	
L96e	Additional advance to the Working Capital Fund of the United Nations Organization in an amount of $53,561 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of February, 1966, which is	57,900	
L97e	Additional advance to the Working Capital Fund of the Intergovernmental Maritime Consultative Organization in an amount of $500 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of February, 1966, which is	540	

SCHEDULE (*Continued*)

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES (Continued)		
	FINANCE		
L99e	To authorize the operation of a working capital advance account in the current and subsequent fiscal years in accordance with terms and conditions approved by Treasury Board for the purpose of providing data processing and related services to federal government departments and agencies, the cost of such services to be charged to the account and the amounts received in payment of such services to be credited thereto; the amount outstanding under this authority, at any time, after deducting therefrom all amounts due by federal government departments and agencies, shall not exceed $1,000,000	1,000,000	
L100e	Special accountable advances during the 1965–66 and 1966–67 fiscal years to or in respect of persons employed in the public service whose remuneration is payable out of the Consolidated Revenue Fund and who are required to make contributions under (*a*) the Public Service Superannuation Act or the Diplomatic Service (Special) Superannuation Act, and (*b*) the Canada Pension Plan or the Quebec Pension Plan, in the amounts by which the combined contributions required from such persons in respect of remuneration to which an Act referred to in paragraph (*a*) and an Act referred to in paragraph (*b*) both apply exceed 6½ percent of such remuneration in the case of males and 5 per cent of such remuneration in the case of females	4,500,000	
L101e	Advances in respect of a toll bridge across the harbour of Saint John, N.B. in the current and subsequent fiscal years, in accordance with terms and conditions set out in an agreement relating to the financing, construction and operation of the toll bridge to be entered into between Canada, New Brunswick, the City of Saint John and the Bridge Authority, with the approval of the Governor in Council, (*a*) to the Saint John Harbour Bridge Authority established by c. 150 of the Statutes of New Brunswick, 1961–62; or (*b*) to a trustee for the holders of securities issued by the Authority; the total amount of advances in each such fiscal year to be based on the difference for the year between the operating and financing costs of the toll bridge and the actual revenue of the Bridge Authority, as determined pursuant to the agreement, repayable when the actual revenue of the Bridge Authority for a fiscal year exceeds the amount of the operating and financing costs for such year	10,000,000	
	NATIONAL FILM BOARD		
L35e	To increase to $2,000,000 the amount by which expenditures that may be charged at any time to the National Film Board Operating Account established by section 18 of the National Film Act may exceed receipts shown in the said Account; additional amount required	850,000	
	POST OFFICE		
	CENTRAL MORTGAGE AND HOUSING CORPORATION (Responsibility transferred to Minister of Labour)		
L62e	Advances charged to the special account in the Consolidated Revenue Fund established by subsection (4) of Section 35A of the National Housing Act, 1954, in respect of housing and land development projects undertaken jointly with the Governments of Provinces during the calendar year 1965	4,500,000	

SCHEDULE (*Concluded*)

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES (Continued)		
	POST OFFICE (Continued)		
	CENTRAL MORTGAGE AND HOUSING CORPORATION (Continued)		
L64e	Advances charged to the special account in the Consolidated Revenue Fund established by subsection 2 of Section 36H of the National Housing Act, 1954, in respect of loans to any Province, Municipality or Municipal Sewerage Corporation, for construction or expansion of municipal sewage treatment projects during the calendar year 1965	30,500,000	
	PUBLIC PRINTING AND STATIONERY		
L65e	To amend Vote L33a of the Appropriation Act No. 10, 1964, by providing that, notwithstanding section 58 of the Financial Administration Act, the balance of the revolving fund at any time shall be determined after deducting therefrom all amounts due at such time by federal government departments and agencies	1	
	TRANSPORT		
L82e	Advances during the 1965–66 and 1966–67 fiscal years to Canadian National Railways and to Air Canada in such manner and subject to such terms and conditions as the Governor in Council may approve and to provide for the purchase during such fiscal years and holding by the Minister of Finance of 4% preferred stock of the Canadian National Railways and the subsequent disposal thereof	35,000,000	
			96,505,791
			270,207,367

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-160.

An Act to amend the Judges Act.

AS PASSED BY THE HOUSE OF COMMONS,
30th MARCH, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22999

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

R.S., c. 159;
1952-53, c. 4;
1953-54, c. 58;
1955, c. 48;
1956, c. 8;
1957, c. 30;
1958, c. 33;
1959, c. 28;
1960,
cc. 46, 47;
1960-61, c. 38;
1962, c. 22;
1963, c. 8;
1964-65,
cc. 14, 36.

BILL C-160.

An Act to amend the Judges Act.

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

1963, c. 8, s. 2.

1. Paragraph (*d*) of section 7 of the *Judges Act* is repealed and the following substituted therefor:

"(*d*) Twenty-four other judges of the High Court, each.....$21,000.00"

1964-65, c. 36, s. 1.

2. Paragraph (*e*) of section 9 of the said Act is repealed and the following substituted therefor:

"(*e*) Seventy-three puisne judges of the Superior Court, each.....$21,000.00"

1963, c. 8, s. 3.

3. Paragraph (*d*) of section 11 of the said Act is repealed and the following substituted therefor:

"(*d*) Five other judges of the Queen's Bench Division, each.....$21,000.00"

1964-65, c. 36, s. 4 (1).

4. (1) Paragraph (*a*) of section 19 of the said Act is repealed and the following substituted therefor:

"(*a*) One chief judge and eighty-one judges and junior judges of the County and District Courts, each.....$16,000.00"

1963, c. 8, s. 3.

(2) Paragraph (*h*) of section 19 of the said Act is repealed and the following substituted therefor:

"(*h*) Fourteen chief judges and judges of the District Courts, each.....$16,000.00"

Explanatory Note.

The purpose of these amendments is to authorize the provision of salaries for eight additional judges as follows:

(*a*) two judges of the Supreme Court of Ontario;
(*b*) three judges of the Superior Court of Quebec;
(*c*) one judge of the Supreme Court of New Brunswick;
(*d*) one Ontario County Court judge; and
(*e*) one Alberta District Court judge.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-161.

An Act to amend the Admiralty Act.

AS PASSED BY THE HOUSE OF COMMONS,
30th MARCH, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23538

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-161.

An Act to amend the Admiralty Act.

R.S., c. 1; 1963, c. 19.

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

1. Subsection (1) of section 7 of the *Admiralty Act* is repealed and the following substituted therefor:

Appointment of Deputy Judges.

"**7.** (1) A District Judge in Admiralty or, if he is incapacitated, a Judge of the Exchequer Court, may, with the approval of the Governor in Council, appoint one or more Deputy Judges, not exceeding three, having the qualifications of a District Judge as provided in section 4, and each Deputy Judge shall have and exercise such jurisdiction, powers and authority as are possessed by the District Judge."

2. Subsection (2) of section 13 of the said Act is repealed and the following substituted therefor:

Sheriffs and deputy sheriffs to be Marshals and Deputy Marshals.

"(2) Each sheriff and deputy sheriff in a province is a Marshal and Deputy Marshal, respectively, of the Court for the Admiralty District in which is located the county or district for which he holds office."

Explanatory Notes.

Clause 1. Subsection (1) of section 7 at present reads as follows:

"7. (1) A District Judge in Admiralty, or, if he is incapacitated, a Judge of the Exchequer Court, may, from time to time, with the approval of the Governor in Council, appoint *a Deputy Judge* having the qualifications of a District Judge as provided in section 4; and *such* Deputy Judge shall have and exercise *all* such jurisdiction, powers and authority as are possessed by the District Judge."

The purpose of this amendment is to authorize the appointment of not more than three Deputy Judges for each Admiralty District.

Clause 2. Subsection (2) of section 13 at present reads as follows:

"(2) All sheriffs in any of the provinces of Canada are Marshals of the Court within their respective counties or districts, and, until otherwise provided by general rules and orders, have all the powers and authority, and are subject to the performance of all the duties, appertaining to the office of Marshal before the 1st day of March, 1935."

At present, sheriffs in the provinces are Marshals of the Court only for their respective counties or districts. This amendment would extend the area of their jurisdiction as Marshals of the Court to the whole Admiralty District in which the counties or districts for which they hold office are located. As well, it would provide that deputy sheriffs in the provinces are Deputy Marshals of the Court for the Admiralty District in which the counties or districts for which they hold office are located.

C-162.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-162.

An Act respecting the National Fruit of Canada.

First reading, March 31, 1966.

Mr. HARLEY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23828

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-162.

An Act respecting the National Fruit of Canada.

Preamble

WHEREAS the McIntosh Apple is a variety which originated and was developed in Canada, and is known and enjoyed throughout this and many other countries of the world; and

WHEREAS the McIntosh Apple is the fruit variety best known to all Canadians, and available to them at all times of the year;

THEREFORE, Her Majesty, by and with the Consent of the Senate and the House of Commons of Canada, enacts as follows:

Short Title.

1. This Act may be cited as the *National Fruit of Canada Act.*

The National Fruit of Canada.

2. The McIntosh Apple, as grown in this country, is hereby designated the National Fruit of Canada.

Explanatory Notes.

The McIntosh Apple, one of the world's most popular varieties, originated in Canada. Grown in all commercial apple producing areas of Canada, it is well and favourably known in many homes around the world.

The McIntosh Apple is a part of the history of Canada. To understand this, one must go back to early settlement days. Towards the end of the 18th centry, John McIntosh, migrated to Canada. About 1811 he found twenty wild apple seedlings on land granted to him at Dundela, Ontario. One he recognized as strikingly superior in all respects. Authorities believe it grew from seed planted by an earlier settler from Lower Canada. Propagation from this tree has resulted in millions of McIntosh trees spread throughout the world, every one a direct descendant of that original Canadian discovery.

The McIntosh Apple is enjoyed for its edibility whether fresh or cooked. With the aid of modern storage methods, it is now available in its fresh form twelve months of the year.

For these reasons and on the supporting recommendation of the Canadian Horticultural Council, it is proper that the McIntosh Apple be recognized officially by Parliament as the National Fruit of Canada.

C-163.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-163.

An Act to amend the Canada Corporations Act.

First reading, April 1, 1966.

Mr. ALLARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23885

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-163.

An Act to amend the Canada Corporations Act.

R.S., c. 53; 1964-65, c. 52.

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

1. Paragraph (*j*) of subsection (1) of section 3 of the *Canada Corporations Act* is repealed and the following substituted therefor:

Private company.

"(*j*) 'private company' means a company as to which by letters patent or supplementary letters patent

(i) the right to transfer its shares is restricted,

(ii) the number of its shareholders is limited to twenty, including persons who are in the employment of the company and persons, who, having been formerly in the employment of the company, were, while in that employment, and have continued after the determination of that employment to be shareholders of the company, two or more persons holding one or more shares jointly being counted as a single shareholder, and

(iii) any invitation to the public to subscribe for any shares or debentures of the company is prohibited,

but shall not include a subsidiary company, a holding company, an affiliated company or a controlled company as defined in section 121B."

Explanatory Note.

The purpose of this bill is to provide that the subsidiaries of the American companies, established in this country, shall no longer be private companies and to force the said subsidiaries to file financial statements available for public inspection.

2. Section 121F of the said Act is repealed and the following substituted therefor:

Filing.

"**121F.** A public company shall, within seven days after mailing to its shareholders a copy of the documents mentioned in subsection (1) of section 121E, file a copy of such documents in the Department of Secretary of State, together with proof, in such form as may be satisfactory to the Secretary of State, of due compliance with the provisions of that subsection, and such documents shall be available for inspection during normal office hours."

C-164.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-164.

An Act to amend the Criminal Code
(Group Defamatory Libel).

First reading, April 4, 1966.

MR. NESBITT.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23863

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-164.

1953-54, c. 41;
1955, cc. 2, 45;
1956, c. 48;
1957-58, c. 28;
1958, c. 18;
1959, c. 41;
1960, c. 37;
1960-61, cc. 21, 42, 43, 44;
1962-63, c. 4;
1963, c. 8;
1964-65, c. 35, 53.

An Act to amend the Criminal Code
(Group Defamatory Libel.)

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

1. Subsection (1) of section 248 of the *Criminal Code* is repealed and the following substituted therefor:

Definition.

"**248.** (1) A defamatory libel is matter published, without lawful justification or excuse, that is likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or that is designed to insult the person of or concerning whom it is published or that is likely to injure the reputation of any group of persons by exposing them as a group to hatred, contempt or ridicule by reason of their racial or national origin, colour, or religion, or that is designed to insult any group of persons by reason of their racial or national origin, colour, or religion."

2. The said Act is amended by adding thereto, immediately after section 251 thereof, the following:

Mental examination: discretionary.

"**251A.** Where a defendant is alleged to have published a libel defamatory of a group of persons within the meaning of subsection (1) of section 248, the court, judge, justice or magistrate may at any stage of the proceedings remand the defendant, by order in writing, to such custody as the court, judge, justice or magistrate directs for observation for a period not exceeding thirty days to determine whether the defendant is mentally ill; and where the defendant is not so remanded and is found guilty, the court, judge, justice or magistrate shall so remand the defendant before sentence."

Mandatory.

Explanatory Note.

This Bill proposes to enlarge the *Criminal Code* definition of a defamatory libel, to include "hate literature". Because such literature is, in many cases, the expression of a sick mind, the Bill further proposes that any person charged or convicted of publishing such a libel shall be placed under mental observation to determine whether he is mentally ill.

C-165.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-165.

An Act respecting the construction of a line of railway in the Province of Ontario by Canadian National Railway Company from the vicinity of Amesdale on the Redditt Sub-division of the Canadian National Railway in a north northwesterly direction for a distance of approximately 68 miles to a point in the vicinity of Bruce Lake, in the District of Kenora.

First reading, April 6, 1966.

THE MINISTER OF TRANSPORT.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23806

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-165.

An Act respecting the construction of a line of railway in the Province of Ontario by Canadian National Railway Company from the vicinity of Amesdale on the Redditt Sub-division of the Canadian National Railway in a north northwesterly direction for a distance of approximately 68 miles to a point in the vicinity of Bruce Lake, in the District of Kenora.

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

Construction and completion.

1. The Governor in Council may provide for the construction and completion by Canadian National Railway Company (in this Act called "the Company") prior to the 31st day of December, 1968, or such later date as the Governor in Council may fix, of the line of railway (in this Act called the "railway line") described in the Schedule.

Competitive bids or tenders.

2. The Company shall adopt the principle of competitive bids or tenders in respect of the construction of the railway line in so far as the Company decides not to perform such work or any part thereof with its own forces, but the Company is not bound to accept the lowest or any bid or tender made or obtained nor precluded from negotiating for better prices or terms.

Maximum expenditure.

3. Estimates of the mileage of the railway line, the amount to be expended on the construction thereof and the average expenditure per mile are set out in the Schedule, and, except with the approval of the Governor in Council, the Company shall not in performing the work of construction and completion exceed such estimates by more than fifteen per cent.

Issue of securities.

4. Subject to the provisions of this Act and the approval of the Governor in Council, the Company may, in respect of the cost of the construction and completion of the railway line, or to provide amounts required for the repayment of loans made under section 5, issue notes, obligations, bonds, debentures or other securities (in this Act called "securities"), not exceeding in the aggregate, exclusive of any securities issued to secure loans made under section 5, the sum of twelve million seven hundred and sixty-five thousand dollars, bearing such rates of interest and subject to such other terms and conditions as the Governor in Council may approve.

Temporary loans.

5. To enable the work of construction and completion of the railway line to proceed forthwith, the Minister of Finance, upon application made to him by the Company and approved by the Minister of Transport, may, with the approval of the Governor in Council, make temporary loans to the Company out of the Consolidated Revenue Fund, not exceeding twelve million seven hundred and sixty-five thousand dollars, repayable on such terms and at such rates of interest as the Governor in Council may determine and secured by securities that the Company is authorized to issue under section 4.

Guarantee.

6. (1) The Governor in Council may authorize the guarantee by Her Majesty in right of Canada of the principal and interest of the securities that the Company may issue under the provisions of this Act.

Form and terms.

(2) The guarantee may be in such form and subject to such terms and conditions as the Governor in Council may determine to be appropriate and applicable thereto and may be signed on behalf of Her Majesty by the Minister of Finance or such other person as the Governor in Council may designate, and such signature is conclusive evidence for all purposes of the validity of the guarantee and that the provisions of this Act have been complied with.

Guarantees may be general or separate.

(3) Any guarantee under this Act may be either a general guarantee covering the total amount of the issue or a separate guarantee endorsed on each of the securities.

Temporary guarantees.

(4) With the approval of the Governor in Council, temporary guarantees may be made to be subsequently replaced by permanent guarantees.

Deposit of proceeds of sale, etc., of securities.

7. (1) The proceeds of any sale, pledge, or other disposition of any guaranteed securities shall in the first instance be paid into the Consolidated Revenue Fund or shall be deposited to the credit of the Minister of Finance in trust for the Company, in one or more banks designated by him.

Release of deposits.

(2) The Board of Directors of the Company may authorize application to be made to the Minister of Transport for the release of any part of the proceeds deposited pursuant to subsection (1) to the Company for the purpose of meeting expenditures in respect of the construction of the railway line, and the Minister of Transport may approve the applications, and upon the request of the Minister of Transport, the Minister of Finance may pay the amount or amounts of such applications or part thereof accordingly.

Report to Parliament.

8. The Minister of Transport shall present to Parliament during the first thirty days of each session held prior to the date of completion fixed by or under section 1, a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of any advances made under section 5 and the amount of such advances reimbursed, and such further information as the Minister of Transport may direct.

SCHEDULE.

Location	Estimates		
	Mileage	Cost of Construction	Average cost per mile
From the vicinity of Amesdale on the Redditt Subdivision in a north northwesterly direction to a point near Iron Bay on the westerly shore of Bruce Lake, District of Kenora, Province of Ontario.....	68	$ 11,100,000	$ 163,234

C-166.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-166.

An Act to amend the Criminal Code
(Habitual Criminals).

First reading, April 21, 1966.

Mr. GUAY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23961

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-166.

An Act to amend the Criminal Code (Habitual Criminals).

1953-54, cc. 51, 52; 1955, cc. 2, 45; 1956, c. 48, ss. 19, 20; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37; c. 45, s. 21; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10, cc. 35, 53.

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

1. Subsection (1) of section 660 of the *Criminal Code* is repealed and the following substituted therefor:

Imposition of preventive detention.

"**660.** (1) Where an accused has been convicted of an indictable offence the court shall impose a sentence of preventive detention in lieu of any other sentence that might be imposed for the offence of which he was convicted or that was imposed for such offence, or in addition to any sentence that was imposed for such offence if the sentence has expired, if

(*a*) the accused is found to be an habitual criminal, and

(*b*) the court is of the opinion that because the accused is an habitual criminal, it is expedient for the protection of the public to sentence him to preventive detention."

Explanatory Note.

Subsection (1) of section 660 at present reads as follows:

"**660.** (1) Where an accused has been convicted of an indictable offence the court *may, upon application,* impose a sentence of preventive detention in lieu of any other sentence that might be imposed for the offence of which he was convicted or that was imposed for such offence, or in addition to any sentence that was imposed for such offence if the sentence has expired, if

(*a*) the accused is found to be an habitual criminal, and

(*b*) the court is of the opinion that because the accused is an habitual criminal, it is expedient for the protection of the public to sentence him to preventive detention."

The only change in this subsection consists in replacing the words in italics above by the word "shall" underlined on the opposite page. The purpose of the amendment is to provide that the Court shall in all cases impose a sentence of preventive detention rather than that it should have to wait for an application to be made to that effect.

C-167.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-167.

An Act to amend the Food and Drugs Act.
(Listing of ingredients).

First reading, April 21, 1966.

Mr. SALTSMAN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23969

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-167.

An Act to amend the Food and Drugs Act (Listing of ingredients).

R.S., c. 123. 1952-53, c. 38; 1960-61, c. 37; 1962-63, c. 15.

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

1. Paragraph (*b*) of subsection (1) of section 24 of the *Food and Drugs Act* is amended by adding thereto the following:

"and in any case where it is possible to do so the regulations shall provide that all the ingredients contained in the food and drugs covered by this subsection shall be enumerated on the labels accompanying the said food and drugs;"

Explanatory Note.

The purpose of this Bill is to amend the *Food and Drugs Act* to require producers of food and drugs placed on the Canadian market to accurately and completely list all ingredients on the labels of their products, as far as possible.

C-168.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-168.

An Act to amend the Criminal Code
(Repeal of Power to Commute a Sentence of Death).

First reading, April 25, 1966.

MR. CHOQUETTE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24033

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-168.

An Act to amend the Criminal Code
(Repeal of Power to Commute a Sentence of Death).

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

1. Subsection (2) of section 655 of the *Criminal Code* is repealed and the following substituted therefor:

Free or conditional pardon.

"(2) Save in case of capital murder, the Governor in Council may grant a free pardon or a conditional pardon to any person who has been convicted of an offence."

Commutation of sentence.

2. Section 656 of the said Act is repealed.

Explanatory Notes.

The purpose of this Bill is to take away from the Governor in Council the power to commute sentence of death.

By complementary Bill being "*An Act to amend the Parole Act*" it is intended to transfer this power under certain conditions to the National Parole Board.

Another purpose of this Bill is to take away also from the Governor in Council the power to grant a free pardon or a conditional pardon in case of capital murder.

C-169.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-169.

An Act to amend an Act to amend the Combines Investigation Act and the Criminal Code.

First reading, April 25, 1966.

Favreau, Hon. G.

THE PRESIDENT OF THE PRIVY COUNCIL.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23997

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-169.

An Act to amend An Act to amend the Combines Investigation Act and the Criminal Code.

1959, c. 40; 1960, c. 45; 1960-61, c. 42; 1962-63, c. 4; 1964-65, c. 35.

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

1964-65, c. 35, s. 1.

1. Section 1 of *An Act to amend the Combines Investigation Act and the Criminal Code*, chapter 40 of the Statutes of 1959 as amended by section 1 and the sections referred to in section 1 of *An Act to amend An Act to amend the Combines Investigation Act and the Criminal Code*, chapter 35 of the Statutes of 1964-65, is repealed and the following substituted therefor:

Application of Acts to fishing agreements.

"**1.** Nothing in the *Combines Investigation Act* or in section 411 of the *Criminal Code* shall be construed to apply to any contract, agreement or arrangement between fishermen or associations of fishermen in British Columbia, and persons or associations of persons engaged in the buying or processing of fish in British Columbia, relating to the prices, remuneration or other conditions under which fish will be caught and supplied to such persons by fishermen between the 1st day of January, 1959 and the later of

(*a*) the 31st day of December, 1967, or

(*b*) the thirtieth sitting day of the House of Commons next after the day on which the House of Commons, upon consideration of any notice of motion in that House signed by ten members thereof and made in accordance with the rules of that House, resolves that this section cease to be in force,

or such sooner day as this section is repealed."

Explanatory Note.

Section 1 of the 1959 Act, as amended, at present reads as follows:

"1. Nothing in the *Combines Investigation Act* or in section 411 of the *Criminal Code* shall be construed to apply to any contract, agreement or arrangement between fishermen or associations of fishermen in British Columbia, and persons or associations of persons engaged in the buying or processing of fish in British Columbia, relating to the prices, remuneration or other conditions under which fish will be caught and supplied to such persons by fishermen between the 1st day of January, 1959 and the 30th day of June, *1966*."

The proposed amendment would continue this provision until the later of the days described therein, or until sooner repealed by Parliament.

C-170.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-170.

An Act respecting employer and employee relations in the Public Service of Canada.

First reading, April 25, 1966.

THE PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22882

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-170.

An Act respecting employer and employee relations in the Public Service of Canada.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Public Service Staff Relations Act.*

INTERPRETATION.

Definitions, "Adjudicator."

2. In this Act,

(*a*) "adjudicator" means an adjudicator appointed under section 92 and includes, where the context permits, a board of adjudication established under section 93 and an adjudicator named in a collective agreement for the purposes of that agreement;

"Arbitral award."

(*b*) "arbitral award" means an award made by the Arbitration Tribunal in respect of a dispute;

"Arbitration Tribunal."

(*c*) "Arbitration Tribunal" means the Public Service Arbitration Tribunal established under section 60;

"Bargaining agent."

(*d*) "bargaining agent" means an employee organization

(i) that has been certified by the Board as bargaining agent for a bargaining unit, and

(ii) the certification of which has not been revoked;

"Bargaining unit."

(*e*) "bargaining unit" means a group of two or more employees that is determined, in accordance with this Act, to constitute a unit of employees appropriate for collective bargaining;

"Board."

(*f*) "Board" means the Public Service Staff Relations Board established under section 11;

"Chairman."

(*g*) "Chairman" means the Chairman of the Board;

"Collective agreement."

(*h*) "collective agreement" means an agreement in writing entered into under this Act between the employer, on the one hand, and a bargaining agent, on the other hand, containing provisions respecting terms and conditions of employment and related matters;

"Conciliation board."

(*i*) "conciliation board" means a board established under section 78 for the investigation and conciliation of a dispute;

"Conciliator."

(*j*) "conciliator" means a person appointed by the Chairman under section 53 to assist the parties to collective bargaining in reaching agreement;

"Designated employee."

(*k*) "designated employee" means an employee who is agreed by the parties to collective bargaining or determined by the Board pursuant to section 79 to be a designated employee within the meaning of that section;

"Dispute."

(*l*) "dispute" means a dispute or difference arising in connection with the conclusion, renewal or revision of a collective agreement, in respect of which arbitration is requested pursuant to section 63 or in respect of which the establishment of a conciliation board may be requested pursuant to section 77;

"Employee."

(*m*) "employee" means a person employed in the Public Service, other than

(i) a person appointed by the Governor in Council under an Act of Parliament to a statutory position described in that Act,

(ii) a person locally engaged outside Canada,

(iii) a person whose compensation for the performance of the regular duties of his position or office consists of fees of office, or is related to the revenue of the office in which he is employed,

(iv) a person not ordinarily required to work more than one-third of the normal period for persons doing similar work,

(v) a person employed on a casual or temporary basis, unless he has been so employed for a period of six months or more,

(vi) a person employed by or under the Board, or

(vii) a person employed in a managerial capacity;

"Employee organization."

(*n*) "employee organization" means any organization of employees the purposes of which include the regulation of relations between the employer and its employees, and includes, unless the context otherwise requires, a council of employee organizations;

"Employer."

(*o*) "employer" means Her Majesty in right of Canada as represented by,

(i) in the case of any portion of the public service of Canada specified in Part II of Schedule A, the separate employer concerned, and

(ii) in the case of any other portion of the Public Service, the Treasury Board;

"Grievance."

(*p*) "grievance" means a complaint in writing presented in accordance with this Act by an employee, except that

(i) for the purposes of any of the provisions of this Act respecting grievances, a reference to an "employee" includes a person who would be an employee but for the fact that he is a person employed in a managerial capacity, and

(ii) for the purposes of any of the provisions of this Act respecting grievances with respect to disciplinary action resulting in discharge or suspension, a reference to an "employee" includes a former employee or a person who would be a former employee but for the fact that at the time of his discharge or suspension he was a person employed in a managerial capacity;

"Initial certification."

(*q*) "initial certification" means the certification of a bargaining agent for a bargaining unit during the twenty-eight months following the day fixed under subsection (1) of section 26 on which the employees concerned become eligible for collective bargaining;

"Occupational category."

(*r*) "occupational category" means any of the following categories of employees, namely,

(i) scientific and professional,

(ii) technical,

(iii) administrative,

(iv) administrative support, or

(v) operational,

and any other occupationally-related category of employees specified and defined by the Governor in Council by any order made under subsection (1) of section 26 or thereafter determined by the Board to be an occupational category;

"Occupational group."

(*s*) "occupational group" means a group of employees within an occupational category;

"Parties."

(*t*) "parties" means

(i) in relation to collective bargaining, arbitration or a dispute, the employer and a bargaining agent, and

(ii) in relation to a grievance, the employer and the employee who presented the grievance;

"Person employed in a managerial capacity."

(*u*) "person employed in a managerial capacity", means any person who

(i) is employed in a position confidential to the Governor General, a Minister of the Crown, a judge of the Supreme or Exchequer Court of Canada or the deputy head of a department or other chief executive officer of any portion of the Public Service, or

(ii) is employed as a legal officer in the Department of Justice,

and includes any other person employed in the Public Service who in connection with an application for certification of a bargaining agent for a bargaining unit is designated by the Board, or who in any case where a bargaining agent for a bargaining unit has been certified by the Board is designated in prescribed manner by the employer, or by the Board on objection thereto by the bargaining agent, to be a person

(iii) who has executive duties and responsibilities in relation to the development and administration of government programs,

(iv) whose duties include those of a personnel officer or who has duties that cause him to be directly involved in the process of collective bargaining on behalf of the employer,

(v) who is required by reason of his duties and responsibilities to deal formally with a grievance presented in accordance with the grievance process provided for by this Act,

(vi) who is employed in a position confidential to any person described in subparagraph (ii), (iii), (iv) or (v), or

(vii) who is not otherwise described in subparagraph (iii), (iv), (v) or (vi), but for whom membership in a bargaining unit would tend to create a conflict of interest by reason of his duties and responsibilities to the employer;

"Prescribed." (*v*) "prescribed" means prescribed by regulation of the Board;

"Process for resolution of a dispute." (*w*) "process for resolution of a dispute" means either of the following processes for the resolution of a dispute, namely:

(i) by the referral of the dispute to arbitration, or

(ii) by the referral thereof to a conciliation board;

"Public Service." (*x*) "Public Service" means the several positions in or under any department or other portion of the public service of Canada specified from time to time in Schedule A;

"Remuneration." (*y*) "remuneration" includes a *per diem* or other allowance for the performance of the duties of a position or office;

"Separate employer." (*z*) "separate employer" means any portion of the public service of Canada specified from time to time in Part II of Schedule A;

"Strike." (*aa*) "strike" includes a cessation of work or a refusal to work or to continue to work by employees in combination or in concert or in accordance with a common understanding, or a slow-down or other concerted activity on the part of employees designed to restrict or limit output; and

"Vice-Chairman." (*bb*) "Vice-Chairman" means the Vice-Chairman of the Board.

APPLICATION.

Public Service.

Application to Public Service. **3.** This Act applies to all portions of the Public Service.

Additions to and Transfers within Schedule A.

Authority to add to Schedule A. **4.** The Governor in Council may by order add to Part I or Part II of Schedule A, as the case may be, the name of any portion of the public service of Canada heretofore or hereafter established and not otherwise specified in Schedule A,

(*a*) to which the *Industrial Relations and Disputes Investigation Act* does not apply or that has been excluded from the operation of Part I of that Act; and

(*b*) in respect of which a Minister of the Crown, the Treasury Board or the Governor in Council is authorized to establish or approve some or all of the terms and conditions of employment of persons employed therein.

Authority to transfer within Schedule A.

5. The Governor in Council may by order delete the name of any portion of the public service of Canada specified from time to time in Part I or Part II of Schedule A and, unless there are no longer any employees employed in or under that portion or if it is a corporation excluded from the operation of Part I of the *Industrial Relations and Disputes Investigation Act*, shall thereupon add the name of that portion to the other part of Schedule A.

Basic Rights and Prohibitions.

Rights.

Right of membership in employee organization.

6. Every employee may be a member of an employee organization and may participate in the lawful activities of the employee organization of which he is a member.

Right of employer.

7. Nothing in this Act shall be construed to affect the right or authority of the employer to determine the organization of the Public Service, to group and classify positions therein and to assign duties to employees.

Prohibitions.

Employer participation in employee organization.

8. (1) No person who is employed in a managerial capacity, whether or not he is acting on behalf of the employer, shall participate in or interfere with the formation or administration of an employee organization or the representation of employees by such an organization.

Discrimination against members and intimidation.

(2) No person shall

(*a*) refuse to employ or to continue to employ any person, or otherwise discriminate against any person in regard to employment or any term or condition of employment because the person is a member of an employee organization or was or is exercising any right under this Act;

(*b*) impose any condition on an appointment or in a contract of employment or propose the imposition of any condition on an appointment or in a contract of employment that seeks to restrain an employee or a person seeking employment from becoming a member of an employee organization or exercising any right under this Act; or

(*c*) seek by intimidation, by threat of dismissal, or by any other kind of threat, or by the imposition of a pecuniary or any other penalty or by any other means to compel an employee

(i) to become, refrain from becoming or cease to be, or

(ii) except as otherwise provided in a collective agreement, to continue to be,

a member of an employee organization, or to refrain from exercising any other right under this Act;

but no person shall be deemed to have contravened this subsection by reason of any act or thing done or omitted in relation to a person employed, or proposed to be employed, in a managerial capacity.

Bulletin board space.

(3) The employer, or any person acting on behalf of the employer, may, subject to the provisions of a collective agreement, authorize any employee organization to use specified bulletin board space on the employer's premises.

Discrimination against employee organization.

9. (1) Except in accordance with this Act or any regulation, collective agreement or arbitral award, no person employed in a managerial capacity, whether or not he acts on behalf of the employer, shall discriminate against an employee organization.

Saving provision.

(2) Nothing in subsection (1) shall be construed to prevent a person employed in a managerial capacity from receiving representations from, or holding discussions with, the representatives of any employee organization.

Soliciting membership during working hours.

10. Except with the consent of the employer, no officer or representative of an employee organization shall attempt, on the employer's premises during the working hours of an employee, to persuade the employee to become or refrain from becoming or to continue to be or to cease to be a member of an employee organization.

PART I.

PUBLIC SERVICE STAFF RELATIONS BOARD.

Constitution of Board.

Chairman and Members.

Board established

11. (1) There shall be a Board to be called the Public Service Staff Relations Board, consisting of a Chairman, a Vice-Chairman, and not less than four nor more than eight other members to be appointed as being representative in equal numbers of the interests of employees and of the interests of the employer respectively.

Chairman and Vice-Chairman.

(2) The Chairman and the Vice-Chairman shall be appointed by the Governor in Council to hold office during good behaviour for such period, not exceeding ten years, as may be determined by the Governor in Council, but either may be removed at any time by the Governor in Council upon address of the Senate and House of Commons.

Other members.

(3) Each of the other members of the Board shall be appointed by the Governor in Council to hold office during good behaviour for such period, not exceeding seven years, as may be determined by the Governor in Council, but a member so appointed may be removed for cause at any time by the Governor in Council.

Equality of representation.

(4) No member shall be appointed pursuant to subsection (3) as being representative of the interests of the employer or of the interests of employees without there being appointed a member representative of the other interest or whose appointment will result in there being a different number of members representative of the interests of the employer and employees respectively.

Re-appointment of members.

(5) A retiring Chairman, Vice-Chairman or other member may be re-appointed to the Board in the same or another capacity.

Vice-Chairman.

12. If the Chairman is absent or unable to act or the office of Chairman is vacant, the Vice-Chairman shall act as Chairman, and while he is so acting the Vice-Chairman has and may exercise all of the powers and functions of the Chairman under this Act.

Qualifications for Membership.

Qualifications.

13. (1) A person is not eligible to hold office as a member of the Board if

(*a*) he is not a Canadian citizen;

(*b*) he holds any other office or employment under the employer;

(*c*) he is a member of or holds an office or employment under an employee organization that is a bargaining agent; or

(*d*) he has attained the age of seventy years.

Exception.

(2) Where a member ceases to be a member of the Board for any reason specified in subsection (1) he may, notwithstanding anything in this Act, carry out and complete any duties or responsibilities that he would otherwise have had if he had not ceased to be a member in connection with any matter

(*a*) that came before the Board while he was still a member thereof; and

(*b*) in respect of which there was any proceeding in which he participated as a member.

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Remuneration.

Remuneration of Chairman and Vice-Chairman.

14. (1) The Chairman and the Vice-Chairman shall be paid such salary or other remuneration as may be determined by the Governor in Council.

Remuneration of other members.

(2) Other members of the Board shall be paid such salary or other remuneration as may be determined by the Governor in Council, but the rate of salary or remuneration paid to each such member shall be the same as that paid to other such members.

Head Office and Meetings.

Head office.

15. (1) The head office of the Board shall be at the City of Ottawa.

Time and place of meetings.

(2) The Board may meet at such times and places as it considers necessary or desirable for the proper conduct of its business.

Meetings for conduct of business.

16. (1) At any meeting of the Board for the conduct of its business, at least the following members, namely:

(*a*) the Chairman or the Vice-Chairman,

(*b*) one member who has been appointed as being representative of the interests of employees, and

(*c*) one member who has been appointed as being representative of the interests of the employer,

shall be present.

Divisions of the Board.

(2) For the purpose of facilitating the hearing or determination of any matter by the Board, the Chairman may direct that the powers, duties and functions of the Board under this Act shall be exercised and performed by a division of the Board, to consist of

(*a*) either the Chairman or the Vice-Chairman; and

(*b*) at least two other members to be designated by the Chairman, including one member appointed as being representative of the interests of employees and one member appointed as being representative of the interests of the employer.

Decision of majority.

(3) A decision of a majority of those present at any meeting of the Board, or of a division thereof, is a decision of the Board or the division thereof, as the case may be.

Staff and Experts.

Supervision of work and staff.

17. (1) The Chairman is the chief executive officer of the Board and has supervision over and direction of the work and the staff of the Board.

Appointment of secretary and other staff.

(2) A secretary of the Board and such other officers and employees as the Board deems necessary for the performance of its duties shall be appointed under the provisions of the *Civil Service Act*.

Appointment of experts and advisers.

(3) The Chairman on behalf of the Board may appoint, and fix the remuneration of, conciliators and other experts or persons having technical or special knowledge to assist the Board in an advisory capacity.

POWERS AND DUTIES OF THE BOARD.

Powers and duties of the Board

18. The Board shall administer this Act and shall exercise such powers and perform such duties as are conferred or imposed upon it by, or as may be incidental to the attainment of the objects of, this Act including, without restricting the generality of the foregoing, the making of orders requiring compliance with the provisions of this Act, with any regulation made hereunder or with any decision made in respect of a matter coming before it.

Authority of Board to make regulations.

19. (1) The Board may make regulations of general application respecting

(*a*) the manner in which persons shall be designated by the employer, or by the Board on objection thereto by a bargaining agent, to be persons described in subparagraphs (iii) to (vii) of paragraph (*u*) of section 2;

(*b*) the determination of units of employees appropriate for collective bargaining;

(*c*) the certification of bargaining agents for bargaining units and the hearing or determination of applications to record alterations in the process for resolution of disputes applicable to bargaining units;

(*d*) the hearing or determination of questions of law or jurisdiction that may be referred to it as a result of arbitration, adjudication or other proceedings under this Act;

(*e*) the hearing or determination of any matter relating to or arising out of the revocation of certification of a bargaining agent, including the rights and privileges that have accrued to and are retained by any employee notwithstanding such revocation;

(*f*) the rights, privileges and duties that are acquired or retained by an employee organization where there is a merger, amalgamation or transfer of jurisdiction between two or more such organizations;

(*g*) the establishment of rules of procedure for its hearings and those of the Arbitration Tribunal and an adjudicator;

(*h*) the specification of the time within which and the persons to whom notices and other documents shall be sent and when such notices shall be deemed to have been given and received;

(*i*) the determination of the form in which, and the time as of which, evidence

(i) as to membership of employees in an employee organization,

(ii) of objection by employees to certification of an employee organization, or

(iii) of signification by employees that they no longer wish to be represented by an employee organization

shall be presented to the Board upon an application for certification of or for revocation of certification of a bargaining agent, and the circumstances in which evidence as to membership of employees in an employee organization may be received by the Board as evidence that such employees wish that employee organization to represent them as their bargaining agent;

(*j*) the hearing of complaints under section 20;

(*k*) the establishment of terms and conditions relating to the certification of a council of employee organizations and, for the purposes of this Act, the relationship of the constituent employee organizations to each other, to the employees therein and to the employer; and

(*l*) such other matters and things as may be incidental or conducive to the objects and purposes of the Board, the exercise of its powers and the attainment of the objects of this Act.

When regulations effective.

(2) Regulations of general application made under subsection (1) have effect upon publication in the *Canada Gazette*.

Complaints.

20. (1) The Board may examine and inquire into any complaint made to it that the employer, or any person acting on its behalf, or that an employee organization, or any person acting on its behalf, has failed

(*a*) to observe any prohibition contained in section 8, 9 or 10;

(*b*) to give effect to any provision of an arbitral award;

(*c*) to give effect to a decision of an adjudicator with respect to a grievance; or

(*d*) to comply with any regulation respecting grievances made by the Board pursuant to section 99.

Order of Board directing compliance.

(2) Where under subsection (1) the Board determines that any person has failed to observe any prohibition, to give effect to any provision or decision or to comply with any regulation as described in subsection (1), it may make an order, addressed to that person, directing him to observe the prohibition, give effect to the provision or decision or comply with the regulation, as the case may be, or take such action as may be required in that behalf within such specified period as the Board may consider appropriate and,

(*a*) where that person has acted or purported to act on behalf of the employer, it shall direct its order as well

(i) in the case of a separate employer, to the chief executive officer thereof, and

(ii) in any other case, to the Secretary of the Treasury Board; and

(*b*) where that person has acted or purported to act on behalf of an employee organization, it shall direct its order as well to the chief officer of that employee organization.

Where order not complied with.

21. Where any order made under section 20 directs some action to be taken and is not complied with within the period specified in the order for the taking of such action, the Board shall forward to the Minister through whom it reports to Parliament a copy of its order, a report of the circumstances and all documents relevant thereto, and the copy of the order, the report and the relevant documents shall be laid by the Minister before Parliament within fifteen days after receipt thereof by him or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

Powers of Board re certification and complaints.

22. The Board has, in relation to the hearing or determination of matters relating to certification and the hearing of complaints under section 20, power

(*a*) to summon and enforce the attendance of witnesses and compel them to give oral or written evidence on oath, and to produce such documents and things as the Board deems requisite to the full investigation and consideration of matters within its jurisdiction in the same manner and to the same extent as a superior court of record;

(*b*) to administer oaths and affirmations;

(*c*) to receive and accept such evidence and information on oath, affidavit or otherwise as in its discretion it sees fit, whether admissible in

a court of law or not and, without limiting the generality of the foregoing, the Board may refuse to accept any evidence that is not presented in the form and as of the time prescribed;

(*d*) to require the employer to post and keep posted in appropriate places any notices that the Board deems necessary to bring to the attention of any employees any matter or proceeding before the Board;

(*e*) subject to such limitations as the Governor in Council in the interests of defence or security may prescribe, to enter any premises of the employer where work is being or has been done by employees and to inspect and view any work, material, machinery, appliances or articles therein and interrogate any person respecting any matter;

(*f*) to enter upon the employer's premises for the purpose of conducting representation votes during working hours; and

(*g*) to authorize any person to do anything that the Board may do under paragraphs (*b*) to (*f*) and to report to the Board thereon.

Questions of law or jurisdiction to be referred to Board.

23. Where any question of law or jurisdiction arises in connection with a matter that has been referred to the Arbitration Tribunal or to an adjudicator pursuant to this Act, the Arbitration Tribunal or adjudicator, as the case may be, shall refer the question to the Board for hearing or determination in accordance with any regulations made by the Board in respect thereof, and thereupon any proceedings in connection with that matter shall, unless the Board otherwise directs, be suspended until the question is decided by the Board.

Application of orders.

24. Where under this Act the Board may make or issue any order or direction, prescribe any term or condition or do any other thing in relation to any person, the Board may do so, either generally or in any particular case or class of cases.

Review or amendment of orders.

25. The Board may review, rescind, amend, alter or vary any decision or order made by it, or may rehear any application before making an order in respect thereof, except that any rights acquired by virtue of any decision or order that is so reviewed, rescinded, amended, altered or varied shall not be altered or extinguished with effect from a day earlier than the day on which such review, rescission, amendment, alteration or variation is made.

PART II.

COLLECTIVE BARGAINING AND COLLECTIVE AGREEMENTS.

Commencement of Collective Bargaining.

Specification of occupational categories and date of eligibility for collective bargaining.

26. (1) Within thirty days after the coming into force of this Act, the Governor in Council shall, by order,

(*a*) specify and define the several occupational categories in the Public Service, including the occupational categories enumerated in sub-paragraphs (i) to (v) of paragraph (*r*) of section 2, in such manner as to comprise therein all employees in the Public Service; and

(*b*) fix the day, not later than two years after the coming into force of this Act, on which the employees within each occupational category become eligible for collective bargaining.

Specification of occupational groups comprising occupational categories.

(2) At least sixty days before each day fixed under paragraph (*b*) of subsection (1) on which the employees within an occupational category become eligible for collective bargaining, the Governor in Council shall, for all portions of the Public Service other than separate employers, specify and define the several occupational groups comprising that occupational category.

Limitation with respect to initial period of twenty-eight months.

(3) With respect to any portion of the Public Service other than a separate employer, the Board shall not consider as a unit of employees appropriate for collective bargaining any group of employees, other than those comprised in an occupational group specified and defined pursuant to subsection (2), until twenty-eight months have elapsed from the day fixed under paragraph (*b*) of subsection (1) on which employees in the occupational category to which the employees in any proposed bargaining unit belong became eligible for collective bargaining.

Certification of Bargaining Agents.

Application for Certification.

Application by employee organization.

27. An employee organization seeking to be certified as bargaining agent for a group of employees that it considers constitutes a unit of employees appropriate for collective bargaining may, subject to sections 29 and 30, apply in the manner prescribed to the Board for certification as bargaining agent for the proposed bargaining unit.

Application by council of organizations.

28. (1) Where two or more employee organizations have come together to form a council of employee organizations, the council so formed may, subject to sections 29 and 30, apply in the manner prescribed to the Board for certification as described in section 27.

Requirements and conditions for certification of council.

(2) The Board may certify a council of employee organizations as bargaining agent for a bargaining unit where the Board is satisfied that

(*a*) the requirements for certification established by this Act are met; and

(*b*) appropriate legal and administrative arrangements have been made between the employee organizations forming the council for the carrying out of any obligations that may devolve upon it as a result of such certification in relation to any employee or group of employees in the bargaining unit or in relation to the employer.

Council deemed to be employee organization.

(3) A council of employee organizations shall, for all purposes of this Act except subsection (2), be deemed to be an employee organization, and membership in any employee organization that is part of a council of employee organizations shall for the same purposes be deemed to be membership in the council.

When Application for Certification may be made.

No application before employees eligible for collective bargaining.

29. No employee organization may apply to the Board for certification as bargaining agent for a bargaining unit prior to the date on which the employees comprised in the proposed bargaining unit became eligible for collective bargaining under subsection (1) of section 26.

When agreement concluded for term of not more than two years.

30. (1) Where a collective agreement or an arbitral award is in force and is for a term of not more than two years, an employee organization may apply to the Board for certification as bargaining agent for any of the employees in the bargaining unit to which the agreement or award applies only after the commencement of the last two months of its operation.

When agreement concluded for term of more than two years.

(2) Where a collective agreement or an arbitral award is in force and is for a term of more than two years, an employee organization may apply to the Board for certification as bargaining agent for any of the employees in the bargaining unit to which the agreement or award applies only

(*a*) after the commencement of the twenty-third month of its operation and before the commencement of the twenty-fifth month of its operation;

(*b*) during the two-month period immediately preceding the end of each year that the agreement or award continues to operate after the second year of its operation; or

(*c*) after the commencement of the last two months of its operation.

When agreement concluded for indefinite term.

(3) Where a collective agreement referred to in subsection (1) or (2) provides that it will continue to operate after the term specified therein for a further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to the renewal, with or without modifications, of the collective agreement, an employee organization may apply to the Board for certification as bargaining agent for any of the employees in the bargaining unit to whom the collective agreement applies at any time permitted by subsection (1) or (2), as the case may be, or during the two-month period immediately preceding the end of each year that the collective agreement continues to operate after the term specified therein.

No certification where previous application refused within one year.

31. Where an application for certification of an employee organization as bargaining agent for a proposed bargaining unit has been refused by the Board, the Board shall not certify the employee organization as bargaining agent for the same or substantially the same proposed bargaining unit until at least six months have elapsed from the day on which the Board last refused such certification, unless the Board is satisfied that the previous application was refused by reason only of a technical error or omission made in connection therewith.

Determination of Appropriate Bargaining Units.

Determination of unit appropriate for collective bargaining.

32. (1) Where an employee organization has made application to the Board for certification as described in section 27, the Board shall, subject to subsection (3) of section 26, determine the relevant group of employees that constitutes a unit appropriate for collective bargaining.

Matters to be taken into account by Board.

(2) In determining whether a group of employees constitutes a unit appropriate for collective bargaining, the Board shall take into account, having regard to the proper functioning of this Act, the duties and classification of the employees in the proposed bargaining unit in relation to any plan of classification as it may apply to the employees in the proposed bargaining unit.

Duties of employees in bargaining unit to be similar.

(3) No employee may be included in a bargaining unit who is performing duties or is entrusted with responsibilities that relate to an occupational category

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other than the occupational category to which the duties performed by and responsibilities entrusted to the other employees in that unit relate, or whose duties or responsibilities are such that in the opinion of the Board his inclusion in the bargaining unit as a member thereof would not be appropriate or advisable.

Composition of bargaining unit.

(4) For the purposes of this Act, a unit of employees may be determined by the Board to constitute a unit appropriate for collective bargaining whether or not its composition is identical with the group of employees in respect of which application for certification was made.

Determination of membership in bargaining units.

33. Where, at any time following the determination by the Board of a group of employees to constitute a unit appropriate for collective bargaining, any question arises as to whether any employee or class of employees is or is not included therein or is included in any other unit, the Board shall, on application by the employer or any employee organization affected, determine the question.

Certification.

Certification of employee organization as bargaining unit.

34. Where the Board

(*a*) has received from an employee organization an application for certification as bargaining agent for a bargaining unit in accordance with this Act,

(*b*) has determined the group of employees that constitutes a unit appropriate for collective bargaining in accordance with section 32,

(*c*) is satisfied that a majority of employees in the bargaining unit wish the employee organization to represent them as their bargaining agent, and

(*d*) is satisfied that the persons representing the employee organization in the making of the application have been duly authorized to act for the members of the organization in the regulation of relations between the employer and such members,

the Board shall, subject to this Act, certify the employee organization making the application as bargaining agent for the employees in that bargaining unit.

Powers of Board in relation to certification.

35. (1) For the purpose of enabling the Board to discharge any obligation imposed by section 34 to satisfy itself as to the matters described in paragraphs (*c*) and (*d*) of that section, the Board may

(*a*) examine, in accordance with any regulations that may be made by the Board in that behalf, such evidence as is submitted to it respecting membership of the employees in the proposed bargaining unit in the employee organization seeking certification;

(*b*) make or cause to be made such examination of records or make such inquiries as it deems necessary;

(*c*) examine documents forming or relating to the constitution or articles of association of the employee organization seeking certification; and

(*d*) consider evidence submitted to it respecting election practices of the employee organization and the representative character of the officials of that organization;

and, in its sole discretion, the Board may in any case for the purpose of satisfying itself that a majority of employees in the bargaining unit wish the employee organization to represent them as their bargaining agent, direct that a representation vote be taken among the employees in the bargaining unit.

Where representation vote to be taken.

(2) Where under subsection (1) the Board directs that a representation vote be taken, the Board shall

(*a*) determine the employees that are eligible to vote; and

(*b*) make such arrangements and give such directions as to it appear requisite for the proper conduct of the representation vote including the preparation of ballots, the method of casting and counting ballots and the custody and sealing of ballot boxes.

Specification of process for resolution of disputes as condition of certification.

36. (1) No employee organization shall be certified by the Board as bargaining agent for any bargaining unit until the employee organization has specified, in such manner as may be prescribed, which of either of the processes described in paragraph (*w*) of section 2 shall be the process for resolution of any dispute to which the employee organization may be a party if it is subsequently certified by the Board as bargaining agent for that bargaining unit.

Employer to furnish statement.

(2) For the purpose of facilitating the specification by an employee organization of the process for resolution of any dispute to which it may be a party if it is subsequently certified as bargaining agent for a bargaining unit, the Board shall, upon request in writing to it by the employee organization and if it is satisfied that the other requirements for certification established by this Act are met, by notice require the employer to furnish to the Board

and the employee organization a statement in writing of the employees or classes of employees in the bargaining unit whom the employer then considers to be designated employees within the meaning of section 79, and the employer shall, within fourteen days after the receipt of such notice, furnish such statement to the Board and the employee organization.

Saving provision.

(3) Nothing in section 34, 35 or this section shall be construed to prevent the Board from certifying an employee organization as bargaining agent for any bargaining unit the composition of which is not identical to that of the group of employees in respect of which the application for certification was made.

Certification to record process for resolution of disputes.

37. (1) Where under section 34 the Board certifies an employee organization as bargaining agent for a bargaining unit, the Board shall record, as part of such certification, the process for resolution of a dispute specified by that employee organization as provided in section 36.

Period during which process to apply.

(2) The process for resolution of a dispute specified by an employee organization as provided in section 36 and recorded by the Board under subsection (1) as part of its certification as bargaining agent for a bargaining unit shall, notwithstanding that another employee organization may subsequently be certified as bargaining agent for the same bargaining unit, be the process applicable to that bargaining unit for the resolution of all disputes during the period of three years immediately following the day on which the first collective agreement or arbitral award binding on the employer and the bargaining agent that specified the process comes into force in respect of that bargaining unit, and thereafter until the process is altered in accordance with section 38.

Application for alteration of process.

38. (1) A bargaining agent for a bargaining unit may, in such manner and circumstances as may be prescribed, apply to the Board to record an alteration in the process for resolution of a dispute that is applicable to the bargaining unit in respect of which it is certified.

Consideration of application.

(2) The Board, in considering an application made under subsection (1), shall afford an opportunity to any employee or group of employees in the bargaining unit to be heard on the application and, for the purpose of satisfying itself that a majority of employees in the bargaining unit support the proposed alteration in the process for resolution of a dispute, may direct that a vote be taken among the employees in the bargaining unit.

Vote.

(3) Subsection (2) of section 35 applies *mutatis mutandis* in relation to any vote directed to be taken under subsection (2).

Recording of alteration.

(4) The Board, after considering an application made under subsection (1) and if it is satisfied that a majority of the members in the bargaining unit support the proposed alteration in the process for resolution of a dispute, shall record the alteration accordingly.

When alteration may be recorded.

(5) The Board shall not record an alteration in the process for resolution of a dispute pursuant to an application made under subsection (1) before the expiry of the period of three years referred to in subsection (2) of section 37 and until at least one hundred and eighty days have elapsed since the receipt by the Board of the application, and no such alteration shall become effective until such time next following the recording of the alteration as any notice to bargain collectively is given by or to the bargaining agent for the bargaining unit in respect of which the application was made.

Where Certification Prohibited.

Where participation by employer in formation of employee organization.

39. (1) The Board shall not certify as bargaining agent for a bargaining unit, any employee organization in the formation or administration of which there has been or is, in the opinion of the Board, participation by the employer or any person acting on behalf of the employer of such a nature as to impair its fitness to represent the interests of employees in the bargaining unit.

Where money received or paid for activities by political party.

(2) The Board shall not certify as bargaining agent for a bargaining unit, any employee organization that

(*a*) receives from any of its members who are employees,

(*b*) handles or pays in its own name on behalf of members who are employees, or

(*c*) requires as a condition of membership therein the payment by any of its members of,

any money for activities carried on by or on behalf of any political party.

Where discrimination by reason of race, etc.

(3) The Board shall not certify as bargaining agent for a bargaining unit, any employee organization that discriminates against any employee because of his race, creed, colour, nationality, ancestry or place of origin.

Effect of Certification.

Effect of certification.

40. (1) Where an employee organization is certified under this Act as the bargaining agent for a bargaining unit,

(*a*) the employee organization has the exclusive right under this Act

(i) to bargain collectively on behalf of employees in the bargaining unit and to bind them by a collective agreement until its certification in respect of the bargaining unit is revoked, and

(ii) to represent, in accordance with this Act, an employee in the presentation or reference to adjudication of a grievance relating to the interpretation or application of a collective agreement or arbitral award applying to the bargaining unit to which the employee belongs;

(*b*) if another employee organization had been previously certified as bargaining agent in respect of employees in the bargaining unit, the certification of the previously certified bargaining agent is thereupon revoked in respect of such employees; and

(*c*) if, at the time of certification, a collective agreement or arbitral award binding on the employees in the bargaining unit is in force, the employee organization shall be substituted as a party to the agreement or award in place of the bargaining agent that had been a party thereto and may, notwithstanding anything contained in the agreement or award, terminate the agreement or award, in so far as it applies to the employees in the bargaining unit, upon two months' notice to the employer given within one month from such certification.

Determination of questions as to rights of previous or new bargaining agent.

(2) In any case where paragraph (*b*) or (*c*) of subsection (1) applies, any question as to any right or duty of the previous bargaining agent or the new bargaining agent arising by reason of the application of that paragraph shall, on application by the employer or the previous or the new bargaining agent, be determined by the Board.

REVOCATION OF CERTIFICATION.

On Application.

Application for declaration that employee organization no longer represents employees.

41. (1) Where a collective agreement or an arbitral award is in force in respect of a bargaining unit, any person claiming to represent a majority of the employees in that bargaining unit may, in accordance with subsection (2), apply to the Board for a declaration that the employee organization certified as bargaining agent for that bargaining unit no longer represents a majority of the employees therein.

When application may be made.

(2) An application under subsection (1) may be made

(*a*) where the collective agreement or arbitral award is for a term of not more than two years, only after the commencement of the last two months of its operation;

(*b*) where the collective agreement or arbitral award is for a term of more than two years, only after the commencement of the twenty-third month of its operation and before the commencement of the twenty-fifth month of its operation, during the two-month period immediately preceding the end of each year that it continues to operate after the second year of its operation, or after the commencement of the last two months of its operation, as the case may be; and

(*c*) where the collective agreement provides that it will continue to operate after the term specified therein for a further term or successive terms if either party fails to give to the other notice of termination or of its desire to bargain with a view to the renewal, with or without modifications, of the agreement or with a view to the making of a new collective agreement, at any time permitted by paragraph (*a*) or (*b*), as the case may be, or during the two-month period immediately preceding the end of each year that the agreement continues to operate after the term specified therein.

Taking of representation vote.

(3) Upon an application under subsection (1), the Board in its sole discretion may direct the taking of a representation vote in order to determine whether a majority of the employees in the bargaining unit no longer wish to be represented by the employee organization that is the bargaining agent for that bargaining unit, and in relation to the taking of any such vote the provisions of subsection (2) of section 35 apply.

Revocation of certification of employee organization.

(4) After hearing any application under subsection (1), the Board shall revoke the certification of an employee organization as bargaining agent for a bargaining unit if it is satisfied that a majority of the employees in that bargaining unit no longer wish to be represented by the employee organization.

For Abandonment or Other Cause.

Abandonment of certification.

42. (1) The Board shall revoke the certification of a bargaining agent where the bargaining agent advises the Board that it wishes to give up or abandon its certification or where the Board, upon application by the employer or any employee, determines that the bargaining agent has ceased to act as such.

Revocation where certification prohibited under s. 39.

(2) Where the Board, upon application to the Board by the employer or any employee, determines that a bargaining agent would not, if it were an employee organization applying for certification, be certified by the Board by

reason of a prohibition contained in section 39, the Board shall revoke the certification of the bargaining agent.

For Fraud.

Certification obtained by fraud.

43. (1) Where at any time it appears to the Board that an employee organization has obtained certification as bargaining agent for a bargaining unit by fraud, the Board may revoke the certification of such employee organization.

Effect of revocation.

(2) An employee organization the certification of which is revoked pursuant to subsection (1) is not entitled to claim any right or privilege flowing from such certification, and any collective agreement or arbitral award applying to the bargaining unit for which it was certified, to which such employee organization was a party, is void.

Revocation of Certification of Council.

Revocation of certification of council.

44. In addition to the circumstances in which, pursuant to section 41, 42 or 43, the certification of a bargaining agent may be revoked, where an employee organization that is a council of employee organizations has been certified as bargaining agent for a bargaining unit, the Board, on application to it by the employer or an employee organization that forms or has formed part of the council, shall revoke the certification of the council where it determines that, by reason of

(*a*) an alteration in the constituent membership of the council, or

(*b*) any other circumstance,

the council no longer meets the additional requirements for certification required for a council of employee organizations by subsection (2) of section 28.

Effect of Revocation:
Rights of Employee Organizations and Employees.

Effect of revocation where collective agreement or arbitral award in force.

45. Where, at the time the certification of a bargaining agent for a bargaining unit is revoked, a collective agreement or arbitral award binding on the employees in that bargaining unit is in force, except where another employee organization is substituted as a party to the agreement or award upon the revocation of such certification the agreement or award shall thereupon cease to be in effect.

Determination of rights of bargaining agent by Board.

46. Where the certification of a bargaining agent for a bargaining unit is revoked by the Board pursuant to section 41, 42 or 44, any question as to any right or duty of that bargaining agent or of any new bargaining agent replacing it shall, on application by either organization, be determined by the Board.

Direction as to manner in which rights acquired by employee are to be recognized.

47. Where the certification of a bargaining agent for a bargaining unit is revoked by the Board pursuant to section 41, 42, 43 or 44 and as a result thereof a collective agreement or arbitral award binding on the employees in the bargaining unit ceases to be in effect or a collective agreement or arbitral award applying to the bargaining unit is void, the Board shall, on application to it by or on behalf of any employee and in accordance with any regulations made by it in respect thereof, direct the manner in which any right acquired by, or determined by the Board to have accrued to, an employee that is affected by the revocation is to be recognized and given effect to.

Successor Rights.

Mergers, amalgamations and transfers of jurisdiction.

48. Where, upon a merger or amalgamation of employee organizations or a transfer of jurisdiction among employee organizations otherwise than as a result of revocation of certification, any question arises concerning the rights, privileges and duties of an employee organization under this Act or under a collective agreement or arbitral award in respect of a bargaining unit or an employee therein, the Board, on application to it by any employee organization affected, shall examine the question and may, in accordance with any regulations made by it in respect thereof, declare or determine what rights, privileges and duties if any have been acquired or are retained, as the case may be, by that employee organization.

NEGOTIATION OF COLLECTIVE AGREEMENTS.

Notice to Bargain Collectively.

Notice to bargain collectively.

49. (1) Where the Board has certified an employee organization as bargaining agent for the employees in a bargaining unit

(*a*) the bargaining agent may, on behalf of the employees in the bargaining unit, by notice in writing require the employer to commence bargaining collectively, or

(*b*) the employer may by notice in writing require the bargaining agent to commence bargaining collectively,

with a view to the conclusion, renewal or revision of a collective agreement.

When notice may be given.

(2) Notice to bargain collectively may be given

(*a*) where no collective agreement or arbitral award is in force and no request for arbitration has been made by either of the parties in accordance with this Act, at any time; and

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(*b*) where a collective agreement or arbitral award is in force, within the period of two months before the agreement or award ceases to operate.

Where Notice Given.

Commencement of collective bargaining.

50. Where notice to bargain collectively has been given, the bargaining agent and the officers designated to represent the employer shall, without delay, but in any case within twenty days after the notice was given or within such further time as the parties may agree, meet and commence to bargain collectively in good faith and make every reasonable effort to conclude a collective agreement.

Continuation in force of terms and conditions of employment.

51. Where notice to bargain collectively has been given, any term or condition of employment applicable to the employees in the bargaining unit in respect of which the notice was given that may be embodied in a collective agreement and that was in force on the day the notice was given, shall remain in force and shall be observed by the employer, the bargaining agent for the bargaining unit and the employees in the bargaining unit, except as otherwise provided by any agreement in that behalf that may be entered into by the employer and the bargaining agent, until such time as

(*a*) in the case of a bargaining unit for which the process for resolution of a dispute is by the referral thereof to arbitration, the negotiating relationship between the parties has been terminated and

(i) a collective agreement has been entered into by the parties and no request for arbitration in respect of that term or condition of employment, or in respect of any term or condition of employment proposed to be substituted therefor, has been made in the manner and within the time prescribed therefor by this Act, or

(ii) a request for arbitration in respect of that term or condition of employment, or in respect of any term or condition of employment proposed to be substituted therefor, has been made in accordance with this Act and an arbitral award has been rendered in respect thereof; and

(*b*) in the case of a bargaining unit for which the process for resolution of a dispute is by the referral thereof to a conciliation board,

(i) a collective agreement has been entered into by the parties,

(ii) a conciliation board has been established in accordance with this Act and seven days have elapsed from the receipt by the Chairman of the report of the conciliation board, or

(iii) a request for the establishment of a conciliation board has been made in accordance with this Act and the Chairman has notified the parties pursuant to section 78 of his intention not to establish such a board.

When negotiating relationship terminated.

52. For the purposes of this Act, the negotiating relationship between the employer and a bargaining agent for a bargaining unit is terminated when

(*a*) a collective agreement has been entered into by the parties with respect to the bargaining unit; or

(*b*) a request for arbitration in respect of any term or condition of employment of employees in the bargaining unit has been made in accordance with this Act.

Conciliation.

Request for conciliation.

53. Where the employer or a bargaining agent advises the Board by notice in writing of the inability of the parties to reach agreement on any term or condition of employment that may be embodied in a collective agreement and that it desires the assistance of a conciliator in reaching agreement, the Chairman may appoint a conciliator who shall, forthwith after his appointment, confer with the parties and endeavour to assist them in reaching agreement.

Report of conciliator.

54. A conciliator shall, within fourteen days from the date of his appointment or within such longer period as the Chairman may determine, report his success or failure to the Chairman.

COLLECTIVE AGREEMENTS.

Authority to enter into Agreement.

Authority of Minister to enter into collective agreement.

55. (1) The Minister who presides over the Treasury Board may, on behalf of the Treasury Board and with the approval of the Governor in Council, enter into a

collective agreement with the bargaining agent for a bargaining unit, other than a bargaining unit comprised of employees of a separate employer, applicable to employees in that bargaining unit.

Authority of separate employer.

(2) A separate employer may, with the approval of the Governor in Council, enter into a collective agreement with the bargaining agent for a bargaining unit comprised of employees of the separate employer, applicable to employees in that bargaining unit.

Provisions of Collective Agreement.

Time within which agreement to be implemented.

56. (1) The provisions of a collective agreement shall, subject to the appropriation by or under the authority of Parliament of any moneys that may be required by the employer therefor, be implemented by the parties,

(*a*) where a period within which the collective agreement is to be implemented is specified in the collective agreement, within that period; and

(*b*) where no period for implementation is so specified

(i) within a period of ninety days from the date of its execution, or

(ii) within such longer period as may, on application by either party to the agreement, appear reasonable to the Board.

No term or condition to be included requiring legislative implementation.

(2) No collective agreement shall provide, directly or indirectly, for the alteration or elimination of any existing term or condition of employment or the establishment of any new term or condition of employment,

(*a*) the alteration or elimination of which or the establishment of which, as the case may be, would require or have the effect of requiring the enactment or amendment of any legislation by Parliament, except for the purpose of appropriating moneys required for its implementation, or

(*b*) that has been or may be, as the case may be, established pursuant to any Act specified in Schedule B.

Duration and Effect.

When agreement effective.

57. (1) A collective agreement has effect in respect of a bargaining unit on and from,

(*a*) where an effective date is specified, that day; and

(*b*) where no effective date is specified, the first day of the month next following the month in which the agreement is executed.

Where no provision as to term of agreement.

(2) Where a collective agreement

(*a*) contains no provision as to its term, or

(*b*) is for a term of less than one year,

the collective agreement shall, subject to subsection (3), be deemed to be for a term of one year from the day on and from which it has effect pursuant to subsection (1).

Term of agreement entered into next following initial certification.

(3) Every collective agreement entered into next following the initial certification of a bargaining agent for a bargaining unit based on an occupational group specified and defined by the Governor in Council under subsection (2) of section 26, if it is entered into within a period of thirty months from the day fixed under subsection (1) of section 26 on which the employees concerned become eligible for collective bargaining remains in effect, notwithstanding anything to the contrary contained in the agreement, until the expiry of that period but no longer.

No agreement to be entered into until expiry of six months from eligibility date.

(4) No collective agreement shall be entered into in respect of a bargaining unit next following the initial certification of a bargaining agent of that bargaining unit, before the expiry of a period of six months from the day fixed under subsection (1) of section 26 on which the employees comprised in that bargaining unit became eligible for collective bargaining.

Saving provision where agreement provides for amendment.

(5) Nothing in subsection (2) or (3) shall be construed to prevent the amendment or revision of any provision of a collective agreement, other than a provision relating to the term of the collective agreement, that, under the agreement, may be amended or revised during the term thereof.

Binding effect of agreement.

58. A collective agreement is, subject to and for the purposes of this Act, binding on the employer and the bargaining agent that is a party thereto and on the employees in the bargaining unit in respect of which the bargaining agent has been certified, effective on and from the day on and from which it has effect pursuant to subsection (1) of section 57.

PART III.

PROVISIONS APPLICABLE TO RESOLUTION OF DISPUTES.

Provisions of Act applicable depending on process for resolution of dispute.

59. Where the employer and the bargaining agent for a bargaining unit have bargained collectively in good faith with a view to concluding a collective agreement but have failed to reach agreement,

(*a*) if the process for resolution of a dispute applicable to the bargaining unit is by the referral thereof to arbitration, sections 63 to 76 apply to the resolution of the dispute; and

(*b*) if the process for resolution of a dispute applicable to the bargaining unit is by the referral thereof to a conciliation board, sections 77 to 89 apply to the resolution of the dispute.

ARBITRATION.

Public Service Arbitration Tribunal.

Public Service Arbitration Tribunal established.

60. (1) There shall be a Tribunal to be called the Public Service Arbitration Tribunal, consisting of a chairman who shall be responsible for the administration of the system of arbitration provided for by this Act and two panels of other members, one panel to consist of at least three persons appointed by the Board as being representative of the interests of the employer and the other to consist of at least three persons appointed by the Board as being representative of the interests of employees.

Appointment of chairman.

(2) The chairman of the Arbitration Tribunal shall be appointed by the Governor in Council on the recommendation of the Board to hold office during good behaviour for such term, not exceeding seven years, as may be determined by the Governor in Council, but he may, for cause, be removed by the Governor in Council on the unanimous recommendation of the Board.

Appointment of other members.

(3) A member of a panel appointed by the Board under subsection (1) shall be appointed for such term as the Board deems appropriate, but no member of a panel shall act in respect of any matter except on selection by the Chairman pursuant to subsection (4) in respect of a dispute.

Selection of members to hear and determine disputes.

(4) In respect of each dispute referred for arbitration, the Arbitration Tribunal shall consist, for the period of the arbitration proceedings, of the chairman of the Arbitration Tribunal and two other members, one each selected by the Chairman from each panel appointed under subsection (1).

Provision for alternate chairman.

(5) On the recommendation of the Board, the Governor in Council may appoint one or more alternate chairmen of the Arbitration Tribunal to hold office during good behaviour for such term, not exceeding five years, as may be determined by the Governor in Council, but any such alternate chairman may, for cause, be removed by the Governor in Council on the unanimous recommendation of the Board.

Authority of alternate chairman.

(6) An alternate chairman of the Arbitration Tribunal may, when so designated by the Board,

(*a*) act in the place of the chairman of the Arbitration Tribunal during his absence or incapacity or if the office of chairman of the Arbitration Tribunal is vacant; and

(*b*) preside over a division of the Arbitration Tribunal constituted under subsection (7).

Establishment of divisions to hear and determine disputes.

(7) Where the Board considers it desirable, it may establish two or more divisions of the Arbitration Tribunal each of which shall consist of the chairman of the Arbitration Tribunal or an alternate chairman of the Arbitration Tribunal and two other members selected in the same manner as in subsection (4) and, in respect of any dispute referred to it for arbitration, a division of the Arbitration Tribunal has all the powers and duties of the Arbitration Tribunal.

Re-appointment of members.

(8) A retiring chairman or alternate chairman of the Arbitration Tribunal or other member of either of the panels thereof may be re-appointed to the Tribunal in the same or another capacity.

Qualifications for membership.

61. (1) A person is not eligible to hold office as the chairman or as an alternate chairman of the Arbitration Tribunal or as a member thereof if, under subsection (1) of section 13, he would not be eligible to be a member of the Board, or if he is a member of the Board.

Idem.

(2) No person shall act as chairman or as an alternate chairman of the Arbitration Tribunal or as a member thereof in respect of any matter referred to arbitration, if he has at any time since a day six months before the day of his appointment acted in respect of any matter concerning employer-employee relations as solicitor, counsel or agent of the employer or of any employee organization that has any interest in the matter referred to arbitration.

Remuneration of members.

62. The chairman, an alternate chairman and each other member of the Arbitration Tribunal shall be paid such salaries or other remuneration as may be fixed by the Governor in Council.

Request for Arbitration.

Request for arbitration.

63. (1) Where the parties to collective bargaining have bargained collectively in good faith with a view to concluding a collective agreement but have been unable to reach agreement on any term or condition of employment of employees in the relevant bargaining unit that may be embodied in an arbitral award, either party may, by notice in writing to the Chairman given

(*a*) at any time, where the negotiating relationship between the parties has not been terminated, or

(*b*) not later than seven days after any collective agreement is entered into by the parties, in any other case,

request arbitration in respect of that term or condition of employment.

Notice to be given.

(2) Where arbitration is requested by notice under subsection (1), the party making the request shall

(*a*) specify in the notice the terms and conditions of employment in respect of which it requests arbitration and its proposals concerning the award to be made by the Arbitration Tribunal in respect thereof; and

(*b*) annex to the notice a copy of any collective agreement entered into by the parties.

Request for arbitration by other party.

64. (1) Where notice under section 63 is received by the Chairman from any party requesting arbitration, the Chairman shall forthwith send a copy of the notice to the other party, who shall within seven days after receipt thereof advise the Chairman, by notice in writing, of any matter, additional to the matters specified in the notice under section 63, that was a subject of negotiation between the parties during the period before the negotiating relationship between them was terminated but on which the parties were unable to reach agreement, and in respect of which, being a matter that may be embodied in an arbitral award, that other party requests arbitration.

Notice to include proposal concerning award.

(2) Where arbitration in respect of any matter is requested by notice under subsection (1), the party making the request shall include in the notice its proposal concerning the award to be made by the Arbitration Tribunal in respect thereof.

Reference to Arbitration Tribunal.

Reference of matter in dispute to Arbitration Tribunal.

65. Where, in respect of any matter in dispute, the employer or the bargaining agent, or both, have requested arbitration, the Chairman shall refer the matter in dispute to the Arbitration Tribunal and shall at the same time send a copy of the notice under section 63 and of any notice under section 64 to the chairman of the Arbitration Tribunal.

Selection of members to hear and determine matter in dispute.

66. Where the Chairman is required under section 65 to refer any matter in dispute to the Arbitration Tribunal, he shall, within a period of fourteen days from the date of the notice under section 63 requesting arbitration, select in the manner described in subsection (4) of section 60 the members of the Arbitration Tribunal, who shall proceed immediately to a consideration of the matter.

Consideration of Dispute and Award.

Matters constituting terms of reference.

67. Subject to section 70, the matters in dispute specified in the notice under section 63 and in any notice under section 64 sent by the Chairman to the chairman of the Arbitration Tribunal constitute the terms of reference of the Arbitration Tribunal in relation to the request for arbitration, and the Arbitration Tribunal shall, after considering the matters in dispute together with any other matter that the Arbitration Tribunal considers necessarily incidental to the resolution of the matters in dispute, render an arbitral award in respect thereof.

Factors to be taken into account by Arbitration Tribunal.

68. In the conduct of proceedings before it and in rendering an arbitral award in respect of a matter in dispute the Arbitration Tribunal shall consider and have regard to

(*a*) the needs of the Public Service for qualified employees;

(*b*) the conditions of employment in similar occupations outside the Public Service, including such geographic, industrial or other variations as the Arbitration Tribunal may consider relevant;

(*c*) the need to maintain appropriate relationships in the conditions of employment as between different grade levels within an occupation and as between occupations in the Public Service;

(*d*) the need to establish terms and conditions of employment that are fair and reasonable in relation to the qualifications required, the work performed, the responsibility assumed and the nature of the services rendered; and

(*e*) any other factor that to it appears to be relevant to the matter in dispute.

Procedure governing hearing and determination of disputes.

69. (1) Subject to this Act and any regulations made by the Board in respect thereof, the Arbitration Tribunal shall determine its own procedure but shall give full opportunity to both parties to present evidence and make submissions to it.

Powers of Arbitration Tribunal.

(2) The Arbitration Tribunal has all the powers of the Board set out in paragraphs (*a*) to (*e*) of section 22 and, in addition, may authorize any person to exercise any of the powers of the Arbitration Tribunal as set out in paragraphs (*b*) to (*e*) of section 22, and report to the Tribunal thereon.

Subject Matter of Arbitral Award.

Subject matter of arbitral award.

70. (1) Subject to this section, an arbitral award may deal with rates of pay, hours of work, leave entitlements, standards of discipline and other terms and conditions of employment directly related thereto.

Award not to contain provisions requiring legislative implementation.

(2) Subsection (2) of section 56 applies, *mutatis mutandis*, in relation to an arbitral award.

Matters not to be dealt with by award.

(3) No arbitral award shall deal with the standards, procedures or processes governing the appointment, appraisal, promotion, demotion, transfer, lay-off or release of employees, or with any term or condition of employment of employees that was not a subject of negotiation between the parties during the period before the negotiating relationship between them was terminated.

Award not to contain informational material.

(4) An arbitral award shall deal only with terms and conditions of employment of employees in the bargaining unit in respect of which the request for arbitration was made and shall not contain reasons or any material for informational purposes or otherwise that does not relate directly to the fixing of those terms and conditions.

Making of Arbitral Award.

Award to be signed by chairman.

71. (1) An arbitral award shall be signed by the chairman of the Arbitration Tribunal and copies thereof shall thereupon be transmitted to the parties to the dispute and to the Chairman, and no report or observations thereon shall be made or given by any other member.

Decision rendered by chairman.

(2) Where not all the members of the Arbitration Tribunal agree on the terms of an arbitral award that is to be made, the decision rendered by the chairman of the Arbitration Tribunal shall be the arbitral award in respect of the matters in dispute.

Form of award.

(3) An arbitral award shall, wherever possible, be made in such form

(*a*) as will be susceptible of being

(i) read and interpreted with, or

(ii) annexed to and published with,

any collective agreement dealing with other terms and conditions of employment of the employees in the bargaining unit in respect of which the arbitral award applies; and

(*b*) as will enable its incorporation into and implementation by regulations, by-laws, directives or other instruments that may be required to be made or issued by the employer or the relevant bargaining agent in respect thereof.

Duration and Operation of Arbitral Awards.

Binding effect of arbitral award.

72. (1) An arbitral award is, subject to and for the purposes of this Act, binding on the employer and the bargaining agent that is a party thereto and on the employees in the bargaining unit in respect of which the bargaining agent has been certified, effective on and from the day on which the award is rendered or such later day as the Arbitration Tribunal may determine.

Retroactive application.

(2) A provision of an arbitral award made in respect of a term or condition of employment may be retroactive to the extent that it is capable of being retroactively applied, in whole or in part, to a day prior to the day on and from which the arbitral award becomes binding on the parties but not before the day on which notice to bargain collectively was given by either party.

Effect on previous collective agreement or award.

(3) Where, in relation to any or all of the provisions of an arbitral award made in respect of terms and conditions of employment, there was previously in effect a collective agreement or arbitral award, the previous collective agreement or the previous arbitral award is displaced, to the extent of any conflict, for the term, determined in accordance with section 73, for which the subsequent award is operative.

Term of arbitral award.

73. (1) The Arbitration Tribunal shall, in respect of every arbitral award, determine and specify therein the term for which the arbitral award is to be operative and, in making its determination, it shall take into account,

(*a*) where a collective agreement applicable to the bargaining unit is in effect or has been entered into but is not yet in effect, the term of that collective agreement; and

(*b*) where no collective agreement applying to the bargaining unit has been entered into,

(i) the term of any previous collective agreement that applied to the bargaining unit, or

(ii) the term of any other collective agreement that to the Arbitration Tribunal appears relevant.

Limitation on term of award.

(2) No arbitral award, in the absence of the application thereto of any criterion referred to in paragraph (*a*) or (*b*) of subsection (1), shall be for a term of less than one year from the day on and from which it becomes binding on the parties.

Term of award made next following initial certification.

(3) Where an arbitral award is made in respect of any matter in dispute that is referred to the Arbitration Tribunal as a result of the inability of the parties to agree thereon during the period of twenty-eight months from the day fixed under subsection (1) of section 26 on which the employees concerned became eligible for collective bargaining, the arbitral award remains in effect for the same period as that described in subsection (3) of section 57 as though, under this Act, a collective agreement had been entered into next following initial certification in respect of the matter in dispute.

Implementation of Arbitral Awards.

Implementation of awards.

74. The rates of pay, hours of work, leave entitlements, standards of discipline and other terms and conditions of employment directly related thereto that are the subject of an arbitral award shall, subject to the appropriation by or under the authority of Parliament of any moneys that may be required by the employer therefor, be implemented by the parties within a period of ninety days from the date on and from which it becomes binding on the parties or within such longer period as, on application to the Board by either party, appears reasonable to the Board.

Completion and Variation of Arbitral Awards.

Reference back to Arbitration Tribunal.

75. The Chairman may refer back to the Arbitration Tribunal any matter in dispute referred to the Arbitration Tribunal where it appears to him that the matter has not been resolved by the arbitral award made in consequence thereof, and the Arbitration Tribunal shall thereupon deal with the matter in the same manner as in the case of a matter in dispute referred to it under section 65.

Authority to amend or vary award.

76. The Arbitration Tribunal may, upon application jointly by both parties to an arbitral award, amend, alter or vary any provision of that award where it is made to appear to the Arbitration Tribunal that the amendment, alteration or variation thereof is warranted having regard to circumstances that have arisen since the making of the award or of which the Arbitration Tribunal did not have notice at the time of the making thereof, or having regard to such other circumstances as the Arbitration Tribunal deems relevant.

CONCILIATION.

Request for Establishment of Conciliation Board.

Request for conciliation board.

77. Where the parties to collective bargaining have bargained collectively in good faith with a view to concluding a collective agreement but have been unable to reach agreement on any term or condition of employment of employees in the relevant bargaining unit that may be embodied in a collective agreement, either party may, by notice in writing to the Chairman, request the establishment of a conciliation board for the investigation and conciliation of the dispute.

Establishment of Conciliation Board.

Establishment of conciliation board where requested by either party.

78. (1) Where, in respect of a dispute,

(*a*) any conciliator that may have been appointed under section 53 has made a final report to the Chairman that he has been unable to assist the parties in reaching agreement, and

(*b*) either party has requested the establishment of a conciliation board,

the Chairman shall establish a board for the investigation and conciliation of the dispute unless it appears to him, after consultation with each of the parties, that the establishment of such a board is unlikely to serve the purpose of assisting the parties in reaching agreement, in which case the Chairman shall forthwith notify the parties in writing of his intention not to establish such a board.

Establishment of conciliation board in other cases.

(2) In any case not provided for under subsection (1), the Chairman may establish a board for the investigation and conciliation of a dispute where it appears to him that the establishment of such a board may serve the purpose of assisting the parties in reaching agreement, and that without the establishment of such a board the parties are unlikely to reach agreement.

Designated employees.

79. (1) Notwithstanding section 78, no conciliation board shall be established for the investigation and conciliation of a dispute in respect of a bargaining unit until the parties have agreed on or the Board has determined pursuant to this section the employees or classes of employees in the bargaining unit (hereinafter in this Act referred to as "designated employees") whose duties consist in whole or in part of duties the performance of which at any particular time or after any specified period of time is or will be necessary in the interest of the safety or security of the public.

Employer to furnish statement.

(2) Within twenty days after notice to bargain collectively is given by either of the parties to collective bargaining, the employer shall furnish to the Board and the bargaining agent for the relevant bargaining unit a statement in writing of the employees or classes of employees in the bargaining unit who are considered by the employer to be designated employees.

Agreement or objection.

(3) If no objection to the statement referred to in subsection (2) is filed with the Board by the bargaining agent within such time after the receipt thereof by the bargaining agent as the Board may prescribe, such statement shall be taken to be a statement of the employees or classes of employees in the bargaining unit who are agreed by the parties to be designated employees, but where an objection to such statement is filed with the Board by the bargaining agent within the time so prescribed, the Board, after considering the objection and affording each of the parties an opportunity to make representations, shall determine which of the employees or classes of employees in the bargaining unit are designated employees.

Determination to be communicated to parties.

(4) A determination made by the Board pursuant to subsection (3) is final and conclusive for all purposes of this Act, and shall be communicated in writing by the Chairman to the parties as soon as possible after the making thereof.

Employees to be informed.

(5) Within such time and in such manner as the Board may prescribe, all employees in a bargaining unit who are agreed by the parties or determined by the Board pursuant to this section to be designated employees shall be so informed by the bargaining agent for the bargaining unit.

Constitution of conciliation board.

80. (1) A conciliation board shall consist of three members appointed in the manner provided in this section.

Appointment of members.

(2) When a conciliation board is to be established, the Chairman shall by notice require each of the parties, within seven days from the receipt of such notice, to nominate one person each to be a member of the conciliation

board, and upon receipt of the nominations within those seven days, the Chairman shall appoint the persons so nominated as members of the conciliation board.

Idem.

(3) If either of the parties fails to nominate a person within seven days from the receipt by it of the notice referred to in subsection (2), the Chairman shall appoint as a member of the conciliation board a person he deems fit for the purpose, and such member shall be deemed to have been appointed on the nomination of that party.

Appointment of chairman.

(4) The two members appointed under subsection (2) or (3) shall, within five days after the day on which the second of them was appointed, nominate a third person who is ready and willing to act, to be chairman of the conciliation board, and the Chairman shall thereupon appoint such person as the chairman of the conciliation board.

Idem.

(5) If the two members appointed under subsection (2) or (3) fail to make such a nomination within five days after the second of them was appointed, the Chairman shall forthwith appoint as the chairman of the conciliation board a person he deems fit for the purpose.

Qualification of members.

(6) The provisions of section 61 apply *mutatis mutandis* in relation to the qualification of persons to act as members of a conciliation board.

Allowances payable to members.

(7) The members of a conciliation board are entitled to be paid such *per diem* or other allowances with respect to the performance of their duties under this Act as may be fixed by the Governor in Council.

Vacancies.

81. Where any vacancy occurs in the membership of a conciliation board before the board has reported its findings and recommendations to the Chairman, the vacancy shall be filled by the Chairman by appointment in the manner provided in section 80 for the selection of the person in respect of whom the vacancy arose.

Notification of establishment of conciliation board.

82. (1) Forthwith upon the establishment of a conciliation board, the Chairman shall notify the parties of its establishment and of the names of its members.

Effect of notification.

(2) Upon the notification of the parties by the Chairman of the establishment of a conciliation board, it shall be conclusively presumed that the conciliation board described in the notice has been established in accordance with this Act, and no order shall be made or process entered, and no proceedings shall be taken in any court, to question the establishment of the conciliation board or to review, prohibit or restrain any of its proceedings.

Terms of Reference.

Terms of reference of conciliation board.

83. Forthwith upon the establishment of a conciliation board, the Chairman shall deliver to the conciliation board a statement prepared by him setting forth the matters on which the board shall report its findings and recommendations to the Chairman, and the Chairman may, either before or after the report to him of its findings and recommendations, amend such statement by adding thereto or deleting therefrom any matter he deems necessary or advisable in the interest of assisting the parties in reaching agreement.

Procedure.

Duties of conciliation board.

84. (1) A conciliation board shall, as soon as possible after the receipt by it of the statement referred to in section 83, endeavour to bring about agreement between the parties in relation to the matters set forth in the statement.

Rules of procedure.

(2) Except as otherwise provided in this Act, a conciliation board may determine its own procedure, but shall give full opportunity to both parties to present evidence and make representations.

Sittings.

(3) The chairman of a conciliation board may, after consultation with the other members of the board, fix the times and places of its sittings and shall notify the parties of the times and places so fixed.

Quorum and absence of members.

(4) The chairman of a conciliation board and one other member constitute a quorum, but in the absence of a member at any sitting of the board the other members shall not proceed unless the absent member has been given reasonable notice of the sitting.

Decision.

(5) A decision of a majority of the members of a conciliation board on any matter referred to it is a decision of the board thereon.

Report of proceedings.

(6) The chairman of a conciliation board shall forward to the Chairman a detailed statement signed by him of the sittings of the conciliation board and of the members and witnesses present at each sitting.

Powers of conciliation board.

85. A conciliation board has all the powers of the Board set out in paragraphs (*a*) to (*e*) of section 22 and, in addition, may authorize any person to exercise any of the powers of the conciliation board as set out in paragraphs (*b*) to (*e*) of section 22, and report to the conciliation board thereon.

Report.

Report to Chairman.

86. (1) A conciliation board shall, within fourteen days after the receipt by it of the statement referred to in section 83 or within such longer period as may be agreed

upon by the parties or determined by the Chairman, report its findings and recommendations to the Chairman.

Report not to make recomendations requiring legislative implementation.

(2) Subsection (2) of section 56 applies, *mutatis mutandis*, in relation to a recommendation in a report of a conciliation board.

Matters not to be dealt with by report.

(3) No report of a conciliation board shall contain any recommendation concerning the standards, procedures or processes governing the appointment, appraisal, promotion, demotion, transfer, lay-off or release of employees.

Reconsideration of matters contained in report.

(4) After a conciliation board has reported to the Chairman its findings and recommendations on the matters set forth in the statement referred to in section 83, the Chairman may direct it to reconsider and clarify or amplify its report or any part thereof, or to consider and report on any matter added to such statement pursuant to that section, except that in any such case the report of the conciliation board shall be deemed to have been received by the Chairman notwithstanding that the reconsidered report or the report on the added matter, as the case may be, has not been received by him.

Copy of report to be sent to parties.

87. On receipt of the report of a conciliation board, the Chairman shall forthwith cause a copy thereof to be sent to the parties and may cause the report to be published in such manner as he sees fit.

Report as evidence.

88. No report of a conciliation board, and no testimony or proceedings before a conciliation board, are receivable in evidence in any court in Canada except in the case of a prosecution for perjury.

Binding effect where agreed by parties.

89. Where at any time before a conciliation board has made its report the parties so agree in writing, a recommendation made by a conciliation board shall be binding on the parties, subject to and for the purposes of this Act, and shall be given effect to accordingly.

PART IV.

GRIEVANCES.

Right to Present Grievances.

Right of employee to present grievance.

90. (1) Where any employee feels himself to be aggrieved

(*a*) by the interpretation or application in respect of him of

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(i) a provision of a statute, or of a regulation, by-law, direction or other instrument made or issued by the employer, dealing with terms and conditions of employment, or

(ii) a provision of a collective agreement or an arbitral award; or

(*b*) as a result of any occurrence or matter affecting his terms and conditions of employment, other than a provision described in subparagraph (i) or (ii) of paragraph (*a*),

in respect of which no administrative procedure for redress is provided in or under an Act of Parliament, he is entitled, subject to subsection (2), to present the grievance at each of the levels, up to and including the final level, in the grievance process provided for by this Act.

Limitation.

(2) An employee is not entitled to present any grievance relating to the interpretation or application in respect of him of a provision of a collective agreement or an arbitral award unless he has the approval of and is represented by the bargaining agent for the bargaining unit to which the collective agreement or arbitral award applies, or any grievance relating to any action taken pursuant to an instruction, direction or regulation given or made as described in section 112.

Right to be represented by employee organization.

(3) An employee who is not included in a bargaining unit for which an employee organization has been certified as bargaining agent may seek the assistance of and, if he chooses, may be represented by any employee organization in the presentation or reference to adjudication of a grievance.

Idem.

(4) No employee who is included in a bargaining unit for which an employee organization has been certified as bargaining agent may be represented by any employee organization, other than the employee organization certified as such bargaining agent, in the presentation or reference to adjudication of a grievance.

Adjudication of Grievances.

Reference to Adjudication.

Reference of grievance to adjudication.

91. (1) Where an employee has presented a grievance up to and including the final level in the grievance process with respect to

(*a*) the interpretation or application in respect of him of a provision of a collective agreement or an arbitral award, or

(*b*) disciplinary action resulting in discharge, suspension or a financial penalty,

and his grievance has not been dealt with to his satisfaction, he may refer the grievance to adjudication.

Approval of bargaining agent of reference to adjudication.

(2) Where a grievance that may be presented by an employee to adjudication is a grievance relating to the interpretation or application in respect of him of a provision of a collective agreement or an arbitral award, the employee is not entitled to refer the grievance to adjudication unless the bargaining agent for the bargaining unit to which the collective agreement or arbitral award applies signifies in prescribed manner

(*a*) its approval of the reference of the grievance to adjudication; and

(*b*) its willingness to represent the employee in the adjudication proceedings.

Appointment of Adjudicators.

Appointment of adjudicators.

92. (1) The Governor in Council, on the recommendation of the Board, shall appoint such officers, to be called adjudicators, as may be required to hear and adjudicate upon grievances referred to adjudication under this Act.

Chief adjudicator.

(2) The Governor in Council, on the recommendation of the Board, shall designate one of the adjudicators appointed under this section to be chief adjudicator to administer, subject to any regulations of the Board, the system of grievance adjudication established under this Act.

Term of appointment.

(3) An adjudicator shall be appointed for such period, not exceeding five years, as may be determined by the Governor in Council but may be removed by the Governor in Council at any time on the unanimous recommendation of the Board.

Re-appointment.

(4) A retiring adjudicator may be re-appointed but every adjudicator shall cease to hold office upon attaining the age of seventy years.

Remuneration of adjudicators.

(5) An adjudicator appointed under this section shall be paid such salary or other remuneration as may be fixed by the Governor in Council.

Qualifications of adjudicators.

(6) Section 61 applies, *mutatis mutandis*, in relation to the eligibility of a person to hold office or act as an adjudicator, to be nominated or act as a member of a board of adjudication or to be named as an adjudicator in a collective agreement, in respect of any grievance referred to adjudication.

Establishment of a Board of Adjudication.

Composition of board of adjudication.

93. Where a grievance is referred to a board of adjudication, the board shall be composed of three members, namely:

(*a*) an adjudicator, who shall be the chairman;

(*b*) one member nominated by one party; and

(*c*) one member nominated by the other party;

but no person is eligible to be a member of a board of adjudication so established if he has any direct interest in or in connection with the grievance, its handling or its disposition.

Duty of Chief Adjudicator.

Notice to specify whether named adjudicator, etc.

94. (1) Where a grievance has been referred to adjudication, the aggrieved person shall, in the manner prescribed, notify the chief adjudicator and the employer and shall specify in the notice whether an adjudicator is named in any applicable collective agreement or, if no such adjudicator is named, whether he requests the establishment of a board of adjudication in lieu of an adjudicator selected by the chief adjudicator.

Action to be taken by chief adjudicator.

(2) Where a grievance has been referred to adjudication and the aggrieved person has notified the chief adjudicator and the employer as required by subsection (1), the chief adjudicator shall, in the manner and within the time prescribed,

(*a*) where the grievance is one arising out of a collective agreement and an adjudicator is named therein, refer the matter to the adjudicator so named;

(*b*) where the establishment of a board of adjudication has been requested by the aggrieved person and no objection thereto has been made by the employer within such time as may be prescribed, establish such a board and refer the matter to it; and

(*c*) in any other case, refer the matter to an adjudicator selected by him.

Jurisdiction of Adjudicator.

Compliance with procedures in grievance process.

95. (1) No grievance shall be referred to adjudication and no adjudicator shall hear or render a decision on a grievance until all procedures established for the presenting of the grievance up to and including the final level in the grievance process have been complied with.

No decision requiring amendment of agreement or award.

(2) No adjudicator shall, in respect of any grievance, render any decision thereon the effect of which would be to require the amendment of a collective agreement or an arbitral award.

Binding effect of decision at final level in grievance process.

(3) Where

(*a*) a grievance has been presented up to and including the final level in the grievance process, and

(*b*) the grievance is not one that under section 91 may be referred to adjudication,

the decision on the grievance taken at the final level in the grievance process is final and binding for all purposes of this Act and no further action under this Act may be taken thereon.

Decision of Adjudicator.

Decision of adjudicator.

96. (1) Where a grievance is referred to adjudication, the adjudicator shall

(*a*) give both parties to the grievance an opportunity of being heard; and

(*b*) after considering the grievance, render a decision thereon and file it with the Board.

Decision of board of adjudication.

(2) In the case of a board of adjudication,

(*a*) a decision of a majority of the members on a grievance is a decision of the board thereon; and

(*b*) the decision of the board on a grievance shall be signed by the chairman of the board, and shall be filed by him with the Board.

Copy of decision to be sent to parties.

(3) Following the filing of a decision of an adjudicator with the Board, the Board shall send a copy thereof to

(*a*) each party and his or its representative; and

(*b*) the bargaining agent, if any, for the bargaining unit to which the employee whose grievance it is belongs.

Implementation of decision by employer.

(4) Where a decision on any grievance referred to adjudication requires any action by or on the part of the employer, the employer shall take such action.

Action to be taken by employee or employee organization.

(5) Where a decision on any grievance requires any action by or on the part of an employee or an employee organization or both of them, the employee or employee organization, or both, as the case may be, shall take such action.

Powers of Board with respect to decision on grievance.

(6) The Board may, in accordance with section 20, take such action as is contemplated by that section to give effect to the decision of an adjudicator on a grievance but shall not inquire into the basis or substance of the decision.

Expenses of Adjudication.

Where adjudicator named in collective agreement.

97. (1) Where an adjudicator is named in a collective agreement, the method of determining his remuneration and of defraying such expenses as he may incur shall be as established in the collective agreement naming the adjudicator, but if the agreement does not specify such method, the named adjudicator's remuneration and his expenses shall be borne equally by the parties.

Where no adjudicator named in agreement.

(2) Where a grievance is referred to adjudication but is not referred to an adjudicator named in a collective agreement, the person whose grievance it is is liable to pay and shall remit to the Board such part of the costs of the adjudication as may be determined by the secretary of

the Board with the approval of the Board, except that where the grievance is referred to a board of adjudication, the remuneration and expenses of the nominee of each party shall be borne by each respectively.

Enforcement of Obligations of Employer and Employee Organizations.

Reference by employer or bargaining agent to chief adjudicator.

98. (1) Where the employer and a bargaining agent have executed a collective agreement or are bound by an arbitral award and

(*a*) the employer or the bargaining agent seeks to enforce an obligation that is alleged to arise out of the collective agreement or arbitral award, and

(*b*) the obligation, if any, is not an obligation the enforcement of which may be the subject of a grievance of an employee in the bargaining unit to which the collective agreement or arbitral award applies,

either the employer or the bargaining agent may, in prescribed manner, refer the matter to the chief adjudicator who shall personally hear and determine whether there is an obligation as alleged and whether, if there is, there has been a failure to observe or to carry out the obligation.

Hearing and determination of reference.

(2) The chief adjudicator shall hear and determine the matter so referred to him as though it were a grievance, and subsection (2) of section 95 and sections 96 and 97 apply to its hearing and determination.

REGULATIONS RESPECTING GRIEVANCES.

Authority of Board to make regulations respecting grievances.

99. (1) The Board may make regulations in relation to the procedure for the presenting of grievances, the adjudication of grievances and the conduct of hearings thereon and, without limiting the generality of the foregoing, may make regulations respecting

(*a*) the manner and form of presenting a grievance;

(*b*) the maximum number of levels of officers of the employer to whom grievances may be presented;

(*c*) the time within which a grievance may be presented up to any level in the grievance process including the final level;

(*d*) the circumstances in which any level below the final level in the grievance process may be eliminated;

(*e*) the manner in which and the time within which a grievance may be referred to adjudication after it has been presented up to and including

the final level in the grievance process, and the manner in which and the time within which a grievance referred to adjudication shall be referred by the chief adjudicator to an adjudicator;

(*f*) the manner in which and the time within which boards of adjudication are to be established;

(*g*) the procedure to be followed by adjudicators;

(*h*) the resolution of conflicts of jurisdiction between employer organizations in respect of the processing of grievances and their reference to adjudication;

(*i*) the form of decisions rendered by adjudicators;

(*j*) the reconsideration of matters on reference back by the Board and the adjudicator by whom such reconsideration is to be given;

(*k*) in any case of doubt, the circumstances in which any occurrence or matter may be said to constitute a grievance; and

(*l*) any other matter that may be necessary to give effect to the purposes and provisions of this Act relating to the presenting and adjudication of grievances.

Employer to designate persons at final or any level in grievance process.

(2) For the purposes of any provision of this Act respecting grievances, the employer shall designate the person whose decision on a grievance constitutes the final or any level in the grievance process and the employer shall, in any case of doubt, by notice in writing advise any person wishing to present a grievance, or the chief adjudicator, of the person whose decision thereon constitutes the final or any level in such process.

PART V.

GENERAL.

Review of Orders.

Orders not subject to review by court.

100. (1) Except as provided in this Act, every order, award, direction, decision, declaration or ruling of the Board, the Arbitration Tribunal or an adjudicator is final and shall not be questioned or reviewed in any court.

No review by injunction, etc.

(2) No order shall be made or process entered, and no proceedings shall be taken in any court, whether by way of injunction, *certiorari*, prohibition, *quo warranto* or otherwise, to question, review, prohibit or restrain the Board, the Arbitration Tribunal or an adjudicator in any of its or his proceedings.

RIGHTS AND PROHIBITIONS RELATING TO STRIKES.

Participation by employee in strike.

101. (1) No employee shall participate in a strike

(*a*) who is not included in a bargaining unit for which a bargaining agent has been certified by the Board,

(*b*) who is included in a bargaining unit for which the process for resolution of a dispute is by the referral thereof to arbitration, or

(*c*) who is a designated employee.

Idem.

(2) No employee who is not an employee described in subsection (1) shall participate in a strike

(*a*) where a collective agreement applying to the bargaining unit in which he is included is in force, or

(*b*) where no collective agreement applying to the bargaining unit in which he is included is in force, unless

(i) a conciliation board for the investigation and conciliation of a dispute in respect of that bargaining unit has been established and seven days have elapsed from the receipt by the Chairman of the report of the conciliation board, or

(ii) a request for the establishment of a conciliation board for the investigation and conciliation of a dispute in respect of that bargaining unit has been made in accordance with this Act and the Chairman has notified the parties pursuant to section 78 of his intention not to establish such a board.

Declaration or authorization of strike.

102. No employee organization shall declare or authorize a strike of employees, and no officer or representative of an employee organization shall counsel or procure the declaration or authorization of a strike of employees or the participation of employees in a strike, the effect of which is or would be to involve the participation of an employee in a strike in contravention of section 101.

Application for declaration of strike as unlawful.

103. (1) Where it is alleged by the employer that an employee organization has declared or authorized a strike of employees, the effect of which is or would be to involve the participation of an employee in a strike in contravention of section 101, the employer may apply to the Board for a declaration that the strike is or would be unlawful and the Board may make such a declaration.

Application for declaration of strike as lawful.

(2) Where it is alleged by a bargaining agent for a bargaining unit that the participation of employees included in the bargaining unit in a strike authorized or declared, or proposed to be authorized or declared, by the bargaining agent is not or would not be in contravention of section 101, the bargaining agent may apply to the Board for a declaration that the strike is or would be lawful and the Board may make such a declaration.

Offences and punishment.

104. (1) Every employee who contravenes section 101 is guilty of an offence and liable on summary conviction to a fine not exceeding $100.

Idem.

(2) Every officer or representative of an employee organization who contravenes section 102 is guilty of an offence and liable on summary conviction to a fine not exceeding $300.

Idem.

(3) Every employee organization that contravenes section 102 is guilty of an offence and liable on summary conviction to a fine not exceeding $150 for each day that any strike declared or authorized by it in contravention of that section is or continues in effect.

Prosecution of employee organization.

105. A prosecution for an offence under section 104 may be brought against an employee organization and in the name of that organization, and for the purposes of any such prosecution an employee organization shall be deemed to be a person, and any act or thing done or omitted by an officer or representative of an employee organization within the scope of his authority to act on behalf of the employee organization shall be deemed to be an act or thing done or omitted by the employee organization.

CONSENT TO PROSECUTION.

Consent.

106. No prosecution arising out of an alleged failure by any person to observe any prohibition contained in section 8, 9 or 10 and no prosecution for an offence under section 104 shall be instituted except with the consent of the Board.

PROTECTION OF MEMBERS AND STAFF.

Evidence respecting information obtained under Act.

107. No member of the Board, of the Arbitration Tribunal or of a conciliation board and no adjudicator, conciliator or officer or employee of or person appointed by the Board shall be required to give evidence in any civil action, suit or other proceeding respecting information obtained in the discharge of his duties under this Act.

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WITNESS FEES.

Payment of witness fees.

108. A person who is summoned by the Board, the Arbitration Tribunal or a conciliation board to attend as a witness in any proceedings thereof taken pursuant to this Act and who so attends is entitled to be paid an allowance for expenses determined in accordance with the scale for the time being in force with respect to witnesses in civil suits in the superior court of the province in which such proceedings are being taken.

OATHS AND AFFIRMATIONS.

Oath or affirmation to be taken.

109. A person appointed under this Act shall, before entering upon his duties, take an oath or affirmation in the form prescribed in Schedule C before any person authorized by the Governor in Council to take such oath or affirmation.

PROVISION OF FACILITIES AND STAFF.

Facilities and staff.

110. The Board shall provide the Arbitration Tribunal, a conciliation board and an adjudicator with quarters and staff and such other facilities as are necessary to enable it or him to carry out its or his functions under this Act.

SUPERANNUATION.

Application of *Public Service Superannuation Act.*

111. Unless the Governor in Council otherwise orders in any case or class of cases, a person appointed under this Act shall be deemed not to be employed in the Public Service for the purposes of the *Public Service Superannuation Act.*

SAVING PROVISION.

Limitation respecting matters involving safety or security of Canada.

112. (1) Nothing in this or any other Act shall be construed to require the employer to do or refrain from doing anything contrary to any instruction, direction or regulation given or made by or on behalf of the Government of Canada in the interest of the safety or security of Canada or any state allied or associated with Canada.

Order to be conclusive proof.

(2) For the purposes of subsection (1), any order made by the Governor in Council is conclusive proof of the matters stated therein in relation to the giving or making of any instruction, direction or regulation by or on behalf of the Government of Canada in the interest of the safety or security of Canada or any state allied or associated with Canada.

Exclusion of corporations from Part I of *Industrial Relations and Disputes Investigation Act.*

113. (1) Notwithstanding anything in section 54 of the *Industrial Relations and Disputes Investigation Act*, the Governor in Council may exclude from the provisions of Part I of that Act only those corporations in respect of which a Minister of the Crown, the Treasury Board or the Governor in Council is authorized to establish or to approve some or all of the terms and conditions of employment of persons employed therein.

Idem.

(2) Where the Governor in Council acts to, or has heretofore acted to, exclude in whole or in part a corporation established to perform any function or duty on behalf of the Government of Canada from the provisions of Part I of the *Industrial Relations and Disputes Investigation Act*, he may, by order, in respect of that corporation or part thereof,

(*a*) where it is not added to Schedule A to this Act, apply, or

(*b*) where it is added to Schedule A to this Act, confirm its exclusion from,

the provisions of the said Part I.

FINANCIAL.

Expenditures.

114. (1) All expenditures required for the purposes of this Act shall, unless otherwise specifically provided for, be paid out of money appropriated by Parliament therefor.

Recovery of amounts payable as debts.

(2) Any amount that by this Act is payable by a person to the Board may be recovered as a debt due by that person to the Crown.

REPORT TO PARLIAMENT.

Annual report to Parliament.

115. As soon as possible after the end of each year, the Board shall prepare and submit to such Minister of the Crown, other than a member of the Treasury Board, as may be designated by the Governor in Council a report on the administration of this Act during that year and that Minister shall lay the Board's report before Parliament within fifteen days after receipt thereof or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

COMING INTO FORCE.

Coming into force.

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

SCHEDULE A.

PART I.

Departments and other portions of the public service of Canada in respect of which Her Majesty as represented by the Treasury Board is the employer.

Departments named in Schedule A to the *Financial Administration Act.*

Agricultural Stabilization Board
Air Transport Board
Atlantic Development Board
Board of Broadcast Governors
Board of Grain Commissioners
Board of Transport Commissioners
Canadian Government Elevators
Canadian Maritime Commission
Canadian Penitentiary Service
Canadian Pension Commission
Civil Service Commission
Director of Soldier Settlement
Director of Veterans' Land Act
Dominion Bureau of Statistics
Dominion Coal Board
Emergency Measures Organization
External Aid Office
Feed Grain Administration
Fisheries Prices Support Board
Government Printing Bureau
International Joint Commission (Canadian Section)
Maritimes Marshland Rehabilitation Administration
Municipal Development and Loan Board
National Capital Commission
National Energy Board
National Gallery of Canada
National Library
National Parole Board
Office of the Auditor General
Office of the Chief Electoral Officer
Office of the Comptroller of the Treasury
Office of the Governor-General's Secretary
Office of the Representation Commissioner
Office of the Superintendent of Bankruptcy
Prairie Farm Assistance Administration
Prairie Farm Rehabilitation Administration
Privy Council Office
Public Archives
Public Service Staff Relations Board
Restrictive Trade Practices Commission
Royal Canadian Mint
Royal Canadian Mounted Police (except the positions therein of members of the force)
Staff of the Exchequer Court
Staff of the Supreme Court
Statute Revision Commission
Tariff Board
Tax Appeal Board
Unemployment Insurance Commission
War Veterans Allowance Board

SCHEDULE A.—*Concluded*

PART II.

Portions of the public service of Canada that are separate employers.

Atomic Energy Control Board
Centennial Commission
Defence Research Board
Economic Council of Canada
Fisheries Research Board
National Film Board
National Research Council
Northern Canada Power Commission

SCHEDULE B.

(*Section 56*).

Civil Service Act
Government Employees Compensation Act
Government Vessels Discipline Act
Public Service Superannuation Act

SCHEDULE C.

Oath or Affirmation of Fidelity.

I, ..., solemnly and sincerely swear (or affirm) that I will faithfully and honestly and to the best of my skill and knowledge fulfil the duties which devolve upon me under the *Public Service Staff Relations Act* by reason of my duties as.....
.....

C-171.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-171.

An Act to amend the Farm Credit Act.

AS PASSED BY THE HOUSE OF COMMONS,
26th APRIL, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23967

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-171.

An Act to amend the Farm Credit Act.

1959, c. 43; 1960-61, c. 36; 1962-63, c. 7; 1964-65, c. 12.

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

1964-65, c. 12, s. 2.

1. Section 12 of the *Farm Credit Act* is repealed and the following substituted therefor:

Capital.

"**12.** At the request of the Corporation, the Minister of Finance may with the approval of the Governor in Council pay to the Corporation, out of the Consolidated Revenue Fund, amounts not exceeding in the aggregate forty million dollars, and the money paid to the Corporation under this section constitutes the capital of the Corporation."

Explanatory Note.

The purpose of this Bill is to increase the capital of the Farm Credit Corporation from twenty-four million dollars to forty million dollars. The effect of this increase is to raise the limit of the amount that the Corporation may borrow from the Consolidated Revenue Fund from six hundred million dollars to one billion dollars.

Section 12 at present reads as follows:

"**12.** At the request of the Corporation, the Minister of Finance may with the approval of the Governor in Council pay to the Corporation, out of the Consolidated Revenue Fund, amounts not exceeding in the aggregate *twenty-four* million dollars, and the money paid to the Corporation under this section constitutes the capital of the Corporation."

C-172.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-172.

An Act to amend the Parole Act.
(Power to Commute a Sentence of Death).

First reading, April 27, 1966.

MR. CHOQUETTE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24029

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-172.

An Act to amend the Parole Act.
(Power to Commute a Sentence of Death).

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

1958, c. 38.

1. The *Parole Act* is amended by inserting immediately after section 18 thereof the following:

Commutation of sentence of death.

"**18A.** (1) Upon the recommendation of the court where the last hearing took place, the Board may commute a sentence of death to imprisonment in the penitentiary for life or for any term of years not less than two years.

Notice to authorities.

(2) A copy of an instrument duly certified by the Secretary of the Board or a writing under the hand of the Chairman of the Board declaring that a sentence of death is commuted is sufficient notice to and authority for all persons having control over the prisoner to do all things necessary to give effect to the commutation.

No release without approval of Governor in Council.

(3) Notwithstanding anything in this or any other Act, a person in respect of whom a sentence of death is commuted by the Board to life imprisonment or a term of imprisonment shall not be released during his life or such term, as the case may be, without the prior approval of the Governor in Council.

Explanatory Note.

This Bill is consequential to an *Act to amend the Criminal Code* introduced at the same time.

The purpose of this Bill is to transfer under certain specified conditions from the Governor in Council to the National Parole Board the power to commute sentence of death.

C-173.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-173.

An Act to amend the Combines Investigation Act (Increased prices).

First reading, April 29, 1966.

Mr. SALTSMAN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23843

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-173.

An Act to amend the Combines Investigation Act (Increased prices).

R.S., c. 314; 1953-54, c. 51, s. 750; 1959, c. 40; 1960, c. 45; 1960-61, c. 42; 1962-63, c. 4; 1964-65, c. 35.

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

1. The *Combines Investigation Act* is amended by inserting immediately after section 8 thereof the following:

Inquiry by Director in case of increased prices.

"**8A.** (1) The Director may, on application made by any six persons, Canadian citizens, resident in Canada, of the full age of twenty-one years, cause an inquiry to be made into the increased prices in the case of any article with the view of determining the facts.

Powers of the Director.

(2) In conducting such inquiry, the Director shall have the right to examine the books, the profit and loss statements and the cost accounting material or other pertinent documents of the particular industry concerned in order to find out whether increased wage costs and increased costs of raw materials and other relevant costs warrants the increase imposed upon the public.

Report to Parliament.

(3) When the Director has made his inquiry and has determined the facts, he shall then, if Parliament is sitting, report to Parliament within fifteen days of his findings, and if Parliament is not then sitting, within fifteen days after commencement of the next ensuing session."

Explanatory Notes.

The purpose of this Bill is to enable the Director of Investigation and Research appointed under the *Combines Investigation Act* to cause an inquiry to be made into the increased prices in the case of any commodity with the view to determine whether increased wage costs and increased costs of raw materials and other relevant costs warranted the increase which was being imposed upon the public and to report thereon.

The Bill also seeks to carry out the substance of the sub-amendment moved in the House by the Leader of the New Democratic Party on March 21, 1966, which was as follows:

> "this House further regrets that the government has not established a prices review board to determine the extent to which price increases are unjustified and to take appropriate steps to reduce such prices accordingly."

C-174.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-174.

An Act to provide for the establishment of The Company of Young Canadians.

First reading, May 2, 1966.

THE PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23889

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-174.

An Act to provide for the establishment of The Company of Young Canadians.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Company of Young Canadians Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"by-law." (*a*) "by-law" means a by-law of the Company;

"Company." (*b*) "Company" means The Company of Young Canadians;

"Council." (*c*) "Council" means the Council of the Company;

"Minister." (*d*) "Minister" means such member of the Queen's Privy Council for Canada as is designated by the Governor in Council to act as the Minister for the purposes of this Act; and

"Volunteer-member." (*e*) "volunteer-member" means a person resident in Canada or elsewhere, who enters upon a period of service with the Company under a contract with the Company, to work upon or in connection with programs or projects of the Company.

COMPANY OF YOUNG CANADIANS.

Corporation established.

3. A corporation is hereby established to be known as The Company of Young Canadians, in English, and as La Compagnie des Jeunes Canadiens, in French, consisting of the Council of the Company and persons who are volunteer-members of the Company.

Council established.

4. (1) There shall be a Council of the Company consisting of fifteen members, who shall administer the affairs of the Company.

Members of the Council.

(2) Of the fifteen members of the Council, ten shall be elected by volunteer-members of the Company in such manner and for such terms not exceeding three years as may be prescribed by by-law of the Company approved by the Governor in Council and the remainder shall be appointed by the Governor in Council for such terms not exceeding three years as may be fixed by the Governor in Council.

Eligibility for election.

(3) A person who is not a volunteer-member of the Company may be elected to the Council.

Service for two terms.

(4) A person who has served two consecutive terms as a member of the Council is not, during the twelve-month period following the completion of his second term, eligible for re-election or re-appointment.

Provisional Council.

5. (1) The Governor in Council shall appoint a Provisional Council consisting of not more than twenty members who shall hold office until the members of the Council have been elected or appointed as provided for by this Act.

Powers of Provisional Council.

(2) While the members of the Provisional Council hold office, the Provisional Council has and may exercise all the powers and duties of the Council under this Act.

Vacancy.

6. (1) A vacancy in the membership of the Council does not impair the right of the remainder to act.

Vacancy of appointive office.

(2) When the office of an appointed member of the Council becomes vacant during the term of his office by reason of death, resignation or other cause, the Governor in Council shall appoint a person to that office for the unexpired term thereof.

Vacancy of elective office.

(3) When the office of an elected member of the Council becomes vacant during the term of his office by reason of death, resignation or other cause, the members of the Council shall elect a person to that office for the unexpired term thereof.

Chairman.

7. (1) The Council shall designate one of its members to serve as chairman of the Council.

Vice-chairman.

(2) The Council shall designate one of its members to be vice-chairman of the Council who shall, in the event of the absence or incapacity of the chairman or if the office of chairman is vacant, act as chairman.

Remuneration and expenses.

8. (1) Each member of the Council may be paid by the Company such allowance for each day while he is in attendance at meetings of the Council as may be fixed by the Governor in Council and reasonable travelling and living expenses incurred by him while absent from his ordinary place of residence in the course of his duties.

Idem.

(2) Notwithstanding subsection (1), the chairman or vice-chairman of the Council, or both, may be paid by the Company, in lieu of an allowance under subsection (1), such remuneration as may be fixed by the Governor in Council.

ORGANIZATION.

Meetings.

9. The Council shall meet at such times and places as it deems necessary but shall meet at least once a year.

Executive Director.

10. (1) The Governor in Council may, on the recommendation of the Council, appoint an Executive Director of the Company who shall hold office during pleasure and shall be paid by the Company such salary as may be fixed by the Governor in Council.

Chief Executive Officer.

(2) The Executive Director is the chief executive officer of the Company and, under the direction of the Council, is responsible for the management and supervision of the work and staff of the Company.

Executive Committee.

11. (1) The Council may, by by-law, establish an Executive Committee of the Council consisting of the chairman, the vice-chairman and three other members of the Council appointed thereto by the Council.

Delegation.

(2) The Executive Committee shall exercise such of the powers and functions of the Council as are delegated to it by the Council.

Attendance at meetings.

(3) The Executive Director may attend the meetings of the Council and the Executive Committee of the Council.

Employees.

12. The Company may, at such remuneration and upon such other terms and conditions as it considers necessary, employ such officers and employees and retain such technical and professional advisers as are necessary for the proper conduct of its activities.

Head Office.

13. The head office of the Company shall be at such place in Canada as the Governor in Council may prescribe.

OBJECTS AND POWERS.

Objects.

14. The objects of the Company are to support, encourage and develop programs for social, economic and community development in Canada or abroad through voluntary service.

Powers.

15. In furtherance of its objects, the Company may, in consultation where required or advisable with federal, provincial or other interested governmental authorities or agencies,

(*a*) engage in community development work in urban and rural areas in Canada;

(*b*) organize and carry out programs designed primarily to widen the social and economic opportunities of young people who leave school before completing their schooling;

(*c*) organize and carry out programs to assist young people who are economically or socially handicapped to obtain greater benefits from their schooling and to reduce the number of young people who leave school before completing their schooling;

(*d*) assist vocational training projects by the provision of teacher-counsellors, or otherwise, in co-operation with agencies engaged in vocational training, and organize and carry out projects to emphasize the importance of such training;

(*e*) undertake recreation programs for young people where recreation programs are not available;

(*f*) undertake programs in public health in co-operation with and under the supervision of local authorities, and provide services in connection with public health projects;

(*g*) engage in the teaching of home economics in areas of deprivation and provide services in connection therewith;

(*h*) organize and carry out programs for the development of co-operative undertakings in education, community development and other related fields of endeavour;

(*i*) organize and carry out programs to assist the peoples of other countries to raise their standards of living or otherwise to promote understanding and sympathy between the peoples of those countries and of Canada; and

(*j*) generally do at home or abroad all such things as are incidental or ancillary to any of the powers of the Company or that would tend to further the objects of the Company.

By-laws.

By-laws.

16. (1) The Council may make by-laws generally for the conduct and management of its affairs and activities and, without limiting the generality of the foregoing, the Council may make by-laws providing for the appointment of honorary officers and the establishment of advisory committees.

Advisory committees.

(2) A by-law made for the establishment of an advisory committee may provide for the membership thereon of persons other than volunteer-members of the Company, in addition to volunteer-members of the Company, and may authorize the Company to pay members of the advisory committee reasonable travelling and living expenses incurred by them while absent from their ordinary places of residence in the course of their duties.

Budget.

Budget.

17. The Council shall annually present to the Minister for his approval an operating budget for the next ensuing fiscal year of the Company; and no part of any moneys that may be appropriated by Parliament for the purposes of the Company shall be advanced to the Company in respect of that year until the budget therefor is approved by the Minister.

General.

Living allowances and honoraria.

18. The Council may by by-law authorize the Company to provide, in any contract made between the Company and a volunteer-member,

(*a*) that the Company will pay a living allowance to a volunteer-member while he is performing services under a contract with the Company; and

(*b*) that the Company may pay an honorarium to a volunteer-member on satisfactory completion of his contract of service, at such rate as may be approved by the Governor in Council.

Application of certain Acts and regulations.

19. (1) For the purposes of the *Public Service Superannuation Act*,

(*a*) the Company shall be deemed to be a Public Service corporation within the meaning of section 23 of that Act;

(*b*) the Executive Director and the officers and employees of the Company shall be deemed to be employed in the Public Service; and

(*c*) volunteer-members, while performing services under a contract with the Company, shall be deemed not to be employed in the Public Service.

Idem.

(2) For the purposes of the *Government Employees Compensation Act* and any regulation made pursuant to section 5 of the *Aeronautics Act*,

(*a*) the Executive Director and the officers and employees of the Company, and

(*b*) volunteer-members, while performing services under a contract with the Company and subject to such regulations as may be made by the Governor in Council in that behalf,

shall be deemed to be employees in the public service of Canada.

Company not agent of Her Majesty.

20. (1) The Company is not an agent of Her Majesty and, except as provided in section 19, the Executive Director and the officers and employees of the Company are not part of the public service and a volunteer-member, while performing services under a contract with the Company, is not an officer, employee or agent of the Company or a servant or agent of the Crown.

Company liable in tort.

(2) Notwithstanding subsection (1), the Company is liable in tort for any damages, in respect of a tort committed by a volunteer-member of the Company, for which it would be liable if the volunteer-member were an employee or agent of the Company.

Gifts.

21. The Company may accept any property by way of gift, bequest or devise and may, notwithstanding anything in this Act, expend, administer or dispose of any such property in the furtherance of the objects of the Company, subject to the terms, if any, upon which such property was given, bequeathed or devised.

Charitable organization.

22. The Company shall be deemed to be a charitable organization in Canada

(*a*) as described in paragraph (*e*) of subsection (1) of section 62 of the *Income Tax Act*, for the purposes of that Act; and

(*b*) as described in subparagraph (i) of paragraph (*d*) of subsection (1) of section 7 of the *Estate Tax Act*, for the purposes of that Act.

Emblems.

23. The Company has the sole and exclusive right to have and use all emblems, badges, standards, crests, decorations or designating marks or titles that are adopted by the Company with the approval of the Governor in Council and in respect of which the Registrar of Trade Marks has given public notice of the adoption or use.

Audit.

Audit.

24. The accounts and financial transactions of the Company shall be audited annually by an auditor appointed by the Governor in Council.

Report to Parliament.

Report.

25. The Executive Director of the Company shall, within three months after the termination of each fiscal year of the Company, transmit to the Minister a statement relating to the activities of the Company for that year, including the financial statements of the Company and the auditor's report thereon, and the Minister shall cause such statement to be laid before Parliament within fifteen days after the receipt thereof, or if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-175.

An Act to Repeal the Maritime Transportation Unions Trustees Act.

First reading, May 2, 1966.

MR. HOWARD.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24114

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-175.

An Act to Repeal the Maritime Transportation Unions Trustees Act.

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

1963, c. 17.

1. The *Maritime Transportation Unions Trustees Act* is repealed.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-176.

An Act to amend the Criminal Code
(Insanity at time of trial).

First reading, May 5, 1966.

MR. MUNRO.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24118

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-176.

An Act to amend the Criminal Code (Insanity at time of trial).

1953-54, cc. 51, 52; 1955, cc. 2, 45; 1956, c. 48; ss. 19, 20; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37 and c. 45, s. 21; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10 and cc. 35, 53.

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

1. Section 524 of the *Criminal Code* is repealed and the following substituted therefor:

Insanity at time of trial.

"**524.** (1) Where on the trial of a person the issue arises (at the instance of the defence or otherwise) whether the accused is on account of insanity capable of conducting his defence and is thereby unfit to stand trial the following subsections shall apply.

Postponement of question of accused's fitness.

(2) The court, judge or magistrate, if having regard to the nature of the supposed insanity, is of the opinion that it is expedient to do so and in the interests of the accused, may postpone the question of the accused's fitness to stand trial until any time up to the opening of the defence, and, if before the question of the accused's fitness to stand trial falls to be determined the jury, judge or magistrate returns a verdict of acquittal on the count or counts on which the accused is being tried, that question shall not be determined.

Identification and alibi.

(3) Provided that the court, judge or magistrate may at the request of counsel for the accused and in his discretion if he deems it to be in the interests of the accused call any witness on the issue of the identification of the accused as the party responsible for the crime and on the issue of whether the accused could have been present at the scene of the crime at the time of the commission thereof without the defence being deemed to have been opened within the meaning of subsection (2).

EXPLANATORY NOTES.

The provisions of section 524 of the *Criminal Code* which apply when the accused at time of trial is, on account of insanity, incapable of conducting his defence and thus unfit to stand trial in effect incorporate the provisions of English Common Law.

It has been suggested that it should be possible in practice for counsel to postpone any hearing of the issue of fitness where he is reasonably convinced that his client would be found not guilty of the offence charged.

The unsatisfactory state of the law was considered by the Criminal Law Revision Committee in England, which committee recommended that the postponement of the issue of fitness be allowed up to the opening of the defence case. As a result the *Criminal Procedure (Insanity) Act, 1964* was enacted by the Parliament of Westminster.

This statute, in the discretion of the trial judge, permits the issue of fitness to be tried at any time up to the opening of the defence; it provides also that if before the question of the accused's fitness to stand trial falls to be determined the jury returns a verdict of acquittal the question of fitness to stand trial shall not be determined.

Some deficiencies, however, have been noted in that the said statute makes no reference to the calling of witnesses on the issues of identity and alibi.

The purpose of this Bill is to amend section 524 of the *Criminal Code* so as to parallel the provisions of the English statute of 1964, extending however, the effect of such provisions so as to permit the calling of witnesses by the trial judge on the issues of identity and alibi.

Another purpose of this Bill is to amend section 592 of the *Criminal Code* so as to provide for appeals in cases of insanity at time of trial.

Time of determination.

(4) Subject to the foregoing, the question of the accused's fitness to stand trial shall be determined as soon as it arises.

Insanity at time of trial.

Discretion of the court.

(5) Subject to the foregoing, a court, judge or magistrate may at any time prior to the termination of the hearing where it appears that there is sufficient reason to doubt that the accused is, on account of insanity, capable of conducting his defence, direct that an issue be tried whether the accused is then, or has been from the beginning of the hearing, on account of insanity, unfit to stand trial.

Custody for observation.

(6) A court, judge or magistrate may, at any time before verdict or sentence, when of the opinion, supported by the evidence of at least one duly qualified medical practitioner, that there is reason to believe that

(*a*) an accused is mentally ill, or

(*b*) the balance of the mind of an accused is disturbed, where the accused is a female person charged with an offence arising out of the death of her newlyborn child,

remand the accused, by order in writing, to such custody as the court, judge or magistrate directs for observation for a period not exceeding thirty days.

Trial of issue.

(7) For the purposes of subsection (1) the following provisions apply; namely

(*a*) where the accused is to be tried by a court composed of a judge and jury,

(i) if the issue is directed before the accused is given in charge to a jury for trial on the indictment, it shall be tried by 12 jurors or in the province of Alberta by 6 jurors; and

(ii) If the issue is directed after the accused has been given in charge to a jury for trial on the indictment, the jury shall be sworn to try that issue in addition to the issue on which they are already sworn; and

(*b*) where the accused is to be tried by a judge or magistrate, he shall try the issue and render a verdict.

If sane, trial shall proceed.

(8) Where the verdict is that the accused is not unfit on account of insanity to stand his trial, the arraignment or the trial shall proceed as if no such issue had been directed.

If insane, order for custody.

(9) Where the verdict is that the accused is unfit on account of insanity to stand his trial, the court, judge or magistrate shall order that the accused be kept in custody until the pleasure of the Lieutenant-Governor of the Province is known and any plea that has been pleaded shall be set aside and the jury shall be discharged.

Subsequent trial.

(10) No proceeding pursuant to this section shall prevent the accused from being tried subsequently on the indictment, provided that a verdict of acquittal has not been recorded."

2. Section 592 of the said Act is amended by adding immediately after subsection (6) thereof the following subsection:

Appeal, question of fitness to stand trial on account of insanity.

"(7) (*a*) Where the question of fitness to stand trial on account of insanity was determined later than on arraignment, an appeal against a finding that the accused was unfit to stand trial on account of insanity may be allowed if the Court of Appeal is of opinion that the case is one in which the accused should have been acquitted before the question of fitness to stand trial was considered;

Verdict of acquittal.

(*b*) if the Court is of that opinion, the Court shall in addition to quashing the finding direct that a verdict of acquittal be entered;

Orders of the court.

(*c*) subject to paragraph (*b*) above where an appeal is allowed against a finding that an accused was unfit to stand trial on account of insanity, the appellant (if the appellant is the accused) may be tried accordingly for the offence with which he was charged and the Court may make such orders as appear to the Court to be necessary or expedient pending any such trial for his custody, admission to bail or continued detention at the pleasure of the Lieutenant-Governor of the Province;

Order that the accused be kept in custody.

(*d*) where the Court of Appeal is of opinion that the proper verdict would have been a special verdict, or a finding that the accused was unfit to stand trial on account of insanity, or on an appeal against conviction or against a special verdict that the case is not one where there should have been a verdict of acquittal but there should have been a finding that the accused was unfit to stand trial on account of insanity, the Court of Appeal shall make an order that the accused be kept in custody until the pleasure of the Lieutenant-Governor of the Province shall be known and the conviction shall be quashed."

C-177.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-177.

An Act to authorize the Government of Canada to enter into negotiations for the creation of an Inter-governmental Advisory Commission.

First reading, May 9, 1966.

Mr. MONGRAIN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24151

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-177.

An Act to authorize the Government of Canada to enter into negotiations for the creation of an Inter-governmental Advisory Commission.

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

Inter-governmental Advisory Commission.

1 The Government of Canada is hereby authorized to enter into negotiations at the next or at any other Federal-Provincial Conference with the representatives of all provincial governments in view of establishing an Inter-governmental Advisory Commission comprised of representatives from the federal, provincial and municipal governments.

Explanatory Notes.

The purpose of this Bill is to draw the attention of Parliament to the urgent necessity of establishing an Intergovernmental Advisory Commission to deal with common problems affecting federal, provincial and municipal authorities.

C-178.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-178.

An Act respecting the organization of the Government of Canada and matters related or incidental thereto.

First reading, May 9, 1966.

The PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23540

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-178.

An Act respecting the organization of the Government of Canada and matters related or incidental thereto.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Government Organization Act, 1966*.

DEPARTMENT OF THE SOLICITOR GENERAL.

Department established.

2. (1) There shall be a department of the Government of Canada called the Department of the Solicitor General over which the Solicitor General of Canada appointed by Commission under the Great Seal of Canada shall preside.

Solicitor General.

(2) The Solicitor General of Canada holds office during pleasure and has the management and direction of the Department of the Solicitor General.

Deputy Solicitor General.

3. (1) The Governor in Council may appoint an officer called the Deputy Solicitor General to be the deputy head of the Department of the Solicitor General and to hold office during pleasure.

Officers and employees.

(2) Such other officers and employees as are necessary for the proper conduct of the business of the Department shall be appointed in the manner authorized by law.

Duties of Solicitor General of Canada.

4. The duties, powers and functions of the Solicitor General of Canada extend to and include all matters over which the Parliament of Canada has jurisdiction, not by law assigned to any other department, branch or agency of the Government of Canada, relating to

(*a*) reformatories, prisons and penitentiaries;
(*b*) parole and remissions; and
(*c*) the Royal Canadian Mounted Police.

Annual report.

5. The Solicitor General of Canada shall, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, submit to Parliament a report showing the operations of the Department of the Solicitor General for that fiscal year.

DEPARTMENT OF THE REGISTRAR GENERAL.

Department established.

6. (1) There shall be a department of the Government of Canada called the Department of the Registrar General over which the Registrar General of Canada appointed by Commission under the Great Seal of Canada shall preside.

Registrar General.

(2) The Registrar General of Canada holds office during pleasure and has the management and direction of the Department of the Registrar General.

Deputy Registrar General.

7. (1) The Governor in Council may appoint an officer called the Deputy Registrar General of Canada to be the deputy head of the Department of the Registrar General and to hold office during pleasure.

Officers and employees.

(2) Such other officers and employees as are necessary for the proper conduct of the business of the Department shall be appointed in the manner authorized by law.

Duties of Registrar General.

8. The duties, powers and functions of the Registrar General of Canada extend to and include all matters over which the Parliament of Canada has jurisdiction not by law assigned to any other department, branch or agency of the Government of Canada, relating to

(*a*) combines, mergers, monopolies and restraint of trade;
(*b*) patents, copyrights and trade marks;
(*c*) bankruptcy and insolvency; and
(*d*) corporate affairs.

Registration of instruments, etc.

9. (1) The Registrar General of Canada shall register all instruments of summons, proclamations, commissions, letters patent, letters patent of land, writs and other instruments and documents issued under the Great Seal, and all bonds, warrants of extradition, warrants for removal of prisoners, leases, releases, deeds of sale, surrenders and all other instruments requiring registration.

Certification of registration.

(2) The Deputy Registrar General of Canada may sign and certify the registration of all instruments and documents required to be registered and all such copies of the same, or of any records in the custody of the Registrar General of Canada, as are required to be certified or authenticated as being copies of any such instruments, documents or records.

Annual report.

10. The Registrar General of Canada shall, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, submit to Parliament a report showing the operations of the Department of the Registrar General for that fiscal year.

Department of Manpower.

Department established.

11. (1) There shall be a department of the Government of Canada called the Department of Manpower over which the Minister of Manpower appointed by Commission under the Great Seal of Canada shall preside.

Minister.

(2) The Minister holds office during pleasure and has the management and direction of the Department of Manpower.

Deputy Minister.

12. (1) The Governor in Council may appoint an officer called the Deputy Minister of Manpower to be the deputy head of the Department of Manpower and to hold office during pleasure.

Officers and employees.

(2) Such other officers and employees as are necessary for the proper conduct of the business of the Department shall be appointed in the manner authorized by law.

Duties of Minister.

13. The duties, powers and functions of the Minister of Manpower extend to and include all matters over which the Parliament of Canada has jurisdiction, not by law assigned to any other department, branch or agency of the Government of Canada, relating to

(*a*) the development and utilization of manpower resources in Canada;

(*b*) employment services; and

(*c*) immigration.

Annual report.

14. The Minister of Manpower shall, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, submit to Parliament a report showing the operations of the Department of Manpower for that fiscal year.

Department of Indian Affairs and Northern Development.

Department established.

15. (1) There shall be a department of the Government of Canada called the Department of Indian Affairs and Northern Development over which the Minister of Indian Affairs and Northern Development appointed by Commission under the Great Seal of Canada shall preside.

Minister.

(2) The Minister of Indian Affairs and Northern Development holds office during pleasure and has the management and direction of the Department of Indian Affairs and Northern Development.

Deputy Minister.

16. (1) The Governor in Council may appoint an officer called the Deputy Minister of Indian Affairs and Northern Development to be the deputy head of the Department of Indian Affairs and Northern Development and to hold office during pleasure.

Officers and employees.

(2) Such other officers and employees as are necessary for the proper conduct of the business of the Department shall be appointed in the manner authorized by law.

Duties of Minister.

17. The duties, powers and functions of the Minister of Indian Affairs and Northern Development extend to and include all matters over which the Parliament of Canada has jurisdiction, not by law assigned to any other department, branch or agency of the Government of Canada, relating to

(*a*) Indian affairs;
(*b*) the Northwest Territories and the Yukon Territory and their resources and affairs;
(*c*) Eskimo affairs;
(*d*) national parks;
(*e*) national battlefields, historic sites and monuments; and
(*f*) migratory birds and other wild life.

Further duties.

18. The Minister of Indian Affairs and Northern Development shall be responsible for

(*a*) co-ordinating the activities in the Northwest Territories and the Yukon Territory of the several departments, branches and agencies of the Government of Canada;

(*b*) undertaking, promoting and recommending policies and programs for the further economic and political development of the Northwest Territories and the Yukon Territory; and

(*c*) fostering, through scientific investigation and technology, knowledge of the Canadian north and of the means of dealing with conditions related to its further development.

Administration.

19. The Minister of Indian Affairs and Northern Development

(*a*) has the control, management and administration of all lands situated in the Northwest Territories or Yukon Territory belonging to Her Majesty in right of Canada except those lands therein that were immediately before the coming into force of this section under the control, management or administration of any Minister, department, branch or agency of the Government of Canada other than the Minister of Northern Affairs and National Resources or the Department of Northern Affairs and National Resources; and

(*b*) shall administer all Acts, orders and regulations, not by law assigned to any other Minister, relating to any of the matters mentioned in section 17 or 18.

Report to Parliament.

20. The Minister of Indian Affairs and Northern Development shall, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, submit to Parliament a report showing the operations of the Department of Indian Affairs and Northern Development for that fiscal year.

R.S., c. 228.

21. Section 9 of the *Public Works Act* is amended by adding thereto the following subsection:

Crown lands.

"(2) The Minister has the control, management and administration of all lands belonging to Her Majesty in right of Canada except lands specially under the control, management or administration of any other Minister, department, branch or agency of the Government of Canada."

DEPARTMENT OF FORESTRY AND RURAL DEVELOPMENT.

Department established.

22. (1) There shall be a department of the Government of Canada called the Department of Forestry and Rural Development over which the Minister of Forestry and Rural Development appointed by Commission under the Great Seal of Canada shall preside.

Clause 21: This amendment would vest in the Minister of Public Works control over Crown lands not under the control of the Minister of Indian Affairs and Northern Development by virtue of paragraph (*a*) of clause 19 or not specially under the control of any other Minister, department or agency of the Government of Canada.

Minister.

(2) The Minister of Forestry and Rural Development holds office during pleasure and has the management and direction of the Department of Forestry and Rural Development.

Deputy Minister.

23. (1) The Governor in Council may appoint an officer called the Deputy Minister of Forestry and Rural Development to be the deputy head of the Department of Forestry and Rural Development and to hold office during pleasure.

Officers and employees.

(2) Such other officers and employees as are necessary for the proper conduct of the business of the Department shall be appointed in the manner authorized by law.

Duties of Minister.

24. The duties, powers and functions of the Minister of Forestry and Rural Development extend to and include

(*a*) all matters over which the Parliament of Canada has jurisdiction, not by law assigned to any other department, branch or agency of the Government of Canada, relating to the forest resources of Canada; and

(*b*) such matters over which the Parliament of Canada has jurisdiction relating to rural development as are by law assigned to the Minister of Forestry and Rural Development.

Annual report.

25. The Minister of Forestry and Rural Development shall, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, submit to Parliament a report showing the operations of the Department of Forestry and Rural Development for that fiscal year.

1960, c. 41.

26. (1) The long title and sections 1 to 5 of the *Department of Forestry Act* (in this section referred to as the "said Act") are repealed and the following substituted therefor:

"An Act respecting forestry development and research.

SHORT TITLE.

Short title.

1. This Act may be cited as the *Forestry Development and Research Act.*

"Minister" defined.

2. In this Act, "Minister" means the Minister of Forestry and Rural Development.

Clause 26: (1) The *Department of Forestry Act* is to be renamed and the provisions thereof relating to the office of the Minister of Forestry and to the Department of Forestry are to be replaced by clauses 22 to 25 of this Bill.

PART I.

DEVELOPMENT AND RESEARCH."

(2) All that portion of subsection (1) of section 6 of the said Act preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Duties, powers and functions of Minister.

"**6.** (1) Subject to section 24 of the *Government Organization Act, 1966*, respecting the duties, powers and functions of the Minister in relation to the forest resources of Canada over which the Parliament of Canada has jurisdiction, the Minister"

(3) Section 6 of the said Act is further amended by adding thereto the following subsections:

Studies and investigations.

"(3) The Minister may conduct economic studies relating to the forest resources, forest industries and marketing of forest products, make investigations designed to aid the forest industries and woodlot owners of Canada and assist external aid programs relating to forestry.

Silviculture and grass products.

(4) The Minister has, in relation to silviculture, the like powers, duties and functions as he has under this Act in relation to the protection and management of the forest resources of Canada, and the Minister has, in relation to the disposal of grass and forest products and to the granting of grazing rights or other rights in respect of the natural produce of the soil, the like powers as he has under this Act in relation to timber."

(4) Section 7 of the said Act is repealed and the following substituted therefor:

Forest Experimental Areas.

"**7.** The Governor in Council may establish as a Forest Experimental Area

(*a*) lands belonging to Her Majesty in right of Canada; and

(*b*) lands provided therefor, pursuant to an agreement with the government of any province, by the government of the province or any person in the province;

and may at any time withdraw lands from or add lands to a Forest Experimental Area."

(2) Section 5 and the relevant portion of subsection (1) of section 6 at present read as follows:

"**5.** The duties, powers and functions of the Minister extend to and include all matters over which the Parliament of Canada has jurisdiction relating to the forest resources of Canada.

6. (1) Subject to section 5, the Minister...."

(3) New. This amendment sets out the Minister's functions with regard to forestry studies and research, silviculture and forest grasses.

(4) Section 7 at present reads as follows:

"**7.** The Governor in Council may establish as a Forest Experimental Area lands belonging to Her Majesty in right of Canada, and may at any time withdraw lands from or add lands to a Forest Experimental Area."

DEPARTMENT OF ENERGY, MINES AND RESOURCES.

Department established.

27. (1) There shall be a department of the Government of Canada called the Department of Energy, Mines and Resources over which the Minister of Energy, Mines and Resources appointed by Commission under the Great Seal of Canada shall preside.

Minister.

(2) The Minister of Energy, Mines and Resources holds office during pleasure and has the management and direction of the Department of Energy, Mines and Resources.

Deputy Minister.

28. (1) The Governor in Council may appoint an officer called the Deputy Minister of Energy, Mines and Resources to be the deputy head of the Department of Energy, Mines and Resources and to hold office during pleasure.

Officers and employees.

(2) Such other officers and employees as are necessary for the proper conduct of the business of the Department shall be appointed in the manner authorized by law.

Duties, powers and functions of the Minister.

29. The duties, powers and functions of the Minister of Energy, Mines and Resources extend to and include all matters over which the Parliament of Canada has jurisdiction, not by law assigned to any other department, branch or agency of the Government of Canada, relating to

(*a*) energy, mines and minerals, water and other resources;

(*b*) explosives; and

(*c*) technical surveys within the meaning of the *Resources and Technical Surveys Act.*

Annual report.

30. The Minister of Energy, Mines and Resources shall, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, submit to Parliament a report showing the operations of the Department of Energy, Mines and Resources for that fiscal year.

R.S., c. 73.

31. (1) The long title and section 1 of the *Department of Mines and Technical Surveys Act* (hereinafter in this section referred to as the "said Act") are repealed and the following substituted therefor:

"An Act respecting resources and technical surveys.

SHORT TITLE.

Short title.

1. This Act may be cited as the *Resources and Technical Surveys Act.*"

Clause 31: (1) The *Department of Mines and Technical Surveys Act* is to be renamed and the provisions thereof relating to the office of the Minister of Mines and Technical Surveys and to the Department of Mines and Technical Surveys are to be replaced by clauses 27 to 30 of this Bill.

(2) Sections 3, 4, 5 and 10 of the said Act are repealed.

(3) The said Act is further amended by adding thereto, immediately after section 8 thereof, the following section:

Powers.

"**8A.** Subject to section 29 of the *Government Organization Act, 1966* respecting the duties, powers and functions of the Minister in relation to matters mentioned in that section over which the Parliament of Canada has jurisdiction, the Minister shall be responsible for co-ordinating, promoting and recommending national policies and programs with respect to energy, mines and minerals, water and other resources, and in carrying out his responsibilities under this section, the Minister may

(*a*) conduct applied and basic research programs and investigations and economic studies in relation to such resources, and for that purpose maintain and operate research institutes, laboratories, observatories and other facilities for exploration and research related to the source, origin, properties, development or use of such resources; and

(*b*) study, keep under review and consider recommendations with respect to matters relating to the exploration for, or the production, recovery, manufacture, processing, transmission, transportation, distribution, sale, purchase, exchange or disposition of, any such resources and matters relating to the sources thereof within or outside Canada."

FINANCIAL ADMINISTRATION.

R.S., c. 116; 1955, c. 3; 1958, c. 31; 1960, c. 41; 1960-61, c. 48; 1963, cc. 3, 41.

32. (1) Sections 3 and 4 of the *Financial Administration Act* are repealed and the following substituted therefor:

Treasury Board.

"**3.** (1) There shall be a committee of the Queen's Privy Council for Canada called the Treasury Board over which the President of the Treasury Board appointed by Commission under the Great Seal of Canada shall preside.

(2) The repeal of these sections is consequential on the amendments contained in clauses 27 to 30.

(3) New. This amendment sets out the Minister's functions in respect of energy and other resources.

Clause 32: Sections 3 and 4 at present read as follows:

"**3.** (1) There shall be a *board* called the Treasury Board, consisting of the Minister of Finance, who is the Chairman, and any five members of the Queen's Privy Council for Canada, who may be nominated from time to time by the Governor in Council.

(2) The Governor in Council may nominate such additional members of the Queen's Privy Council for Canada as he sees fit to be alternates to serve in the place of members of the Board.

(3) Subject to the terms of this Act and any directions of the Governor in Council, the Treasury Board may determine its own rules and methods of procedure.

4. The Minister may designate an officer of the Department of Finance to be Secretary of the Treasury Board, and shall from among the persons employed in the Department of Finance provide the Board with such other employees as are necessary for the proper conduct of the business of the Board."

Composition of Committee.

(2) The committee constituting the Treasury Board shall, in addition to the President of the Treasury Board, consist of the Minister of Finance and four other members of the Queen's Privy Council for Canada who may be nominated from time to time by the Governor in Council.

Alternate members.

(3) The Governor in Council may nominate such additional members of the Queen's Privy Council for Canada as he sees fit to be alternates to serve in the place of members of the Treasury Board.

Rules and procedures.

(4) Subject to this Act and any directions of the Governor in Council, the Treasury Board may determine its own rules and procedures.

Duties of President.

4. (1) The President of the Treasury Board holds office during pleasure and shall preside over meetings of the Board and shall in the intervals between meetings of the Board exercise or perform such of the powers, duties or functions of the Board as the Board may, with the approval of the Governor in Council, determine.

Secretary of the Treasury Board.

(2) The Governor in Council may appoint an officer called the Secretary of the Treasury Board to hold office during pleasure and to perform such duties and functions as may be assigned to him by the Treasury Board, and the Secretary of the Treasury Board shall rank as and have all the powers of a deputy head of a department.

Officers and employees.

(3) Such other officers and employees as are necessary for the proper conduct of the business of the Treasury Board shall be appointed in the manner authorized by law."

Declaration of identity.

(2) The Treasury Board constituted pursuant to section 3 of the *Financial Administration Act* as amended by this section and the Treasury Board in existence immediately before the coming into force of this section are hereby declared to be for all purposes one and the same board.

33. Schedule A of the *Financial Administration Act* is repealed and the following substituted therefor:

"*Schedule A.*

Department of Agriculture
Department of Defence Production
Department of Energy, Mines and Resources
Department of External Affairs
Department of Finance
Department of Fisheries
Department of Forestry and Rural Development
Department of Indian Affairs and Northern Development
Department of Industry
Department of Insurance
Department of Justice
Department of Labour
Department of Manpower
Department of National Defence
Department of National Health and Welfare
Department of National Revenue
Post office Department
Department of Public Printing and Stationery
Department of Public Works
Department of the Registrar General
Department of the Secretary of State of Canada
Department of the Solicitor General
Department of Trade and Commerce
Department of Transport
Treasury Board
Department of Veterans Affairs."

DEPARTMENT OF STATE.

R.S., c. 77.

34. Section 4 of the *Department of State Act* is repealed and the following substituted therefor:

Powers of the Secretary of State.

"**4.** (1) The duties, powers and functions of the Secretary of State of Canada extend to and include all matters over which the Parliament of Canada has jurisdiction, not by law assigned to any other department, branch or agency of the Government of Canada, relating to

(*a*) citizenship;
(*b*) elections;
(*c*) State ceremonial, the conduct of State correspondence and the custody of State records and documents;
(*d*) the encouragement of the literary, visual and performing arts, learning and cultural activities; and

Clause 33: Schedule A at present reads as follows:

"Department of Agriculture.
Department of Citizenship and Immigration.
Department of Defence Production.
Department of External Affairs.
Department of Finance.
Department of Fisheries.
Department of Forestry.
Department of Industry.
Department of Insurance.
Department of Justice.
Department of Labour.
Department of Mines and Technical Surveys.
Department of National Defence.
Department of National Health and Welfare.
Department of National Revenue.
Post Office Department.
Department of Public Works.
Department of Public Printing and Stationery.
Department of Resources and Development.
Department of the Secretary of State of Canada.
Department of Trade and Commerce.
Department of Transport.
Department of Veterans Affairs."

Clause 34: Section 4 at present reads as follows:

"**4.** The Secretary of State has charge of the State correspondence, shall keep all State records and papers not specially transferred to other departments, and shall perform such other duties as are, from time to time, assigned to him by the Governor in Council."

(e) libraries, archives, historical resources, museums, galleries, theatres, films and broadcasting.

National Museum.

(2) The Secretary of State of Canada has the control, management and administration of the National Museum of Canada, and shall acquire, collect, classify, conserve, display, store, and be generally responsible for the safe custody of such objects as are necessary to acquire and disseminate a knowledge of human history, natural history, science, technology, and such other subjects as may be designated by the Governor in Council from time to time, with special but not exclusive reference to Canada, and shall conduct and promote research and other activities designed to further these objectives."

SALARIES.

R.S., c. 243; 1953-54, c. 21; 1960, c. 41, s.15; 1963, c. 41, s. 7.

35. Sections 4 and 5 of the *Salaries Act* are repealed and the following substituted therefor:

Salaries of Ministers.

"**4.** The salaries of the following Ministers, members of the Queen's Privy Council for Canada, are as follows:

	Per Annum $
The Member of the Queen's Privy Council holding the recognized position of First Minister	25,000
The Minister of Justice and Attorney General	15,000
The Minister of National Defence	15,000
The Minister of National Revenue	15,000
The Minister of Finance	15,000
The Minister of Transport	15,000
The Minister of Public Works	15,000
The President of the Queen's Privy Council for Canada	15,000
The Minister of Fisheries	15,000
The Postmaster General	15,000
The Minister of Agriculture	15,000
The Secretary of State of Canada	15,000
The Minister of Trade and Commerce	15,000
The Minister of Labour	15,000
The Secretary of State for External Affairs	15,000
The Minister of National Health and Welfare	15,000
The Minister of Veterans Affairs	15,000
The Associate Minister of National Defence	15,000

Clause 35: Sections 4 and 5 at present read as follows:

"**4.** The salaries of the following Ministers, members of the Queen's Privy Council for Canada, are as follows:

	Per Annum
	$
The Member of the Queen's Privy Council holding the recognized position of First Minister	25,000
The Minister of Justice and Attorney General	15,000
The Minister of National Defence	15,000
The Minister of National Revenue	15,000
The Minister of Finance	15,000
The Minister of Transport	15,000
The Minister of Public Works	15,000
The President of the Queen's Privy Council for Canada	15,000
The Minister of Fisheries	15,000
The Postmaster General	15,000
The Minister of Agriculture	15,000
The Secretary of State of Canada	15,000
The Minister of Trade and Commerce	15,000
The Minister of Labour	15,000
The Secretary of State for External Affairs	15,000
The Minister of National Health and Welfare	15,000
The Minister of Veterans Affairs	15,000
The Minister of Northern Affairs and National Resources	15,000
The Minister of Mines and Technical Surveys	15,000
The Minister of Citzenship and Immigration	15,000
The Associate Minister of National Defence	15,000
The Minister of Forestry	15,000
The Minister of Industry	15,000

5. The salary of the Solicitor General of Canada is fifteen thousand dollars per annum."

The Minister of Industry	15,000
The Solicitor General of Canada	15,000
The Registrar General of Canada	15,000
The Minister of Manpower	15,000
The Minister of Indian Affairs and Northern Development	15,000
The Minister of Forestry and Rural Development	15,000
The Minister of Energy, Mines and Resources	15,000
The President of the Treasury Board	15,000"

TRANSITIONAL.

Appropriations based on 1966-67 Estimates.

36. The provisions made by any *Appropriation Act* for the fiscal year ending the 31st day of March, 1967, based on Estimates 1966-67

(*a*) to defray the expenses of the public service of Canada within any department, branch or other part of the public service of Canada, in relation to matters to which the powers, duties or functions of the Registrar General of Canada extend under this Act, shall be applied to such classifications of the public service within the Department of the Registrar General as the Governor in Council may determine;

(*b*) to defray the expenses of the public service of Canada within the Department of Forestry, shall be applied to defray expenses of the public service within the Department of Forestry and Rural Development;

(*c*) to defray the expenses of the public service of Canada within any department, branch or other part of the public service of Canada, in relation to matters to which the powers, duties or functions of the Minister of Indian Affairs and Northern Development extend under this Act, shall be applied to such classifications of the public service within the Department of Indian Affairs and Northern Development as the Governor in Council may determine;

(*d*) to defray the expenses of the public service of Canada within any department, branch or other part of the public service of Canada, in relation to matters to which the powers, duties

or functions of the Minister of Manpower extend under this Act, shall be applied to such classifications of the public service within the Department of Manpower as the Governor in Council may determine;

(*e*) to defray the expenses of the public service of Canada within any department, branch or other part of the public service of Canada, in relation to matters to which the powers, duties or functions of the Secretary of State of Canada extend under this Act, shall be applied to such classifications of the public service within the Department of the Secretary of State as the Governor in Council may determine;

(*f*) to defray the expenses of the public service of Canada within any department, branch or other part of the public service of Canada, in relation to matters to which the powers, duties or functions of the Solicitor General of Canada extend under this Act, shall be applied to such classifications of the public service of Canada within the Department of the Solicitor General of Canada as the Governor in Council may determine; and

(*g*) to defray the expenses of the public service of Canada within the Department of Finance, in relation to the Treasury Board, shall be applied to such classifications of the public service of Canada as the Governor in Council may determine.

Acts to be administered by Solicitor General.

37. Without restricting the generality of section 4, the Acts to be administered by the Solicitor General of Canada shall include the Acts set out in Part I of Schedule A and whenever the Department of Justice, the Minister of Justice or the Deputy Minister of Justice is mentioned or referred to in any of those Acts or in any order, rule or regulation thereunder, or any contract, lease or other document made pursuant thereto, there shall in each and every such case unless the context otherwise requires be substituted the Department of the Solicitor General, the Solicitor General of Canada or the Deputy Solicitor General, as the case may be.

Acts to be administered by Registrar General.

38. (1) Without restricting the generality of section 8, the Acts to be administered by the Registrar General of Canada shall include the Acts and portions of Acts set out in Part II of Schedule A and whenever the Department of Justice, the Minister of Justice, the Deputy Minister of Justice, the Department of the Secretary of State, the Secretary of State of Canada, the Under Secretary of State, the President of the Queen's Privy Council for Canada, the

Clerk of the Privy Council, the Department of Finance, the Minister of Finance or the Deputy Minister of Finance is mentioned or referred to in any of those Acts or portions of Acts, or in any order, rule or regulation thereunder, or any contract, lease or other document made pursuant thereto, there shall in each and every such case unless the context otherwise requires be substituted the Department of the Registrar General, the Registrar General of Canada or the Deputy Registrar General of Canada, as the case may be.

References elsewhere.

(2) Whenever under any order, rule or regulation, or any contract, lease or other document, any power, duty or function is vested in or exercisable by the Minister of Justice, the Secretary of State of Canada, the President of the Queen's Privy Council for Canada, the Deputy Minister of Justice, the Under Secretary of State or the Clerk of the Privy Council, in relation to any matter not provided for under subsection (1) to which the powers, duties or functions of the Registrar General of Canada extend under this Act, the power, duty or function is vested in and shall or may be exercised by the Registrar General of Canada or the Deputy Registrar General of Canada, as the case may be, unless the Governor in Council by order designates another Minister or Deputy Minister to exercise such power, duty or function.

Acts to be administered by Minister of Manpower.

39. (1) Without restricting the generality of section 13, the Acts or portions of Acts to be administered by the Minister of Manpower shall include the Acts and portions of Acts set out in Part III of Schedule A and whenever the Department of Citizenship and Immigration, the Minister of Citizenship and Immigration, the Deputy Minister of Citizenship and Immigration, the Department of Labour, the Minister of Labour or the Deputy Minister of Labour is mentioned or referred to in any of those Acts or portions of Acts, or in any order, rule or regulation thereunder, or any contract, lease or other document made pursuant thereto, there shall in each and every such case unless the context otherwise requires be substituted the Department of Manpower, the Minister of Manpower or the Deputy Minister of Manpower, as the case may be.

References elsewhere.

(2) Whenever under any order, rule or regulation, or any contract, lease or other document, any power, duty or function is vested in or exercisable by the Minister of Citizenship and Immigration, the Deputy Minister of Citizenship and Immigration, the Minister of Labour or the Deputy Minister of Labour, in relation to any matter not provided for under subsection (1) to which the powers, duties or functions of the Minister of Manpower extend under this Act, the power, duty or function is vested in

and shall or may be exercised by the Minister of Manpower or the Deputy Minister of Manpower, as the case may be, unless the Governor in Council by order designates another Minister or Deputy Minister to exercise such power, duty or function.

Acts to be administered by Minister of Indian Affairs and Northern Development.

40. (1) Without restricting the generality of sections 17 and 18, the Acts or portions of Acts to be administered by the Minister of Indian Affairs and Northern Development shall include the Acts or portions of Acts set out in Part IV of Schedule A, and whenever the Department of Citizenship and Immigration, the Minister of Citizenship and Immigration, the Deputy Minister of Citizenship and Immigration, the Department of Northern Affairs and National Resources, the Minister of Northern Affairs and National Resources, the Deputy Minister of Northern Affairs and National Resources, the Department of Mines and Technical Surveys, the Minister of Mines and Technical Surveys or the Deputy Minister of Mines and Technical Surveys is mentioned or referred to in any of those Acts or portions of Acts, or in any order, rule or regulation thereunder, or any contract, lease or other document made thereunder, there shall in each and every such case unless the context otherwise requires be substituted the Department of Indian Affairs and Northern Development, the Minister of Indian Affairs and Northern Development or the Deputy Minister of Indian Affairs and Northern Development as the case may be.

References elsewhere.

(2) Whenever under any order, rule or regulation, or any contract, lease or other document, any power, duty or function is vested in or exercisable by the Minister of Northern Affairs and National Resources, the Deputy Minister of Northern Affairs and National Resources or any other officer of the Department of Northern Affairs and National Resources, the Minister of Citizenship and Immigration or the Deputy Minister of Citizenship and Immigration, in relation to any matter not provided for under subsection (1) to which the powers, duties or functions of the Minister of Indian Affairs and Northern Development extend under this Act, the power, duty or function is vested in and shall or may be exercised by the Minister of Indian Affairs and Northern Development, the Deputy Minister of Indian Affairs and Northern Development or the appropriate officer of the Department of Indian Affairs and Northern Development, as the case may be, unless the Governor in Council by order designates another Minister, Deputy Minister or other officer of a department of the public service of Canada to exercise such power, duty or function.

Acts to be administered by Minister of Energy, Mines and Resources.

41. (1) Without restricting the generality of section 29, the Acts or portions of Acts to be administered by the Minister of Energy, Mines and Resources shall include the Acts or portions of Acts set out in Part V of Schedule A, and whenever the Chairman of the Committee of the Privy Council on Scientific and Industrial Research, the Department of Mines and Technical Surveys, the Minister of Mines and Technical Surveys, the Deputy Minister of Mines and Technical Surveys, the Department of Trade and Commerce, the Minister of Trade and Commerce, the Deputy Minister of Trade and Commerce, the Department of Industry, the Minister of Industry, the Deputy Minister of Industry, the Department of Northern Affairs and National Resources, the Minister of Northern Affairs and National Resources or the Deputy Minister of Northern Affairs and National Resources is mentioned or referred to in any of those Acts or portions of Acts, or in any order, rule or regulation thereunder or any contract, lease or other document made pursuant thereto, there shall in each and every such case unless the context otherwise requires be substituted the Department of Energy, Mines and Resources, the Minister of Energy, Mines and Resources or the Deputy Minister of Energy, Mines and Resources, as the case may be.

References elsewhere.

(2) Whenever under any order, rule or regulation, or any contract, lease or other document, any power, duty or function is vested in, or exercisable by the Chairman of the Committee of the Privy Council on Scientific and Industrial Research, the Minister of Mines and Technical Surveys, the Deputy Minister of Mines and Technical Surveys, the Minister of Trade and Commerce, the Deputy Minister of Trade and Commerce, the Minister of Industry, the Deputy Minister of Industry, the Minister of Northern Affairs and National Resources, or the Deputy Minister of Northern Affairs and National Resources, in relation to any matter not provided for under subsection (1) to which the powers, duties and functions of the Minister of Energy, Mines and Resources extend under this Act, the power, duty or function is vested in and shall or may be exercised by the Minister of Energy, Mines and Resources or the Deputy Minister of Energy, Mines and Resources, as the case may be, unless the Governor in Council by order designates another Minister or Deputy Minister to exercise such power, duty or function.

Acts to be administered by Secretary of State.

42. (1) Without restricting the generality of section 4 of the *Department of State Act*, the Acts to be administered by the Secretary of State of Canada shall, in addition to the Acts or portions of Acts administered by the Secretary of State of Canada immediately before the coming into force of this Act and not affected by this Act, include the Acts set out in Part VI of Schedule A, and whenever the Department of Citizenship and Immigration, the Minister of Citizenship and Immigration, the Deputy Minister of Citizenship and Immigration or the President of the Privy Council of Canada is mentioned or referred to in any of those Acts, or in any order, rule or regulation thereunder or any contract, lease or other document made pursuant thereto, there shall in each and every such case unless the context otherwise requires be substituted the Department of the Secretary of State, the Secretary of State of Canada or the Under Secretary of State, as the case may be.

References elsewhere.

(2) Whenever under any order, rule or regulation, or any contract, lease or other document, any power, duty or function is vested in or exercisable by the Minister of Citizenship and Immigration, the Deputy Minister of Citizenship and Immigration, the Minister of Northern Affairs and National Resources or the Deputy Minister of Northern Affairs and National Resources, in relation to any matter not provided for under subsection (1) to which the powers, duties or functions of the Secretary of State of Canada extend under this Act, the power, duty or function is vested in and shall or may be exercised by the Secretary of State of Canada or the Under Secretary of State, as the case may be, unless the Governor in Council by order designates another Minister or Deputy Minister to exercise such power, duty or function.

References to Department of Forestry.

43. Whenever in any Act, order, rule or regulation, or any contract, lease or other document, the Department of Forestry, the Minister of Forestry or the Deputy Minister of Forestry is mentioned or referred to, there shall in each and every such case unless the context otherwise requires be substituted the Department of Forestry and Rural Development, the Minister of Forestry and Rural Development or the Deputy Minister of Forestry and Rural Development, as the case may be.

Clause 42: (1) The Acts and portions of Acts at present administered by the Secretary of State, to which reference is made in this clause, and the Acts under which the Secretary of State has certain responsibilities not affected by this Act include the following:

Part II of the *Broadcasting Act*
Public Printing and Stationery Act
Representation Commissioner Act
Civil Service Act
Laurier House Act
Canada Council Act
National Library Act
Publication of Statutes Act
Canada Elections Act
Canada Temperance Act
Disfranchising Act
Dominion Controverted Elections Act
Regulations Act
Seals Act
Translation Bureau Act
Canada Evidence Act
National Film Act
National Gallery Act
Electoral Boundaries Readjustment Act
Statistics Act
Telegraphs Act

Powers and duties under Appropriation Acts generally.

44. Where pursuant to any *Appropriation Act* passed before the coming into force of this Act any duty was imposed upon or any power was given to a member of the Queen's Privy Council for Canada in relation to a matter that by this Act is assigned to any other member of the Queen's Privy Council for Canada, that duty or power shall or may be exercised by the member of the Queen's Privy Council for Canada to whom the matter in respect of which the duty was imposed or the power was given is assigned by this Act, unless the Governor in Council by order designates another member of the Queen's Privy Council for Canada to exercise such duty or power.

CONSEQUENTIAL AMENDMENTS.

Amendments and repeals.

45. The Acts and portions of Acts set out in Schedule B are repealed or amended in the manner and to the extent indicated in that Schedule.

COMMENCEMENT.

Coming into force.

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

Clause 45: The amendments to be made pursuant to this clause in Schedule B of the Bill are consequential upon the reorganization of duties and powers made by this Bill, and the repeals to be made by that Schedule are consequential upon the creation of the new Departments to be established by this Bill.

SCHEDULE A.

(Sections 37 to 42).

PART I: *Solicitor General of Canada:* (*Section 37*)

Parole Act (1958, c. 38)
Penitentiary Act (1960–61, c. 53)
Royal Canadian Mounted Police Act (1959, c. 54)
Royal Canadian Mounted Police Pension Continuation Act (R.S., c. 241)
Royal Canadian Mounted Police Superannuation Act (1959, c. 34)
Prisons and Reformatories Act (R.S., c. 217)

PART II: *Registrar General of Canada:* (*Section 38*)

Canada Corporations Act (R.S., c. 53)
Combines Investigation Act (R.S., c. 314)
Trade Marks Act (1952–53, c. 49)
Copyright Act (R.S., c. 55)
Patent Act (R.S., c. 203)
Timber Marking Act (R.S., c. 265)
Industrial Design and Union Label Act (R.S., c. 150)
Bankruptcy Act (R.S., c. 14)
Boards of Trade Act (R.S., c. 18)
Farmers' Creditors Arrangement Act (R.S., c. 111)
Pension Fund Societies Act (R.S., c. 208)
Part I of the Winding-up Act (R.S., c. 296)
The Trading with the Enemy (Transitional Powers) Act (1947, c. 24)

PART III: *Minister of Manpower:* (*Section 39*)

Immigration Act (R.S., c. 325)
Immigration Aid Societies Act (R.S., c. 146)
Technical and Vocational Training Assistance Act (1960–61, c. 6)
Section 21 and Part II of the Unemployment Insurance Act (1955, c. 50)
Vocational Rehabilitation of Disabled Persons Act (1960–61, c. 26)
Reinstatement in Civil Employment Act (R.S., c. 236)

PART IV: *Minister of Indian Affairs and Northern Development:* (*Section 40*)

Indian Act (R.S., c. 149)
Northern Canada Power Commission Act (R.S., c. 196)
Dominion Water Power Act (R.S., c. 90)
National Parks Act (R.S., c. 189)
Territorial Lands Act (R.S., c. 263)
Yukon Placer Mining Act (R.S., c. 300)
Yukon Quartz Mining Act (R.S., c. 301)
Land Titles Act (R.S., c. 162)
Northwest Territories Act (R.S., c. 331)
Yukon Act (1952–53, c. 53)
Part III of Canada Lands Surveys Act (R.S., c. 26)
Historic Sites and Monuments Act (1952–53, c. 39)
Game Export Act (R.S., c. 128)
Migratory Birds Convention Act (R.S., c. 179)

SCHEDULE A.—*Continued*

PART V: *Minister of Energy, Mines and Resources:* (*Section 41*)

Resources and Technical Surveys Act (R.S., c. 73)
Atlantic Provinces Power Development Act (1957–58, c. 25)
Canada Water Conservation Assistance Act (1952–53, c. 21)
International River Improvements Act (1955, c. 47)
National Energy Board Act (1959, c. 46)
Northern Ontario Pipe Line Crown Corporation Act (1956, c. 10)
Canadian Coal Equality Act (R.S., c. 34)
Atomic Energy Control Act (R.S., c. 11)
Canada Lands Surveys Act (except Part III) (R.S., c. 26)
Explosives Act (R.S., c. 102)
Coal Production Assistance Act (R.S., c. 173)
Emergency Gold Mining Assistance Act (R.S., c. 95)
Dominion Coal Board Act (R.S., c. 86)

PART VI: *Secretary of State of Canada:* (*Section 42*)

Canadian Citizenship Act (R.S., c. 33)
Public Archives Act (R.S., c. 222)

SCHEDULE B.

(*Section 45*).

(Repeals and Amendments).

Act Affected	Repeal or Amendments
Canada Elections Act 1960, c. 39	Paragraph (*a*) of subsection (2) of section 20 is amended by deleting the reference therein to the Solicitor General.
Canada Lands Surveys Act R.S., c. 26	Sections 50 and 59 are amended by substituting the Minister of Energy, Mines and Resources for the Minister therein mentioned.
Canada Medical Council Act R.S., c. 27	Subsection (2) of section 8 is amended by substituting the Registrar General of Canada for the Secretary of State of Canada.
Canadian National Railways Act 1955, c. 29	Subsection (7) of section 23 is amended by substituting the Registrar General of Canada for the Secretary of State of Canada.
Department of Citizenship and Immigration Act R.S., c. 67	Repealed.
Civil Service Act 1960–61, c. 57	Paragraph (*o*) of subsection (1) of section 2 is amended by deleting the reference to the Solicitor General.
Combines Investigation Act R.S., c. 314	Section 13 is amended by substituting the Attorney General of Canada for the Minister therein mentioned, and subsection (2) of section 25 is amended by deleting the reference therein to the Minister.
Corporations and Labour Unions Returns Act 1962, c. 26	Section 13 is amended by substituting the Department of the Registrar General and the Registrar General of Canada, respectively, for the Department of State and the Secretary of State of Canada.
Criminal Code 1953–54, c. 51	Sections 642A, 643, 649, 656 and 666 are amended by substituting the Solicitor General of Canada for the Minister therein mentioned, and section 656 is amended by substituting the Deputy Solicitor General for the Deputy Minister of Justice.
Defence Production Act R.S., c. 62	Subsection (2) of section 7 is amended by substituting the Registrar General of Canada for the Secretary of State of Canada.
Electoral Boundaries Readjustment Act 1964-65, c. 31	Sections 15 and 26 are amended by substituting the Department of Energy, Mines and Resources for the Department of Mines and Technical Surveys.
Forestry Development and Research Act 1960, c. 41	Section 12 is repealed.
Income Tax Act R.S., c. 148	Subparagraph (iv) of paragraph (*qc*) of subsection (1) of section 11 is amended by substituting the Minister of Manpower for the Minister therein mentioned.

SCHEDULE B.—*Continued*

(*Section 45*).—*Continued*

(Repeals and Amendments).

Act Affected	Repeal or Amendments
Indian Act 1951, c. 29	Paragraph (*b*) of subsection (3) of section 123 is amended by substituting the Minister of Indian Affairs and Northern Development for the Minister therein mentioned.
Department of Justice Act R.S., c. 71	Paragraph (*e*) of section 4 is repealed.
Land Titles Act R.S., c. 162	Subsection (2) of section 30 is amended by substituting the Registrar General of Canada for the Secretary of State of Canada.
Loan Companies Act R.S., c. 170	Sections 101 and 102 are amended by substituting the Registrar General of Canada for the Secretary of State.
National Parks Act R.S., c. 189	The Schedule is amended by substituting the Department of Energy, Mines and Resources for the Department of Mines and Technical Surveys wherever that latter Department is referred to therein.
Department of Northern Affairs and National Resources Act 1953-54, c. 4	Repealed.
Pension Fund Societies Act R.S., c. 208	Sections 4, 6 and 7 are amended by substituting the Registrar General of Canada for the Secretary of State of Canada.
Public Documents Act R.S., c.223	Section 3 is amended by substituting the Registrar General of Canada for the Secretary of State.
Public Officers Act R.S., c. 225	Sections 4, 13, 14, 18, 20, 22 and 32 are amended by substituting the Registrar General of Canada for the Secretary of State and section 12 is amended by substituting the Department of the Registrar General for the Department of the Secretary of State of Canada.
Railway Act R.S., c.234	Sections 139, 148 and 153 are amended by substituting the Registrar General of Canada for the Secretary of State of Canada, and sections 140 and 141 are amended by adding after the words "Secretary of State of Canada", where they occur, the words "or Registrar General of Canada".
Representation Commissioner Act 1963, c. 40	Section 8 is amended by substituting the Department of Energy, Mines and Resources for the Department of Mines and Technical Surveys.
St. Lawrence Seaway Authority Act R.S., c. 242	Section 24A is amended by substituting the Registrar General of Canada for the Secretary of State of Canada.
Solicitor General Act R.S., c. 253	Repealed.
Department of State Act R.S., c. 77	Sections 5 and 6 are repealed.

SCHEDULE B.—*Continued*

(*Section 45*).—*Continued*

(Repeals and Amendments).

Act Affected	Repeal or Amendment
Surplus Crown Assets Act R.S., c. 260	Paragraph (*c*) of subsection (2) of section 3 is amended by substituting the Minister of Indian Affairs and Northern Development for the Minister therein mentioned.
Territorial Sea and Fishing Zones Act 1964-65, c. 22	Section 6 is amended by substituting the Minister of Energy, Mines and Resources for the Minister therein mentioned.
Veterans' Land Act R.S., c. 280	Paragraph (*b*) of subsection (1) of section 38 is amended by substituting the Minister of Indian Affairs and Northern Development for the Minister therein mentioned; and subsections (1) and (2) of section 39 are amended by substituting the Minister of Indian Affairs and Northern Development for the Minister therein mentioned.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-179.

An Act to amend the Criminal Code
(Attendance at Execution).

First reading, May 10, 1966.

Mr. KLEIN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24147

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-179.

1953-54, cc. 51, 52; 1955, cc. 2, 45; 1956, c. 48, ss. 19, 20; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37; c. 45, s. 21; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10, cc. 35, 53.

An Act to amend the Criminal Code (Attendance at Execution).

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

1. Subsection (2) of section 645 of the *Criminal Code* is repealed and the following substituted therefor:

Who shall attend execution.

"(2) The presiding judge and all jurors at the trial, the sheriff, the keeper of the prison, the prison doctor and any other persons required by the sheriff shall be present at the execution of a sentence of death."

Explanatory Notes.

Section 645 of the *Criminal Code* at present reads as follows:

"**645.** (1) A sentence of death shall be executed within the walls of a prison.

(2) The sheriff, the keeper of the prison, the prison doctor and any other persons required by the sheriff shall be present at the execution of a sentence of death.

(3) A clergyman or minister who desires to attend and any other person whom the sheriff considers it proper to admit may attend the execution of a sentence of death."

The change consists in adding to subsection (2) the words: "The presiding judge and all jurors at the trial", underlined on the opposite page. The reason for this change is to give to the execution the public character which it merits.

C-180.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-180.

An Act to amend the Criminal Code
(Punishment for Murder).

First reading, May 10, 1966.

MR. KLEIN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-180.

An Act to amend the Criminal Code (Punishment for Murder).

1953-54, cc. 51, 52; 1955, cc. 2, 45; 1956, c. 48, ss. 19, 20; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40; 41; 1960, c. 37 and c. 45, s. 21; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10 and cc. 35, 53.

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

1. Section 206 of the *Criminal Code* is repealed and the following substitued therefor:

Punishment for capital murder.

"**206.** (1) Every one who commits capital murder is guilty of an indictable offence and is liable to be sentenced to death or to imprisonment for life.

Minimum punishment.

(2) For the purposes of Part XX, the sentence of imprisonment for life prescribed by subsection (1) of this section is a minimum punishment.

Punishment for non-capital murder.

(3) Every one who commits non-capital murder is guilty of an indictable offence and is liable to imprisonment for life.

Person under 18 years of age.

(4) Notwithstanding subsection (1), a person who appears to the court to have been under the age of eighteen years at the time he committed a capital murder shall not be sentenced to death upon conviction therefor but is liable to imprisonment for life."

Explanatory Notes.

At present, when a person commits capital murder the law provides that such person shall be sentenced to death. In other words, if a person is found guilty of capital murder the judge has no alternative but to impose the death penalty. The purpose of the change suggested is to allow the judge a certain discretion in the case of capital murder and to provide that if a sentence of imprisonment for life is imposed it shall be a minimum punishment.

In the case of non-capital murder, where at present a person must be sentenced to imprisonment for life, as a minimum sentence, such person could, by virtue of the proposed amendment, receive a lesser sentence at the discretion of the judge.

As provided in subsection (4) a person who appears to have been under the age of eighteen years at the time he committed a capital murder could be sentenced to imprisonment for life or to a shorter period of imprisonment.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-181.

An Act respecting employment in the Public Service of Canada.

First reading, May 12, 1966.

THE PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-181.

An Act respecting employment in the Public Service of Canada.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Public Service Employment Act.*

INTERPRETATION.

Definitions.

2. (1) In this Act,

"Closed competition."

(*a*) "closed competition" means a competition that is open only to persons employed in the Public Service;

"Commission."

(*b*) "Commission" means the Public Service Commission;

"Commissioner."

(*c*) "commissioner" means a member of the Commission, and includes the Chairman;

"Department."

(*d*) "department" means a department named in Schedule A to the *Financial Administration Act* and any division or branch of the Public Service designated by the Governor in Council as a department for the purposes of this Act;

"Deputy head."

(*e*) "deputy head" means

(i) in relation to a department named in Schedule A to the *Financial Administration Act*, the deputy minister thereof, and in relation to any division or branch

of the Public Service designated under paragraph (*d*) as a department, such person as the Governor in Council may designate as the deputy head for the purposes of this Act, and

(ii) in relation to any other portion of the Public Service to which the Commission has the exclusive right and authority to appoint persons, the chief executive officer thereof or, if there is no chief executive officer, such person as the Governor in Council may designate as the deputy head for the purposes of this Act;

"Employee." (*f*) "employee" means a person employed in that part of the Public Service to which the Commission has the exclusive right and authority to appoint persons;

"Lay-off." (*g*) "lay-off" means a person who has been laid off pursuant to subsection (1) of section 29 and who, in the opinion of the Commission, is suitable for appointment under this Act;

"Local office." (*h*) "local office" means an office established to serve an area comprising a part but not the whole of Canada;

"Minister." (*i*) "Minister" except in section 9 means any member of the Queen's Privy Council for Canada holding the office of a Minister of the Crown;

"Open competition." (*j*) "open competition" means a competition that is open to persons who are employed in the Public Service as well as to persons who are not so employed; and

"Public Service." (*k*) "Public Service" has the same meaning as in the *Public Service Staff Relations Act*.

Persons deemed in Public Service for certain purposes. (2) For the purpose of being eligible to enter competitions and for the purposes of sections 11 and 13, the following persons shall be deemed to be persons employed in the Public Service, namely:

(*a*) members of the Royal Canadian Mounted Police;

(*b*) members of the Canadian Forces; and

(*c*) persons not otherwise employed in the Public Service who are employees in or under any portion of the public service of Canada designated by the Governor in Council pursuant to section 35.

References. (3) Unless the context otherwise requires,

(*a*) a reference in this Act to a deputy head in relation to an employee shall be construed as a reference to the deputy head of the department

or the deputy head in relation to the portion of the Public Service, as the case may be, in which the employee is employed; and

(*b*) a reference in this Act to a deputy head in relation to a department or other portion of the Public Service shall be construed as a reference to the deputy head of that department or the deputy head in relation to that portion of the Public Service, as the case may be, to which the context extends.

PART I.

PUBLIC SERVICE COMMISSION.

Commission Established.

Commission established.

3. (1) There shall be a Commission, to be called the Public Service Commission, consisting of a Chairman and two other members to be appointed by the Governor in Council.

Appointment.

(2) Subject to this section, a commissioner holds office during good behaviour for a period of ten years, but may be removed at any time by the Governor in Council upon address of the Senate and House of Commons.

Eligibility for re-appointment.

(3) A commissioner, on the expiration of his first or a subsequent term of office, is eligible to be re-appointed for a further term not exceeding ten years.

Termination and extension.

(4) A commissioner ceases to hold office upon attaining the age of sixty-five years, except that where the Governor in Council is of opinion that it would be in the public interest to extend the term of office of a commissioner beyond that age, he may, on the recommendation of the Prime Minister, extend the term of office beyond the age of sixty-five years for one period not exceeding five years.

Rank.

(5) The rank and standing of each commissioner is that of a deputy head of a department.

Salaries.

(6) There shall be paid to each commissioner out of the Consolidated Revenue Fund such salary or allowances as may be fixed by the Governor in Council.

Other employment.

(7) A commissioner shall not hold any other office in the Public Service or engage in any other employment.

Oath of office.

(8) Each commissioner shall, before assuming the duties of his office, take and subscribe before the Clerk of the Privy Council the oath or affirmation set out in Schedule A.

Chairman.

4. (1) The Chairman is the chief executive officer of the Commission.

Acting Chairman.

(2) The Governor in Council may authorize any commissioner to act as Chairman for the time being in the event that the Chairman is absent or unable to act or if the office is vacant.

Quorum.

(3) A majority of the commissioners constitutes a quorum of the Commission.

Vacancy.

(4) A vacancy in the membership of the Commission does not impair the right of the remainder to act.

Place of business.

(5) The Commission may sit at such times and places as it considers necessary or desirable for the proper conduct of its business.

General Powers and Duties of Commission.

Powers and duties.

5. The Commission shall

(*a*) appoint or provide for the appointment of qualified persons to the Public Service in accordance with the provisions and principles of this Act;

(*b*) operate and assist deputy heads in the operation of staff training and development programs in the Public Service;

(*c*) engage competent persons to assist the Commission in the performance of its duties;

(*d*) report to the Governor in Council upon such matters arising out of or relating to the administration or operation of this Act and the regulations as the Commission considers desirable; and

(*e*) perform such other duties and functions with reference to the Public Service as are assigned to it by the Governor in Council.

Delegation of Authority.

Delegation to deputy head.

6. (1) The Commission may authorize a deputy head to exercise and perform, in such manner and subject to such terms and conditions as the Commission directs, any of the powers, functions and duties of the Commission under this Act, other than the powers, functions and duties of the Commission in relation to the conduct of appeals under section 21 or 31.

Idem.

(2) Where the Commission is of opinion that a person who has been appointed to the Public Service pursuant to authority granted by it under this section, does not have the qualifications that are necessary to perform the duties of the position he occupies, the Commission, notwithstanding anything in this Act, may revoke the appointment and may thereupon make another appointment of that person at a level that, in the opinion of the Commission, is commensurate with his qualifications.

Idem.

(3) The Commission may, from time to time as it sees fit, revise or rescind and reinstate the authority granted by it pursuant to this section.

Delegation by deputy head.

(4) A deputy head may authorize one or more persons under his jurisdiction to exercise and perform any of the powers, functions or duties of the deputy head under this Act, including powers, functions and duties that the Commission, pursuant to this section, has authorized the deputy head to exercise and perform.

Acting deputy head.

(5) In the absence of the deputy head, the person designated by the deputy head or, if no person has been so designated or there is no deputy head, the person designated by the person who under the *Financial Administration Act* is the appropriate Minister with respect to the department or other portion of the Public Service, or such other person as may be designated by the Governor in Council, has and may exercise the powers, functions and duties of the deputy head.

Records and Inquiries.

Access to records, assistance, etc.

7. (1) Deputy heads and employees shall give the Commission such access to their respective offices and such facilities, assistance and information as the Commission may require for the performance of its duties.

Inquiries.

(2) In connection with, and for the purposes of, any investigation or report, the Commission, a commissioner or an officer of the Commission holding an investigation has all the powers of a commissioner appointed under Part II of the *Inquiries Act* and for the purposes of that Part shall be deemed to have been appointed under that Part.

PART II.

Appointment.

Authority to Appoint.

Exclusive right to appoint.

8. Except as provided in this Act, the Commission has the exclusive right and authority to make appointments of persons to the Public Service for whose appointment there is no authority in or under any other Act of Parliament.

Diplomatic appointments.

9. Nothing in this Act shall be construed to limit or affect the right or authority of Her Majesty to appoint

(*a*) Ambassadors,
(*b*) Ministers,
(*c*) High Commissioners, or
(*d*) Consuls General of Canada,

to any other country, or other persons to represent Canada in another country.

Appointments and Selection Standards.

Appointments to be based on merit.

10. Appointments to the Public Service shall be based on selection according to merit, as determined by the Commission, and shall be made by the Commission, at the request of the deputy head concerned, by competition or by such other process as the Commission considers is in the best interests of the Public Service.

Appointments to be from within Public Service.

11. Appointments shall be made from within the Public Service except where, in the opinion of the Commission, it is not in the best interests of the Public Service to do so.

Selection standards.

12. (1) The Commission may, in determining pursuant to section 10 the basis of assessment of merit in relation to any position or class of positions, prescribe selection standards as to education, knowledge, experience, language, age, residence or any other matters that, in the opinion of the Commission, are necessary or desirable having regard to the nature of the duties to be performed, but any such selection standards shall not be inconsistent with any classification standard prescribed pursuant to the *Financial Administration Act* for that position or any position in that class.

No discrimination.

(2) The Commission, in prescribing selection standards under subsection (1), shall not discriminate against any person by reason of race, national origin, colour or religion.

Competitions.

Area of competition.

13. Before conducting a competition, the Commission shall

(*a*) determine the area in which applicants must reside in order to be eligible for appointment; and

(*b*) in the case of a closed competition, determine the part, if any, of the Public Service and the occupational nature and level of positions, if any, in which prospective candidates must be employed in order to be eligible for appointment.

Notice

14. The Commission shall give such notice in the English or French language, or both, of a proposed competition as in its opinion will give all eligible persons a reasonable opportunity of making an application.

Applications.

15. Applications shall be in such form and shall be made and verified in such manner as the Commission determines.

Consideration of applications.

16. (1) The Commission shall examine and consider all applications received within the time prescribed by it for the receipt of applications and, after considering such further material and conducting such examinations, tests, interviews and investigations as it considers necessary or desirable, shall select the candidates who are qualified for the position or positions in relation to which the competition is conducted.

Option as to language.

(2) An examination, test or interview under this section shall be conducted in the English or French language or both at the option of the candidate except where an examination, test or interview is conducted for the purpose of determining the qualifications of the candidate in the knowledge and use of either or both of those languages.

Veterans, etc.

(3) Where, in the case of an open competition, the Commission is of opinion that there are sufficient qualified applicants who are

(*a*) persons in receipt of a pension by reason of war service as defined in Schedule B,

(*b*) persons who are veterans as defined in Schedule B and who do not come within paragraph (*a*), or persons who are widows of veterans as defined in Schedule B, or

(*c*) persons who are Canadian citizens who do not come within paragraph (*a*) or (*b*),

to enable the Commission to establish an eligible list in accordance with this Act, the Commission may confine its selection of qualified candidates under subsection (1) to applicants

(*d*) who come within paragraph (*a*),

(*e*) who come within paragraphs (*a*) and (*b*), or

(*f*) who come within paragraphs (*a*), (*b*) and (*c*).

Establishment of eligible lists.

17. (1) From among the qualified candidates in a competition the Commission shall select and place the highest ranking candidates on one or more lists, to be known as eligible lists, as the Commission considers necessary to provide for the filling of a vacancy or anticipated vacancies.

Duration.

(2) An eligible list is valid for such period of time as may be determined by the Commission in any case or class of case.

Closed competition.

(3) When establishing an eligible list in the case of a closed competition, the Commission shall place the qualified candidates thereon in order of merit.

Open competition.

(4) When establishing an eligible list in the case of an open competition, the Commission shall, after complying with section 16 and after conducting such further investigations as it considers necessary, proceed in accordance with the following principles:

(*a*) persons who come within paragraph (*a*) of subsection (3) of section 16 and who are qualified shall be placed, in order of merit, ahead of other successful candidates;

(*b*) persons who come within paragraph (*b*) of subsection (3) of section 16 and who are qualified shall be placed, in order of merit, on the list immediately following any candidates mentioned in paragraph (*a*) of this subsection;

(*c*) persons who come within paragraph (*c*) of subsection (3) of section 16 and who are qualified shall be placed, in order of merit, after any candidates mentioned in either paragraph (*a*) or (*b*) of this subsection; and

(*d*) persons who do not come within paragraph (*a*), (*b*) or (*c*) of subsection (3) of section 16 and who are qualified shall be placed, in order of merit, after any candidates who come within those paragraphs.

Application of age limits, etc. to veterans, etc.

(5) Nothing prescribed by or under this or any other Act as to the age limit and physical requirements with respect to any appointment to the Public Service applies to a person who comes within paragraph (*a*) or (*b*) of subsection (3) of section 16, if the Commission certifies that he is of such an age and in such a satisfactory physical condition that he is then able to perform the duties of the position and will probably be able to continue to do so for a reasonable period after his appointment.

Appointment from eligible list.

18. Where an appointment under this Act is to be made to a position by competition, the appointment shall be made from an eligible list established for that position or for positions of a similar occupational nature and level, but where such list is exhausted, the appointment may be made from an eligible list established for positions of a similar occupational nature at a higher level.

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Appointment to local office.

19. Where an appointment is to be made to a local office, the Commission in making the appointment from outside the Public Service shall, whenever it is in the best interests of the Public Service to do so, give preference in appointment to qualified candidates who reside in the area served by the local office over qualified candidates who do not so reside.

Language.

20. Employees appointed to serve in any department or other portion of the Public Service, or part thereof, shall be qualified in the knowledge and use of the English or French language or both, to the extent that the Commission deems necessary in order that the functions of such department, portion or part can be performed adequately and effective service can be provided to the public.

Appeals.

21. Where a person is appointed or is about to be appointed under this Act and the selection of the person for appointment was made from within the Public Service

(*a*) by closed competition, every unsuccessful candidate, or

(*b*) without competition, every person whose opportunity for advancement, in the opinion of the Commission, has been prejudicially affected,

may, within such period as the Commission prescribes, appeal to the Commission, and the Commission, after conducting an inquiry at which the person appealing and the deputy head concerned are given an opportunity of being heard and after conducting such further investigations as it considers necessary, shall,

(*c*) if the appointment has been made, confirm or revoke the appointment as it sees fit; or

(*d*) if the appointment has not been made, make or not make the appointment as it sees fit.

PART III.

EMPLOYMENT.

Tenure.

Effective date of appointment.

22. Notwithstanding any other Act, an appointment under this Act takes effect on the date specified in the instrument of appointment.

Oath of office and allegiance.

23. Every deputy head and employee shall, upon appointment from outside the Public Service, take and subscribe the oath or affirmation of allegiance and the oath or affirmation set out in Schedule C.

Tenure of office.

24. The tenure of office of an employee is during the pleasure of Her Majesty, subject to the provisions of this and any other Act and the regulations thereunder and, unless some other period of employment is specified, for an indeterminate period.

Term appointments.

25. An employee who is appointed for a specified period ceases to be an employee at the expiration of that period.

Resignation.

26. An employee may resign from the Public Service by giving to the deputy head notice in writing of his intention to resign and the employee ceases to be an employee on the day as of which the deputy head accepts his resignation.

Abandonment.

27. An employee who is absent from duty for a period of one week or more, otherwise than as authorized or provided for by or under the authority of any Act of Parliament, may by an appropriate instrument in writing to the Commission be declared by the deputy head to have abandoned the position he occupied, and thereupon the employee ceases to be an employee.

Probation.

Probationary period.

28. (1) An employee shall be considered to be on probation from the date of his appointment until the end of such period as the Commission may establish for any employee or class of employees.

Idem.

(2) Where an appointment is made from within the Public Service, the deputy head may, if he considers it appropriate in any case, reduce or waive the probationary period.

Rejection.

(3) The deputy head may, at any time during the probationary period, give notice to the employee and to the Commission that he intends to reject the employee for cause at the end of such notice period as the Commission may establish for any employee or class of employees and, unless the Commission appoints the employee to another position in the Public Service before the end of the notice period applicable in the case of the employee, he ceases to be an employee at the end of that period.

Idem.

(4) Notwithstanding anything in this Act, a person who ceases to be an employee pursuant to subsection (3) may be placed by the Commission on such eligible list and in such place thereon as, in the opinion of the Commission, is commensurate with his qualifications.

Lay-Offs.

Laying off employees.

29. (1) Where the services of an employee are no longer required because of lack of work or because of the discontinuance of a function, the deputy head, in accordance with regulations of the Commission, may lay off the employee.

Effect of being laid off.

(2) An employee ceases to be an employee when he is laid off pursuant to subsection (1).

Reappointment.

(3) Notwithstanding anything in this Act, the Commission shall, within such period and in such order as it may determine, consider a lay-off for appointment, without competition and, subject to sections 30 and 37, in priority to all other persons, to any position in the Public Service for which in the opinion of the Commission he is qualified.

Competitions.

(4) Notwithstanding subsection (2), a lay-off is entitled, during such period as the Commission may determine for any case or class of case, to enter any competition for which he would have been eligible had he not been laid off.

Leave of Absence.

Appointment to another position.

30. (1) Where an employee is on leave of absence and another person has been appointed for an indeterminate period to the position that was occupied by him, the employee is entitled, during his leave of absence and for a period of one year thereafter, to be appointed, without competition and in priority to all other persons, to another position in the Public Service for which in the opinion of the Commission he is qualified.

Idem.

(2) Where, during the time that an employee was on leave of absence, another person was appointed for an indeterminate period to the position previously occupied by the employee, if the employee returns to the position previously occupied by him the other person is entitled, for a period of one year after the employee returns to that position, to be appointed, without competition and in priority to all other persons, to a position in the Public Service for which in the opinion of the Commission he is qualified.

Order of priorities.

(3) The Commission shall determine the order in which those persons to whom subsections (1) and (2) apply are to be appointed to positions in the Public Service.

Incompetence and Incapacity.

Recommendation to Commission.

31. (1) Where an employee, in the opinion of the deputy head, is incompetent in performing the duties of the position he occupies or is incapable of performing those duties and should

(*a*) be appointed to a position at a lower maximum rate of pay, or

(*b*) be released,

the deputy head may recommend to the Commission that the employee be so appointed or released, as the case may be.

Notice.

(2) The deputy head shall give notice in writing to an employee of a recommendation that the employee be appointed to a position at a lower maximum rate of pay or be released.

Right to appeal.

(3) Within such period after receiving the notice in writing mentioned in subsection (2) as the Commission prescribes, the employee may appeal to the Commission against the recommendation of the deputy head, and the Commission, after conducting an inquiry at which the employee who is appealing and the deputy head are given an opportunity of being heard and after conducting such further investigations as it considers necessary, shall take such action with regard to the recommendation as it sees fit.

If no appeal.

(4) If no appeal is taken to the Commission against a recommendation of the deputy head, the Commission may take such action with regard to the recommendation as it sees fit.

Release.

(5) The Commission may release an employee pursuant to a recommendation under this section and the employee thereupon ceases to be an employee.

Political Partisanship.

Partisan work prohibited.

32. (1) No deputy head or employee shall

(*a*) engage in work for, on behalf of or against a candidate for election as a member of the House of Commons, a member of the legislature of a province or a member of the Council of the Yukon Territory or the Northwest Territories; or

(*b*) contribute, receive or in any way deal with any money for the funds of any such candidate or of any political party.

Violation.

(2) Every person who violates subsection (1) is liable to be dismissed by the Governor in Council.

Inquiry before dismissal.

(3) No person shall be dismissed for a violation of subsection (1) unless the alleged violation has been the subject of an inquiry instituted and conducted in accordance with regulations of the Governor in Council at which that person has been given an opportunity of being heard.

PART IV.

GENERAL.

Regulations.

Regulations by Commission.

33. Subject to this Act, the Commission may make such regulations as it considers necessary to carry out and give effect to the provisions of this Act.

Regulations by Governor in Council.

34. (1) The Governor in Council may make regulations

(*a*) applying all or any of the provisions of this Act to all or any of the positions of persons mentioned in subsection (1) of section 37;

(*b*) notwithstanding any other Act, applying all or any of the provisions of this Act that do not otherwise apply, including the provisions relating to appointments, to any portion or part of any portion of the Public Service; and

(*c*) prescribing the manner in which inquiries shall be instituted and conducted for the purposes of section 32.

Idem.

(2) Where a regulation made pursuant to paragraph (*b*) of subsection (1) provides for a matter for which provision is made in or under any other Act, the other Act, during the time that the regulation is in force, shall be deemed to make no provision for that matter either therein or thereunder.

Regulations by Governor in Council.

35. (1) The Governor in Council, on the recommendation of the Commission, may make regulations prescribing how positions or persons, wholly or partly excluded under section 39, shall be dealt with.

Designation of portions, etc. for limited purposes.

(2) The Governor in Council, on the recommendation of the Commission, may from time to time designate any portion of the public service of Canada as a part of the Public Service the employees in or under which who are not otherwise employed in the Public Service shall be deemed, for the purposes mentioned in subsection (2) of section 2, to be persons employed in the Public Service; and the Governor in Council, on the recommendation of the Commission, may from time to time revoke any such designation.

Rate of Pay on Appointment.

Rate of pay on appointment.

36. Subject to any direction of a special or general character that may be made pursuant to the *Financial Administration Act*, the Commission may make an appointment to a position at any rate in the scale of rates of pay that may be established for that position or for positions of the same occupational nature and level as that position.

Ministers' Staffs.

Ministerial staffs.

37. (1) A Minister may appoint his Executive Assistant and other persons required in his office.

Effect when Minister ceases to hold office.

(2) A person who is employed in the office of a Minister ceases to be so employed thirty days after the person holding the position of such Minister ceases to hold that position.

Rights on termination of employment.

(3) A person who

(*a*) was an employee immediately before he became employed in the office of a Minister, or

(*b*) during the time that he was employed in the office of a Minister, qualified for appointment under this Act to the Public Service

is entitled, for a period of one year from the day on which he ceases to be so employed, to be appointed without competition and, subject to section 30, in priority to all other persons, to a position in the Public Service for which in the opinion of the Commission he is qualified.

Idem.

(4) A person who for at least three years has been employed as Executive Assistant, Special Assistant or Private Secretary to a Minister, or in any of those capacities successively, is entitled, for a period of one year from the day on which he ceases to be so employed, to be appointed without competition and, subject to section 30 and subsection (3) of this section, in priority to all other persons to a position in the Public Service, at a level at least equivalent to the level of private secretary to a deputy head, for which in the opinion of the Commission he is qualified.

Order of appointments.

(5) The Commission shall determine the order in which those persons to whom subsection (3) or (4) applies are to be appointed to positions in the Public Service.

Leader of the Opposition.

(6) This section applies to a person employed in the office of the person holding the recognized position of Leader of the Opposition in the House of Commons as it applies to a person employed in the office of a Minister.

Other Public Officials.

Appointments by Governor in Council.

38. The Governor in Council may appoint and fix the remuneration of

(*a*) the Clerk of the Privy Council;
(*b*) the Clerk of the Senate;
(*c*) the Clerk of the House of Commons; and
(*d*) the Secretary to the Governor General.

Exclusions.

Exclusion of persons and positions.

39. In any case where the Commission decides that it is not practicable nor in the best interests of the Public Service to apply this Act or any provision thereof to any position or person or class of positions or persons, the Commission may, with the approval of the Governor in Council, exclude such position or person or class of positions or persons in whole or in part from the operation of this Act; and the Commission may, with the approval of the Governor in Council, re-apply any of the provisions of this Act to any position or person so excluded.

Irregularities and Fraudulent Practices.

Fraudulent practices at examination.

40. Where the Commission is satisfied that any irregularity or fraudulent practice has obtained at an examination held by it or by any person deputed by it, the Commission may summon before it by a summons, in the form of Schedule D, signed by the Chairman or by any one of the commissioners, and may examine under oath or affirmation any person who, in its opinion, is in a position to give evidence in relation to such irregularity or fraudulent practice.

Deletion from eligible list or revocation of appointment.

41. Where a person,

(*a*) whose name is on an eligible list, or
(*b*) who has been appointed under this Act to the Public Service,

is proved upon an inquiry to have been concerned in any fraudulent practice, or to have been guilty of any breach of the regulations with respect to any examination held under the authority of this Act, the Commission may remove his name from the list or, if he has been appointed, the Commission may revoke his appointment retroactively to the date thereof.

Personation.

42. Every person who, at any examination held under this Act, personates any candidate or employs, induces or allows any person to personate him or connives or assists at any personation is guilty of an offence punishable on summary conviction.

Illegally obtaining examination papers.

43. Every person who surreptitiously procures from any printer or other person, and every person who, without authority, furnishes to any other person any examination paper or any other paper relating to an examination held under this Act is guilty of an offence punishable on summary conviction.

Oaths.

Authority to administer oaths, etc.

44. The Governor in Council may authorize any person to administer oaths and take and receive affidavits, declarations and affirmations for any of the purposes of this Act or the regulations.

Report to Parliament.

Annual report on operations under Act.

45. The Commission shall, within five months after the thirty-first day of December in each year, transmit to the Minister designated by the Governor in Council for the purposes of this section a report and statement of the transactions and affairs of the Commission during that year and of the positions and persons, if any, excluded under section 39 in whole or in part from the operation of this Act and the reasons therefor, and that Minister shall cause the report and statement to be laid before Parliament within fifteen days after the receipt thereof or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

Application of Act.

Application.

46. (1) This Act applies to all employees whether appointed before or after the coming into force of this Act or any provision thereof.

Reference to periods of employment.

(2) A reference in any of the provisions of this Act to a period of employment shall be construed as including employment before as well as after the coming into force of this Act or any provision thereof.

Transitional.

Persons continued in office.

47. (1) Every person who was employed in the Public Service at the time this Act or any provision thereof comes into force continues to be so employed subject to the provisions of this Act.

Commissioners continued.

(2) The persons who, upon the coming into force of section 3 of this Act, held office under the *Civil Service Act* as Chairman or commissioner of the Civil Service Commission shall be deemed to have been appointed Chairman or commissioner respectively under this Act for the unexpired portions of the respective terms for which they were appointed under the *Civil Service Act*.

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References to *Civil Service Act*.

(3) Where in any enactment, other than this Act, there is a reference to the *Civil Service Act* in relation to any matter that may be performed, prescribed, established, determined, regulated or otherwise dealt with under this Act, the reference shall be construed as a reference to this Act.

Substitutions.

(4) Where in any enactment, other than this Act, or in any contract or other document, the Civil Service Commission is mentioned or referred to, there shall, in each and every case, be substituted the Public Service Commission.

One and same Commission.

(5) The Commission referred to in section 3 and the Commission referred to in the *Civil Service Act* are hereby declared, for all purposes, to be one and the same Commission.

Definition.

(6) In this section, "enactment" includes a regulation, order or other instrument made under the authority of an Act.

Repeal and Coming into Force.

Repeal and commencement.

48. This Act, or any provision thereof, shall come into force and the *Civil Service Act*, chapter 57 of the Statutes of Canada, 1960–61, or any provision thereof, shall be repealed on a day or days to be fixed by proclamation of the Governor in Council.

SCHEDULE A

Oath or Affirmation of Office of Commissioner.

I, ...do solemnly and sincerely swear (or affirm) that I will truly and faithfully, and to the best of my skill and knowledge, execute and perform the office of (Commissioner or Chairman, as the case may be) of the Public Service Commission. (In the case where an oath is taken add, "So help me God").

SCHEDULE B.

Definitions (Section 16).

1. For the purposes of section 16 and this Schedule,

(*a*) "member of the Women's Royal Naval Services" means a person who

(i) enrolled in the Women's Royal Naval Service,

(ii) enrolled in Queen Alexandra's Royal Naval Nursing Service or the reserve therefor, or

(iii) enrolled as a medical or dental practitioner employed with the Medical Branch or Dental Branch of the Royal Navy with naval status for general service;

(*b*) "person in receipt of a pension by reason of war service" means a person who is in receipt of a pension

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

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

who has from causes attributable to such service lost capacity for physical exertion to an extent that makes him unfit to pursue efficiently the vocation that he was pursuing before the war, and who has not been successfully re-established in some other vocation;

(*c*) "veteran" means a person who

(i) during World War I was on active service overseas in the naval, army or air forces or who served on the high seas in a seagoing ship of war in the naval forces of His Majesty or of any of the Allies of His Majesty, and who has left such service with an honourable record or has been honourably discharged,

(ii) during World War II was on active service

(A) in the naval, army or air forces of His Majesty or any of His Majesty's Allies and at the commencement of his active service was domiciled in Canada or Newfoundland, or

(B) in the naval, army or air forces of Canada, and, not being domiciled in Canada at the commencement of his active service, is a Canadian citizen,

and who, in the course of such service, performed duties outside of the Western Hemisphere, or on the high seas in a ship or other vessel service that was, at the time he performed those duties, classed as "sea time" for the purpose of the advancement of naval ratings, or that would have been so classed had the ship or other vessel been in the service of the naval forces of Canada,

(iii) during World War II served as a member of the Women's Royal Naval Services or as a member of the South African Military Nursing Service outside of the Western Hemisphere and who, at the commencement of her service during World War II, was domiciled in Canada or Newfoundland,

(iv) has been certified by the Under Secretary of State for External Affairs as having been enrolled in Canada or Newfoundland by United Kingdom authorities for special duty during World War II in war areas outside of the Western Hemisphere, and who served outside of the Western Hemisphere, and at the time of his enrolment was domiciled in Canada or Newfoundland, or

(v) during World War II served outside of the Western Hemisphere with the naval, army or air forces of His Majesty raised in Canada or Newfoundland as a representative of Canadian Legion War Services Inc., the National Council of the Young Men's Christian Associations of Canada, Knights of Columbus Canadian Army Huts, or Salvation Army Canadian War Services, and who was authorized so to serve by the appropriate naval, army or air force authority and who, at the commencement of his service with those forces during World War II, was domiciled in Canada or Newfoundland,

but, notwithstanding anything in this paragraph, does not include a person who

(vi) served outside of the Western Hemisphere or on the high seas only in that he was a passenger in an aircraft, ship or other vessel, or only in that he underwent a limited period of training in an aircraft, ship or other vessel incidental to a program of instruction, or

(vii) by reason of his misconduct, since the 10th day of September, 1939, ceased to serve in the naval, army or air forces of His Majesty or of any of His Majesty's Allies, or to be a member of the Women's Royal Naval Services or the South African Military Nursing Service, or to be enrolled for the special duty mentioned in this paragraph or to serve with the forces as a representative of Canadian Legion War Services Inc., the National Council of the Young Men's Christian Associations of Canada, Knights of Columbus Canadian Army Huts, or Salvation Army Canadian War Services;

(*d*) "Western Hemisphere" means the continents of North and South America, the islands adjacent thereto and the territorial waters thereof, including Newfoundland, Bermuda and the West Indies, but excluding Greenland, Iceland and the Aleutian Islands;

(*e*) "widow of a veteran" means the widow of a person who, being a veteran, died from causes arising during the service by virtue of which he became a veteran;

(*f*) "World War I" means the war declared by His Majesty on the 4th day of August, 1914, against the Empire of Germany and subsequently, against other powers;

(*g*) "World War II" means the war declared by His Majesty on the 10th day of September, 1939, against the German Reich and subsequently against Italy, Finland, Hungary, Rumania and Japan.

2. For the purpose of determining whether a person is a veteran, World War II shall be deemed to have terminated

(*a*) in respect of service in connection with operations in the European and Mediterranean Theatres of War, on the 8th day of May, 1945; and

(*b*) in respect of service in connection with operations in the Pacific Theatre of War, on the 15th day of August, 1945.

3. A reference in the *Veterans Benefit Act, 1954*, or in any other Act or regulation, to section 28 or 29 of the *Civil Service Act*, chapter 48 of the Revised Statutes of Canada, 1952, or any of the provisions thereof, shall be construed as a reference to the corresponding provisions of this Act.

SCHEDULE C.

Oath or Affirmation of Office and Secrecy.

I, (A.B.) solemnly and sincerely swear (or affirm) that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the Public Service and that I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of such employment. (In the case where an oath is taken add, "So help me God").

SCHEDULE D.

Summons to an Inquiry.

To

You are hereby required to appear before the Public Service Commission at..... on the..... day of..... at..... o'clock in the ..... noon to testify the truth according to your knowledge in a certain inquiry pending before the Public Service Commission respecting

(The following words may be added if the production of any paper or document is required.)

and that you bring with you and then and there produce the following documents:—

Dated at ..... this ..... day of ..... A.D. .....

Public Service Commissioner.

C-182.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-182.

An Act to amend the Financial Administration Act.

First reading, May 12, 1966.

THE PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-182.

An Act to amend the Financial Administration Act.

R.S., c. 116; 1955, c. 3; 1958, c. 31; 1960, c. 41; 1960-61, c. 48; 1963, cc. 3, 41.

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

1. Subsections (1) and (2) of section 5 of the *Financial Administration Act* are repealed and the following substituted therefor:

Responsibilities of Treasury Board.

"**5.** (1) The Treasury Board may act for the Queen's Privy Council for Canada on all matters relating to

(*a*) general administrative policy in the public service;

(*b*) the organization of the public service or any portion thereof, and the determination and control of establishments therein;

(*c*) financial management, including estimates, expenditures, financial commitments, accounts, charges for services, rentals, licences, leases, revenues from the disposition of property, and procedures by which departments manage, record and account for revenues received or receivable from any source whatever;

(*d*) the review of annual and longer term expenditure plans and programs of the various departments of Government, and the determination of priorities with respect thereto;

(*e*) personnel management in the public service, including the determination of terms and conditions of employment of persons employed therein; and

Explanatory Notes.

The main purpose of this Bill is to provide for the amendment of certain of the present provisions of the *Financial Administration Act* relating to the functions of the Treasury Board, in order to define more clearly and in greater detail the expanded role that is envisaged for the Board in relation to the effective control and management of the public service, taking into account the institution of collective bargaining within the public service. The Bill would also make certain consequential changes to the *Financial Administration Act* arising out of the creation of the office of President of the Treasury Board that are necessary in order to delineate the respective functions of the President of the Board and the Minister of Finance.

Clause 1: Subsections (1) and (2) at present read as follows:

"**5.** (1) The Treasury Board *shall* act as a committee *of* the Queen's Privy Council for Canada on all matters relating to *finance*, revenues, estimates, expenditures and financial commitments, accounts, establishments, the terms and conditions of employment of persons in the public service, and general administrative policy in the public service referred to *the Board* by the Governor in Council *or on which the Board considers it desirable to report to the Governor in Council, or on which the Board considers it necessary to act under powers conferred by this or any other Act.*

(2) The Governor in Council may authorize the Treasury Board to exercise all or any of the powers, other than powers of appointment, of the Governor in Council under the *Civil Service Act*, the *Civil Service Superannuation Act*, the *Defence Services Pension Act*, and Parts II to *VI* of the *Royal Canadian Mounted Police Act*."

(*f*) such other matters as may be referred to it by the Governor in Council.

Authority under other Acts.

(2) The Treasury Board is authorized to exercise the powers, other than powers of appointment, of the Governor in Council under

(*a*) the *Public Service Superannuation Act;*
(*b*) the *Canadian Forces Superannuation Act;*
(*c*) the *Defence Services Pension Continuation Act;*
(*d*) Parts I and II of the *Royal Canadian Mounted Police Superannuation Act;*
(*e*) Parts II, III and IV of the *Royal Canadian Mounted Police Pension Continuation Act;* and
(*f*) such of the provisions of any other Act respecting any matter in relation to which the Treasury Board may act for the Queen's Privy Council for Canada pursuant to subsection (1) as may be specified by the Governor in Council."

2. Section 6 of the said Act is renumbered as subsection (5) of section 5, and the said Act is further amended by adding thereto the following section immediately after section 5:

Regulations.

"**6.** Subject to any other Act, the Treasury Board may make regulations

(*a*) for the purpose of ensuring effective coordination of administrative functions and services among and within departments;
(*b*) for the establishment of general administrative standards of performance and respecting the assessment of the performance of portions of the public service in the light of such standards;
(*c*) respecting the collection, management and administration of, and the accounting for, public money;
(*d*) respecting the keeping of records of property of Her Majesty; and
(*e*) for any other purpose necessary for the efficient administration of the public service."

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

Powers and functions of Treasury Board in relation to personnel management.

"**7.** (1) Subject to the provisions of any enactment respecting the powers and functions of a separate employer but notwithstanding any other provision contained in any enactment, the Treasury Board may, in the exercise of its responsibilities in relation to personnel management in the public service and without limiting the generality of sections 5 and 6,

Clause 3: Section 7 at present reads as follows:

"**7.** The Treasury Board may make regulations

(*a*) respecting the collection, management and administration of, and the accounting for, public money;

(*b*) respecting the keeping of records of property of Her Majesty;

(*c*) *subject to any other Act*, prescribing rates of compensation, hours of work and other conditions of employment of persons in the public service;

(*d*) notwithstanding the *Civil Service Act*,

(i) authorizing the payment to persons in the public service of compensation or other rewards for inventions or practical suggestions for improvements, and

(ii) governing payments to persons in the public service by way of reimbursement for travelling or other expenses and allowances to meet special expenses arising out of their duties; and

(*e*) *subject to any other Act*, for any other purpose necessary for the efficient administration of the public service."

(*a*) determine the manpower requirements of the public service and provide for the allocation and effective utilization of manpower resources within the public service;

(*b*) determine requirements for the training and development of personnel in the public service and fix the terms on which such training and development may be carried out;

(*c*) provide for the classification of positions and employees in the public service;

(*d*) determine and regulate the pay to which persons employed in the public service are entitled for services rendered, the hours of work and leave of such persons and any matters related thereto;

(*e*) provide for the awards that may be made to persons employed in the public service for outstanding performance of their duties, for other meritorious achievement in relation to those duties and for inventions or practical suggestions for improvements;

(*f*) establish standards of discipline in the public service and prescribe the financial and other penalties, including suspension and discharge, that may be applied for breaches of discipline or misconduct, and the circumstances and manner in which and the authority by which or whom those penalties may be applied or may be varied or rescinded in whole or in part;

(*g*) establish and provide for the application of standards governing physical working conditions of, and for the health and safety of, persons employed in the public service;

(*h*) determine and regulate the payments that may be made to persons employed in the public service by way of reimbursement for travelling or other expenses and by way of allowances in respect of expenses and conditions arising out of their employment; and

(*i*) provide for such other matters, including terms and conditions of employment not otherwise specifically provided for in this subsection, as the Treasury Board considers necessary for effective personnel management in the public service.

Authorization of deputy head, etc. to exercise powers and functions of Board.

(2) The Treasury Board may authorize the deputy head of a department or the chief executive officer of any portion of the public service to exercise and perform, in such manner and subject to such terms and conditions as the Treasury Board directs, any of the powers and functions of the Treasury Board

in relation to personnel management in the public service and may, from time to time as it sees fit, revise or rescind and reinstate the authority so granted.

Authorization to exercise powers and functions of Board re separate employers.

(3) The Governor in Council may, in respect of any portion of the public service that is a separate employer, authorize the responsible Minister of the Crown, his deputy or the chief executive officer thereof to exercise and perform, in such manner and subject to such terms and conditions as the Governor in Council directs, any of the powers and functions of the Governor in Council or the Treasury Board in relation to personnel management in that portion of the public service and may, from time to time as he sees fit, revise or rescind and reinstate the authority so granted.

Delegation of authorization.

(4) Any person authorized pursuant to subsection (2) or (3) to exercise and perform any of the powers and functions of the Governor in Council or the Treasury Board may, subject to and in accordance with the authorization given to him, authorize one or more persons under his jurisdiction to exercise or perform any such power or function.

References to *Civil Service Act* and other Acts.

(5) Where in any enactment there is a reference to the *Civil Service Act* or to any other Act in relation to any matter that may be determined, fixed, provided for, regulated or established under subsection (1), the reference shall, except as regards any transaction, matter or thing anterior to the time of the coming into force of this section, be construed as a reference to this Act.

Limitation in powers and functions of Board in relation to matters expressly determined.

(6) The powers and functions of the Treasury Board in relation to any of the matters specified in subsection (1) do not extend to any such matter that is expressly determined, fixed, provided for, regulated or established by any Act otherwise than by the conferring of powers or functions in relation thereto on any authority or person specified in such Act, and do not include or extend to any power or function specifically conferred on, or any process of personnel selection required or authorized to be employed by, the Public Service Commission by or under the authority of the *Public Service Employment Act*.

Right or power of Governor in Council not affected.

(7) Nothing in this or any other Act shall be construed to limit or affect the right or power of the Governor in Council, in the interest of the safety or security of Canada or any state allied or associated with Canada, to suspend or dismiss any person employed in the public service.

Order to be conclusive proof.

(8) For the purposes of subsection (7), any order made by the Governor in Council is conclusive proof of the matters stated therein in relation to the

suspension or dismissal of any person in the interest of the safety or security of Canada or any state allied or associated with Canada.

Definition of certain expressions.

(9) In this section,

(*a*) "enactment" includes a regulation, order or other instrument made under the authority of an Act;

(*b*) "public service" has the meaning given the expression "Public Service" in the *Public Service Staff Relations Act*, and includes any portion of the public service of Canada designated by the Governor in Council as part of the public service for the purposes of this section; and

(*c*) "separate employer" means a separate employer within the meaning of the *Public Service Staff Relations Act*."

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

Management.

"**9.** The Minister has the management and direction of the Department of Finance, the management of the Consolidated Revenue Fund and the supervision, control and direction of all matters relating to the financial affairs of Canada not by law assigned to the Treasury Board or to any other Minister."

5. Section 15 of the said Act is repealed and the following substituted therefor:

Accounting services.

"**15.** On the request of the appropriate Minister and with the approval of the Treasury Board, the Comptroller may

(*a*) provide accounting and other services in connection with financial management for a department, and

(*b*) examine the collecting and accounting practices applied in a department, and report thereon to the appropriate Minister."

1958, c. 31, s. 2(1).

6. (1) Subsection (1) of section 28 of the said Act is repealed and the following substituted therefor:

Payments urgently required.

"**28.** (1) Where a payment is urgently required for the public good when Parliament is not in session and there is no other appropriation pursuant to which the payment may be made, the Governor in Council, upon the report of the President of the Treasury Board

Clause 4: Section 9 at present reads as follows:

"**9.** The Minister has the management and direction of the Department of Finance, the management of the Consolidated Revenue Fund and the supervision, control and direction of all matters relating to the financial affairs of Canada not by law assigned to any other Minister."

Clause 5: Section 15 at present reads as follows:

"**15.** On the request of the appropriate Minister and with the approval of the *Minister of Finance*, the Comptroller may

(*a*) provide accounting and other services in connection with the *collection and accounting of public money* for a department, and

(*b*) examine the collecting and accounting practices applied in a department, and report thereon to the appropriate Minister."

Clause 6: (1) Subsection (1) at present reads as follows:

"**28.** (1) Where a payment is urgently required for the public good when Parliament is not in session and there is no other appropriation pursuant to which the payment may be made, the Governor in Council, upon the report of the *Minister* that there is no appropriation for the payment and the report of the appropriate Minister that the payment is urgently required for the public good, may by order direct the preparation of a special warrant to be signed by the Governor General authorizing the payment to be made out of the Consolidated Revenue Fund."

that there is no appropriation for the payment and the report of the appropriate Minister that the payment is urgently required for the public good, may by order direct the preparation of a special warrant to be signed by the Governor General authorizing the payment to be made out of the Consolidated Revenue Fund."

(2) Subsection (3) of section 28 of the said Act is repealed and the following substituted therefor:

Publication and report to House of Commons.

"(3) Every warrant issued under this section shall be published in the *Canada Gazette* within thirty days after it is issued, and a statement showing all warrants issued under this section and the amounts thereof shall be laid by the President of the Treasury Board before the House of Commons within fifteen days after the commencement of the next ensuing session of Parliament."

7. Subsection (6) of section 31 of the said Act is repealed and the following substituted therefor:

Expenses of Parliament.

"(6) Whenever the Comptroller is of the opinion that a doubt exists as to the legality or otherwise of a proposed charge to an appropriation provided for the expenses of the Senate, the House of Commons or the Library of Parliament, he shall forthwith, through the President of the Treasury Board, draw the matter to the attention of the appropriate Minister who shall obtain a decision in accordance with such procedure as may from time to time be prescribed by the Senate or the House of Commons as the case may be or, in the case of the Library of Parliament, by the Senate and the House of Commons, and the Comptroller shall act in accordance with the decision."

8. Subsection (3) of section 46 of the said Act is repealed.

9. Section 61 of the said Act is repealed and the following substituted therefor:

Records.

"**61.** The Comptroller may examine records, accounts and procedures respecting stores and materials and report thereon to the President of the Treasury Board or the appropriate Minister."

(2) Subsection (3) at present reads as follows:

"(3) Every warrant issued under this section shall be published in the *Canada Gazette* within thirty days after it is issued, and a statement showing all warrants issued under this section and the amounts thereof shall be laid by the *Minister* before the House of Commons within fifteen days after the commencement of the next ensuing session of Parliament."

Clause 7: Subsection (6) at present reads as follows:

"(6) Whenever the Comptroller is of the opinion that a doubt exists as to the legality or otherwise of a proposed charge to an appropriation provided for the expenses of the Senate, the House of Commons or the Library of Parliament, he shall forthwith, through the *Minister*, draw the matter to the attention of the appropriate Minister who shall obtain a decision in accordance with such procedure as may from time to time be prescribed by the Senate or the House of Commons as the case may be or, in the case of the Library of Parliament, by the Senate and the House of Commons, and the Comptroller shall act in accordance with the decision."

Clause 8: Subsection (3) reads as follows:

"(3) Where both the signature and countersignature on a security issued under this section are to be printed, they shall be printed, together with a distinguishing mark, from engraving, on the securities after they have been delivered to the Minister, a registrar or a fiscal agent and while the securities are in the custody and control of the Minister, registrar or fiscal agent."

Clause 9: Section 61 at present reads as follows:

"**61.** The Comptroller may examine records, accounts and procedures respecting stores and materials and report thereon to the *Minister* or the appropriate Minister."

10. (1) All that portion of subsection (1) of section 63 of the said Act preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Accounts of Canada.

"**63.** (1) Subject to regulations of the Treasury Board, the Minister shall cause accounts to be kept in such a manner as to show,"

(2) All that portion of subsection (2) of section 63 of the said Act preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Assets and Liabilities.

"(2) The Minister"

11. Section 71 of the said Act is repealed and the following substituted therefor:

Inquiry and report.

"**71.** The Auditor General shall, whenever the Governor in Council or the Treasury Board directs, inquire into and report on any matter relating to the financial affairs of Canada or to public property and on any person or organization that has received financial aid from the Government of Canada or in respect of which financial aid from the Government of Canada is sought."

12. Section 72 of the said Act is repealed.

13. Section 73 of the said Act is repealed and the following substituted therefor:

Improper retention of public money.

"**73.** Whenever it appears to the Auditor General that any public money has been improperly retained by any person, he shall forthwith report the circumstances of such cases to the President of the Treasury Board."

14. Section 80 of the said Act is repealed and the following substituted therefor:

Budgets.

"**80.** (1) Each agency corporation shall annually submit to the appropriate Minister an operating budget for the next following financial year of the corporation for the approval of the appropriate Minister and the President of the Treasury Board.

Clause 10: (1) Subsection (1) at present reads as follows:

"**63.** (1) The Minister shall cause accounts to be kept in such a manner as to show,

(*a*) the expenditures made under and commitments chargeable against each appropriation,

(*b*) the revenues of Canada, and

(*c*) the other payments into and out of the Consolidated Revenue Fund."

(2) Subsection (2) at present reads as follows:

"(2) *Subject to regulations of the Treasury Board*, the Minister

(*a*) shall cause accounts to be kept to show such of the assets and direct and contingent liabilities of Canada, and

(*b*) may establish such reserves with respect to the assets and liabilities,

as in his opinion are required to give a true and fair view of the financial position of Canada."

Clause 11: Section 71 at present reads as follows:

"**71.** The Auditor General shall, whenever the Governor in Council, the Treasury Board or *the Minister* directs, inquire into and report on any matter relating to the financial affairs of Canada or to public property and on any person or organization that has received financial aid from the Government of Canada or in respect of which financial aid from the Government of Canada is sought."

Clause 12: Section 72 at present reads as follows:

"**72.** Any report of the Auditor General to the Governor in Council or the Treasury Board shall be made through the Minister."

Clause 13: Section 73 at present reads as follows:

"**73.** Whenever it appears to the Auditor General that any public money has been improperly retained by any person, he shall forthwith report the circumstances of such cases to the *Minister*."

Clause 14: Section 80 at present reads as follows:

"**80.** (1) Each agency corporation shall annually submit to the appropriate Minister an operating budget for the next following financial year of the corporation for the approval of the appropriate Minister and the *Minister of Finance*.

(2) For each corporation the appropriate Minister shall annually lay before Parliament the capital budget for its financial year approved by the Governor in Council on the recommendation of the appropriate Minister and the Minister of Finance.

(3) The Treasury Board, on the joint recommendation of the *Minister of Finance* and the appropriate Minister, may by regulation prescribe the form in which budgets required by this section shall be prepared."

Idem.

(2) For each corporation the appropriate Minister shall annually lay before Parliament the capital budget for its financial year approved by the Governor in Council on the recommendation of the appropriate Minister, the President of the Treasury Board and the Minister of Finance.

Form.

(3) The Treasury Board, on the joint recommendation of the President of the Treasury Board and the appropriate Minister, may by regulation prescribe the form in which budgets required by this section shall be prepared."

15. Section 84 of the said Act is repealed and the following substituted therefor:

Reserves.

"**84.** Subject to any order or direction of the Treasury Board, a corporation may make provision for reserves for depreciation of assets, for uncollectable accounts and for other purposes."

16. Subsection (2) of section 85 of the said Act is repealed and the following substituted therefor:

Statement of accounts.

"(2) Subject to such directions as to form as the Treasury Board may give, a corporation shall prepare in respect of each financial year statements of accounts which shall include

(*a*) a balance sheet, a statement of income and expense and a statement of surplus, containing such information as, in the case of a company incorporated under the *Canada Corporations Act*, is required to be laid before the company by the directors at an annual meeting, and

(*b*) such other information in respect of the financial affairs of the corporation as the appropriate Minister, the Treasury Board or the Minister of Finance may require."

17. The said Act is further amended by adding thereto, immediately after section 97 thereof, the following section:

Clause 15: Section 84 at present reads as follows:

"**84.** Subject to any order of the *Governor in Council made on the joint recommendation of the Minister of Finance and the appropriate Minister*, a corporation may make provision for reserves for depreciation of assets, for uncollectable accounts and for other purposes."

Clause 16: Subsection (2) at present reads as follows:

"(2) Subject to such directions as to form as the *Minister of Finance and the appropriate Minister* may *jointly* give, a corporation shall prepare in respect of each financial year statements of accounts which shall include

(*a*) a balance sheet, a statement of income and expense and a statement of surplus, containing such information as, in the case of a company incorporated under the *Companies Act*, is required to be laid before the company by the directors at an annual meeting, and

(*b*) such other information in respect of the financial affairs of the corporation as the appropriate Minister or the Minister of Finance may require."

Proof of Treasury Board records.

"**97A.** A document purporting to be a copy of an entry in the records of the Treasury Board certified by the Secretary or an Assistant Secretary of the Treasury Board is, without proof of the signature or of the official character of the person purporting to have signed it, admissible in any court of justice and has the same probative force as the original document would have if it were proven in the ordinary way."

Coming into force.

18. This Act, or any of the provisions thereof, shall come into force on a day or days to be fixed by proclamation of the Governor in Council.

C-183.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-183.

An Act to amend the Canada Elections Act (Qualifications of Voters and Electors).

First reading, May 12, 1966.

Mr. STANBURY.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-183.

An Act to amend the Canada Elections Act (Qualifications of Voters and Electors).

1960, c. 39.

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

1. Subsection (1) of section 14 of the *Canada Elections Act* is repealed and the following substituted therefor:

Qualifications.

"**14.** (1) Except as hereinafter provided, every person in Canada, man or woman, is entitled to have his or her name included in the list of electors prepared for the polling division in which he or she was ordinarily resident on the date of the issue of the writ ordering an election in the electoral district, and is qualified to vote in such polling division, if he or she

(*a*) is of the full age of twenty-one years or will attain such age on or before polling day at such election;

(*b*) is a Canadian citizen; and

(*c*) at a by-election only, continues to be ordinarily resident in the electoral district until polling day at such by-election."

2. Section 19 of the said Act is repealed and the following substituted therefor:

Qualifications of candidates.

"**19.** Except as in this Act otherwise provided, any person, man or woman, who is

(*a*) a Canadian citizen,

(*b*) a qualified elector under this Act, and

(*c*) of the full age of twenty-one years,

may be a candidate at an election."

Explanatory Notes.

The purpose of this Bill is to provide that only Canadian citizens shall in future be qualified as electors or as candidates at elections:

Section 14 deals with the qualifications of electors and section 19 with the qualifications of the candidates.

Subsection (1) of sections 14 and section 19 at present read as follows:

"**14.** (1) Except as hereinafter provided, every person in Canada, man or woman, is entitled to have his or her name included in the list of electors prepared for the polling division in which he or she was ordinarily resident on the date of the issue of the writ ordering an election in the electoral district, and is qualified to vote in such polling division, if he or she

(*a*) is of the full age of twenty-one years or will attain such age on or before polling day at such election;

(*b*) is a Canadian citizen *or other British subject;*

(*c*) *in the case of a British subject other than a Canadian citizen, has been ordinarily resident in Canada for the* twelve months immediately preceding polling day *at such election; and*

(*d*) at a by-election only, continues to be ordinarily resident in the electoral district until polling day at such by-election."

"**19.** Except as in this Act otherwise provided, any person, man or woman, who is

(*a*) a Canadian citizen *or other British subject,*

(*b*) a qualified elector under this Act, and

(*c*) of the full age of twenty-one years,

may be a candidate at an election."

The amendments to the Schedules are consequential.

3. Schedule I of the said Act is amended as follows:

(*a*) In the second part of Form No. 15 delete the words "or other British subject" in paragraph (4);

Delete paragraph (5) and renumber paragraphs (6), (7) and (8) as (5), (6) and (7).

(*b*) In the first part of Form No. 18, delete the following words:

"(or)

I am a British subject other than a Canadian citizen and have been ordinarily resident in Canada for the twelve months immediately preceding polling day at the pending election."

In the second part of Form No. 18 delete the following words:

"(or)

is a British subject other than a Canadian citizen and has been ordinarily resident in Canada for the twelve months immediately preceding polling day at the pending election."

(*c*) In Form No. 41 delete the following words:

"(or)

That you are a British subject other than a Canadian citizen of the full age of twenty-one years and have been ordinarily resident in Canada for the twelve months immediately preceding this polling day;"

(*d*) In Form No. 42 delete the following words in paragraph (2) thereof:

"(or)

That I am a British subject other than a Canadian citizen of the full age of twenty-one years and have been ordinarily resident in Canada for the twelve months immediately preceding this polling day;"

(*e*) In Form No. 45 delete the following words in paragraph (4) thereof:

"(or)

That I am a British subject other than a Canadian citizen of the full age of twenty-one years and have been ordinarily resident in Canada for the twelve months immediately preceding this polling day;"

(*f*) In Form No. 49 delete the following words in paragraph (2) thereof:

"(or)

That you are a British subject other than a Canadian citizen of the full age of twenty-one years and have been ordinarily resident in Canada for the twelve months immediately preceding this polling day;"

(*g*) In Form No. 50 delete the following words in paragraph (5) thereof:

"(or)

is a British subject other than a Canadian citizen of the full age of twenty-one years

and has been ordinarily resident in Canada for the twelve months immediately preceding this polling day;"

(*h*) In Form No. 71 delete the following words:

"(or)

I am a British subject other than a Canadian citizen and have been ordinarily resident in Canada for the twelve months immediately preceding polling day at the pending election."

4. Schedule II of the said Act, "The Canadian Forces Voting Rules" is amended as follows:

(*a*) In Rule 21, delete the following words in line 3:

"or other British subject,"

(*b*) In Rule 22, delete the following words in line 4:

"or other British subject,"

(*c*) In Rule 36, paragraph (1), line 9, delete the following words:

"or other British subject,"

delete the following words in paragraph (2) of the said Rule, line 10:

"or other British subject,"

(*d*) In Rule 44, delete the following words in line 3:

"or other British subject,"

delete paragraph (*b*) of the said Rule and re-letter paragraphs (*c*), (*d*) and (*e*) as paragraphs (*b*), (*c*) and (*d*).

(*e*) In Rule 64 (1) delete the following words in lines 8, 9, 10 and 11:

"or that he is a British subject other than a Canadian citizen and has been ordinarily resident in Canada during the twelve months immediately preceding polling day at the pending general election,"

(*f*) In Form No. 7 of the said Schedule delete the following words in paragraph (4):

"or other British subject."

(*g*) In Form No. 8 delete the following words in paragraph (5):

"or other British subject."

(*h*) In Form No. 13 delete the following words in paragraph (2):

"(or)

That I am a British subject other than a Canadian citizen and have been ordinarily resident in Canada during the twelve months immediately preceding polling day at the pending general election."

(*i*) In Form No. 15 of the said Schedule delete the following words in paragraph (5):

"or other British subject."

C-184.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-184.

An Act to amend the Criminal Code
(Right to counsel).

First reading, May 18, 1966.

MR. CHOQUETTE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24211

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

1953-54, cc. 51, 52; 1955, cc. 2, 45; 1956, c. 48; ss. 19, 20; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37 and c. 45, s. 21; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10 and cc. 35, 53.

BILL C-184.

An Act to amend the Criminal Code (Right to counsel).

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

1. The *Criminal Code* is amended by inserting immediately after section 5A thereof the following:

Right to Counsel.

"**5B.** (1) Notwithstanding this or any other Act, everyone who has been arrested or detained for an offence under this Act shall have the right to communicate with, retain and instruct counsel without delay.

Penalty.

(2) Everyone who prevents or attempts to prevent a person arrested or detained for an offence under this Act from communicating with, retaining and instructing counsel, is guilty of an offence punishable on summary conviction."

Explanatory Notes.

The purpose of this Bill is to implement subparagraph (ii) of paragraph (*c*) of section 2 of the *Canadian Bill of Rights* which evidently at the moment has no valid sanction.

Paragraph (*c*) of the *Canadian Bill of Rights* reads as follows:

"(*c*) deprive a person who has been arrested or detained

(i) of the right to be informed promptly of the reason for his arrest or detention,

(ii) of the right to retain and instruct counsel without delay, or

(iii) of the remedy by way of *habeas corpus* for the determination of the validity of his detention and for his release if the detention is not lawful."

C-185.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-185.

An Act to give effect to Term 29 of the Terms of Union of Newfoundland with Canada.

First reading, May 18, 1966.

THE PRIME MINISTER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23957

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-185.

An Act to give effect to Term 29 of the Terms of Union of Newfoundland with Canada.

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

Short title.

1. This Act may be cited as the *Newfoundland Additional Financial Assistance Act, 1966.*

Annual payment to Newfoundland by way of additional financial assistance.

2. In addition to all other payments, grants, subsidies and allowances payable to the Province of Newfoundland, the Minister of Finance, on behalf of the Government of Canada, shall, out of the Consolidated Revenue Fund, pay to the Province of Newfoundland in the fiscal year commencing on the 1st day of April, 1967 and in each and every fiscal year thereafter unless and until otherwise provided by any agreement in that behalf hereafter entered into between the Government of Canada and the Government of Newfoundland, an annual amount, by way of additional financial assistance as contemplated by Term 29 of the Terms of Union of Newfoundland with Canada, of eight million dollars.

1964-65, c. 26, s. 3.

3. Section 3 of the *Federal-Provincial Fiscal Revision Act, 1964* and the heading preceding that section are repealed.

Explanatory Notes.

Clause 2: Term 29 of the Terms of Union of Newfoundland with Canada, as set out in the Schedule to the *British North America Act, 1949*, reads as follows:

"**29.** In view of the difficulty of predicting with sufficient accuracy the financial consequences to Newfoundland of becoming a province of Canada, the Government of Canada will appoint a Royal Commission within eight years from the date of Union to review the financial position of the Province of Newfoundland and to recommend the form and scale of additional financial assistance, if any, that may be required by the Government of the Province of Newfoundland to enable it to continue public services at the levels and standards reached subsequent to the date of Union, without resorting to taxation more burdensome, having regard to capacity to pay, than that obtaining generally in the region comprising the Maritime Provinces of Nova Scotia, New Brunswick, and Prince Edward Island."

Clause 3: The section and heading thereto being repealed read as follows:

"Newfoundland Grant.

3. In addition to all other payments, grants, subsidies and allowances payable to the Province of Newfoundland, the Minister of Finance may, out of the Consolidated Revenue Fund, pay an annual grant of eight million dollars to that Province in the fiscal year commencing on the 1st day of April, 1967 and in each subsequent fiscal year."

C-186.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-186.

An Act respecting allowances to persons being trained under technical and vocational training programs.

First reading, May 19, 1966.

THE MINISTER OF CITIZENSHIP AND IMMIGRATION.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24098

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-186.

An Act respecting allowances to persons being trained under technical and vocational training programs.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Training Allowance Act, 1966*.

INTERPRETATION.

Definitions.

2. In this Act,

"Commission."

(*a*) "Commission" means the Unemployment Insurance Commission;

"Insured person."

(*b*) "insured person" has the same meaning as in the *Unemployment Insurance Act*;

"Minister."

(*c*) "Minister" means such member of the Queen's Privy Council for Canada as is designated by the Governor in Council for the purposes of this Act;

'Program.'

(*d*) "program" means a program of technical and vocational training provided by a province; and

"Technical and vocational training."

(*e*) "technical and vocational training" has the same meaning as in the *Technical and Vocational Training Assistance Act*.

AGREEMENTS.

Agreements authorized.

3. The Minister may, with the approval of the Governor in Council, enter into an agreement with any province providing a program of technical and vocational training for the payment to the province, subject to the terms and conditions specified in the agreement, of contributions equal to

(*a*) one hundred per cent of the costs incurred by the province in providing persons being trained under the program with basic training allowances payable in each case at the rate of thirty-five dollars per week; and

(*b*) such percentage as may be specified in the agreement, not exceeding ninety per cent, of the costs incurred by the province in providing persons being trained under the program with such supplementary allowances, related to the family circumstances and living costs of such persons, as may be specified in the agreement.

UNEMPLOYMENT INSURANCE BENEFITS.

Benefits not payable to persons receiving training allowances.

4. Notwithstanding anything contained in the *Unemployment Insurance Act* (hereinafter referred to as "the Act"), an insured person being trained under a program is not entitled to be paid benefit under the Act in respect of any week for which a training allowance is payable to him under that program.

Extension of qualification period.

5. (1) Where an insured person proves in such manner as the Commission may require that for any time during any period mentioned in subsection (1) or (2) of section 45 of the Act contributions were not payable in respect of him for the reason that he was being trained under a program and a training allowance was payable to him under that program, that period shall, for the purposes of sections 45, 47 and 48 of the Act, be increased by the aggregate of any such times.

Idem.

(2) Where an insured person proves in such manner as the Commission may require that for any time during any increase to a period mentioned in subsection (1) contributions were not payable in respect of him for the reason mentioned in that subsection, that period shall, for the purposes of sections 45, 47 and 48 of the Act, be further increased by the aggregate of any such times.

Benefit periods excluded.

(3) For the purposes of subsections (1) and (2), the time during which contributions were not payable does not include any time during which the insured person was in receipt of benefit or seasonal benefit under the Act.

Limitation.

(4) The aggregate of any period mentioned in subsection (1) or (2) of section 45 of the Act and the total increases made to that period under this section and subsections (3) and (4) of section 45 of the Act shall not exceed two hundred and eight weeks.

Benefit periods increased.

6. (1) Where a benefit period has been established in respect of an insured person under section 45 of the Act and the insured person proves in such manner as the Commission may require that for any time during that

benefit period he was being trained under a program and a training allowance was payable to him under that program, the benefit period in respect of that person shall, notwithstanding subsection (1) of section 46 of that Act, be increased by the aggregate of any such times.

Idem.

(2) Where an insured person proves in such manner as the Commission may require that for any time during any increase to a benefit period mentioned in subsection (1) he was being trained under a program and a training allowance was payable to him under that program, the benefit period in respect of that person shall, notwithstanding subsection (1) of section 46 of the Act, be further increased by the aggregate of any such times.

Limitation.

(3) No increase shall be made pursuant to subsections (1) and (2) to a benefit period in respect of an insured person that would provide in respect of that person a benefit period greater than one hundred and fifty-six weeks.

C-187.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-187.

An Act to amend the Prairie Farm Assistance Act (Hail Damage).

First reading, May 26, 1966.

Mr. WOOLLIAMS.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24221

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-187.

An Act to amend the Prairie Farm Assistance Act (Hail Damage).

R.S.C. 1952, c. 213. 1952-53, c. 46. 1955, c. 56. 1957, c. 32. 1958, c. 15. 1960, c. 2, s. 20.

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

1. The *Prairie Farm Assistance Act* is amended by inserting immediately after section 3 thereof the following section:

Hail loss.

"**3A.** Notwithstanding anything in this Act, when the loss sustained by a farmer in any crop year is attributable to hail, the Minister may award a sum by way of assistance, even if the cultivated land of the person who has suffered the loss is not a part of or is not adjoining an eligible area."

2. The said Act is further amended by inserting immediately after subsection (7) of section 11 thereof the following subsection:

No payment out of public monies.

"(7a). No payment shall be made out of amounts standing to the credit of the Fund in the Consolidated Revenue Fund in respect of sums awarded as assistance in case of losses by hail in excess of and except out of the amounts credited on account of contributions made by farmers and interest earnings on such contributions."

Explanatory Notes.

Under the present *Prairie Farm Assistance Act*, a farmer cannot be awarded assistance if his cultivated land is not part of or is not adjoining an eligible area.

The purpose of this Bill is to provide that when the loss of a crop is attributable to hail, the farmer will be eligible even if his farm is not adjoining a block or any other land.

Although loss due to drought can be assessed under the block method, loss due to hail many times cannot, the reason being that hail storms do not hail farms out in blocks but in strips.

The farms in Alberta are close to the mountainous area where drought or rust do not constitute a problem but where hail loss is extensive. Farmers in these areas pay into the Fund but seldom, if ever, collect from it.

Loss due to hail will be the exception so that every individual farmer may recover if the loss were due to hail.

To avoid having this Bill infringe the rule against the introduction of a money bill by a private member, the Bill provides that the farmers who sustain losses by hail in areas which are not now eligible shall be paid assistance sums out of the contributions of farmers but not out of the contributions by the taxpayers.

C-188.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-188.

An Act to amend the Inquiries Act.

First reading, May 27, 1966.

Mr. BREWIN.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24253

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-188.

An Act to amend the Inquiries Act.

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

R.S., c. 154.

1. Section 4 of the Inquiries Act is repealed and the following substituted therefor:

Powers of commissioners.

"**4.** The commissioners have the power of summoning before them any witnesses, and of requiring them to give evidence on oath, or on solemn affirmation if they are persons entitled to affirm in civil matters, and orally or in writing, and to produce such documents and things as the commissioners deem requisite to the full investigation of the matters into which they are appointed to examine and the commissioners may receive such evidence and documents in such form as they shall see fit in order to enable them to make a full investigation into the matters which they are appointed to examine and may hold any part of the proceedings in camera."

2. The said Act is further amended by adding thereto immediately after section 13 the following:

"**13A.** Notwithstanding anything in this or any other Act or law, no person shall publish any defamatory matter disclosed at or during the course of an inquiry held under this Act, unless such evidence or matter is relevant to the matter under inquiry and would be admissible in a court of law in any proceeding against the person or persons referrred to."

Explanatory Notes.

Commissions of Inquiry serve a useful purpose. They are not the same as a public trial and are not governed by the same strict rules of evidence re Children's Aid 1934 O.W.N.428. Nevertheless however unrestricted such inquiry should be in the pursuit of truth it should not be the occasion for blackening the reputation of individuals needlessly. Hence the proposed amendments.

The provincial *Libel and Slander Acts* deal with the question of privileged publication of the inquiries so far as civil actions are concerned; the present section will enable action to be taken under section 107 of the *Criminal Code* if there are any infractions.

Section 4 at present reads as follows:

"**4.** The commissioners have the power of summoning before them any witnesses, and of requiring them to give evidence on oath, or on solemn affirmation if they are persons entitled to affirm in civil matters, and orally or in writing, and to produce such documents and things as the commissioners deem requisite to the full investigation of the matters into which they are appointed to examine."

C-189.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-189.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1967.

AS PASSED BY THE HOUSE OF COMMONS, 27th MAY, 1966.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24261

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-189.

An Act for granting to Her Majesty certain sums of money for the public service for the financial year ending the 31st March, 1967.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, General Georges Philias Vanier, DSO., MC., Governor General of Canada and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the 31st day of March, 1967; and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 5, 1966.*

$450,944,478.01 granted for 1966-67.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole, four hundred and fifty million, nine hundred and forty-four thousand, four hundred and seventy-eight dollars and one cent, towards defraying the several charges and expenses of the public service, from the 1st day of April, 1966 to the 31st day of March, 1967, not otherwise provided for, and being the aggregate of

(*a*) one-twelfth of the total of the amounts of the items set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1967, as laid before the House of Commons at the present session of Parliament except Transport Vote 103 for which no proportion is granted hereby.....$408,953,242.58;

(*b*) eight-twelfths of the amount of the item in the said Main Estimates set forth in Schedule A $11,666,666.67;

(*c*) three-twelfths of the amount of the item in the said Main Estimates set forth in Schedule B $21,025,000.00;

(*d*) two-twelfths of the total of the amounts of the several items in the said Main Estimates set forth in Schedule C.....$4,285,833.34;

(*e*) one-twelfth of the total of the amounts of the several items in the said Main Estimates set forth in Schedule D.....$5,013,735.42;

Purpose and effect of each item.

3. The amount authorized by this Act to be paid or applied in respect of an item may be paid or applied only for the purposes and subject to any terms and conditions specified in the item, and the payment or application of any amount pursuant to the item has such operation and effect as may be stated or described therein.

Commitments.

4. Where an item in the said Estimates purports to confer authority to enter into commitments up to an amount stated therein, a commitment may be entered into in accordance with the terms of such item, if the Comptroller of the Treasury certifies that the amount of the commitment proposed to be entered into, together with all previous commitments entered into pursuant to this section, does not exceed the total amount of the commitment authority stated in such item.

Account to be rendered. R.S., c. 116.

5. Amounts paid or applied under the authority of this Act shall be accounted for in the Public Accounts in accordance with section 64 of the *Financial Administration Act*.

SCHEDULE A.

Based on the Main Estimates, 1966-67. The amount hereby granted is $11,666,666.67, being eight-twelfths of the amount of the item in the said Estimates as contained in this Schedule.

SUM granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which it is granted.

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	MINES AND TECHNICAL SURVEYS		
L40	Advances in accordance with agreements entered into pursuant to the Atlantic Provinces Power Development Act.....	.....	*17,500,000

*Net total $11,666,666.67.

SCHEDULE B.

Based on the Main Estimates, 1966-67. The amount hereby granted is $21,025,000.00, being three-twelfths of the amount of the item in the said Estimates as contained in this Schedule.

SUM granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which it is granted.

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS		
	EXTERNAL AID OFFICE		
35	Economic, technical, educational and other assistance as detailed in the Estimates including authority to credit the amount of the sub-vote for International Development Assistance to the special account in the Consolidated Revenue Fund established by External Affairs Vote 33d of Appropriation Act No. 2, 1965	.....	*84,100,000

*Net total $21,025,000.00.

SCHEDULE C.

Based on the Main Estimates, 1966-67. The amount hereby granted is $4,285,833.34, being two-twelfths of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	FINANCE		
	GOVERNMENT ADMINISTRATION		
15	Contingencies—To supplement other votes and to provide for miscellaneous minor and unforeseen expenses not otherwise provided for including awards under the Public Servants Inventions Act, subject to the approval of the Treasury Board, and authority to re-use any sums repaid to this appropriation from other appropriations	15,000,000	
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	RESEARCH AND INVESTIGATIONS ON WATER RESOURCES		
80	Contributions to the Provinces towards the construction of dams and other works to assist in the conservation and control of water resources in accordance with agreements entered into between Canada and the Provinces	10,715,000	
			*25,715,000

*Net total $4,285,833.34.

SCHEDULE D.

Based on the Main Estimates, 1966-67. The amount hereby granted is $5,013,735.42, being one-twelfth of the total of the amounts of the several items in the said Estimates as contained in this Schedule.

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1967, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	FISHERIES		
	FISHERIES MANAGEMENT AND DEVELOPMENT		
5	Operation and Maintenance, including Canada's share of the expenses of the International Commissions detailed in the Estimates and of the costs of programs and projects shared jointly with the Provinces and industry	18,099,000	
	FISHERIES RESEARCH BOARD OF CANADA		
20	Administration, Operation and Maintenance, including an amount of $265,000 for grants for Fisheries Research and for Scholarships and authority to make recoverable advances of amounts not exceeding in the aggregate the amount of the share of the International Great Lakes Fishery Commission of the cost of work on lamprey control and lamprey research	8,770,000	
	FORESTRY		
	FORESTRY		
15	Administration, Operation and Maintenance, including grants as detailed in the Estimates	12,620,000	
	LEGISLATION		
	THE SENATE		
5	General Administration	1,179,700	
	HOUSE OF COMMONS		
15	Expenses of the Canada-United States Inter-Parliamentary Group, of delegates attending other inter-parliamentary conferences, expenses connected with visits of delegates to and from other legislatures, including the expenses of the Commonwealth Parliamentary Conference to be held in Ottawa in 1966, Canada's share of the expenses of the Commonwealth Parliamentary Association including the assessment for membership in the Association, and grants as detailed in the Estimates	458,725	

SCHEDULE D (Continued)

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE		
	MEDICAL SERVICES		
25	Construction or Acquisition of Buildings, Works, Land and Equipment including payments to hospitals and other institutions which care for Indians and Eskimos as contributions toward the construction of hospitals and related facilities	3,450,000	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
	NATURAL AND HISTORIC RESOURCES		
15	Administration, Operation and Maintenance including wildlife resources conservation and development, administration of the Migratory Birds Convention Act and payments to land owners who maintain migratory bird habitat in accordance with agreements entered into on terms and conditions approved by the Governor in Council, payment to National Battlefields Commission for the purposes and subject to the provisions of an Act respecting the National Battlefields at Quebec, grants as detailed in the Estimates and authority to make expenditures on the proposed new National Park in the area of Kejimkujik Lake in Nova Scotia	15,587,400	
			*60,164,825

*Net total $5,013,735.42.

C-190.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-190.

An Act to amend the Bank of Canada Act.

First reading, May 30, 1966.

THE MINISTER OF FINANCE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24043

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-190.

An Act to amend the Bank of Canada Act.

R.S., cc. 13, 315; 1953-54, c. 33.

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

1953-54, c. 33, s. 1.

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

"Deputy Governor."

"(*d*) "Deputy Governor" in sections 5, 6, 8, 13, 15, 27 and 28 means the Deputy Governor appointed under section 6;"

1953-54, c. 33, s. 1.

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

"Notes."

"(*h*) "notes" means notes of the Bank of Canada intended for circulation in Canada."

1953-54, c. 33, s. 2.

2. Paragraph (*d*) of subsection (4) of section 6 of the said Act is repealed and the following substituted therefor:

"(*d*) except as authorized by or under any Act of Parliament, is a director, partner, officer or employee of any other bank or financial institution or has an interest as a shareholder in any other bank or financial institution; or"

EXPLANATORY NOTES.

Clause 1: (1) Paragraph (*d*) at present reads as follows:

"(*d*) "Deputy Governor" in sections 5, 6, 8, *14*, 27 and 28, means the Deputy Governor appointed under section 6;"

(2) This amendment is consequential upon the amendment proposed by clause 12 of this Bill to section 21 of the Act.

Paragraph (*h*) at present reads as follows:

"(*h*) "notes" means notes of the Bank of Canada *payable to bearer on demand and* intended for circulation."

Clause 2: The relevant portions of subsection (4) at present read as follows:

"(4) No person is eligible to be appointed or to continue as Governor or Deputy Governor who

.....

(*d*) except as authorized by or under any Act of Parliament, is a director, officer or employee of any other bank or financial institution or has an interest as a shareholder in any other bank or financial institution; or"

3. Subsection (1) of section 10 of the said Act is repealed and the following substituted therefor:

Selection of directors.

"**10.** (1) The directors shall be selected from diversified occupations; but no person is eligible for appointment who is a director, partner, officer or employee of any of the following financial institutions, namely,

(*a*) a chartered bank,

(*b*) a bank to which the *Quebec Savings Banks Act* applies, or

(*c*) an investment dealer that acts as a primary distributor of new Government of Canada securities,

and any person appointed as a director who is a shareholder of any such financial institution shall divest himself of ownership of his shares within three months of the date of his appointment and shall not thereafter during the term of his office have an interest, either directly or indirectly, as a shareholder in any such financial institution."

1953-54, c. 33, s. 4.

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

Directors' fees.

"**11.** The directors are entitled to receive for attendance at directors' meetings and Executive Committee meetings such fees as may be fixed by the by-laws of the Bank, but the aggregate amount of the fees paid to all directors exclusive of expenses shall not exceed sixty thousand dollars in any year."

5. Subsection (1) of section 13 of the said Act is repealed and the following substituted therefor:

Constitution of Executive Committee.

"**13.** (1) There shall be an Executive Committee of the Board, consisting of the Governor, the Deputy Governor and two directors selected by the Board."

6. Section 14 of the said Act is repealed and the following substituted therefor:

"GOVERNMENT DIRECTIVE.

Consultations.

14. (1) The Minister and the Governor shall consult regularly on monetary policy and on its relation to general economic policy.

Clause 3: The purpose of this amendment is to make ineligible for appointment as directors of the Bank those persons who are directors, partners, officers or employees of firms with whom the Bank has direct dealings.

Subsection (1) at present reads as follows:

"**10.** (1) The directors shall be selected from diversified occupations; but no person is eligible for appointment who is a director, officer or employee of a chartered bank, and any person appointed as a director who is a shareholder of *a chartered bank* shall divest himself of ownership of his shares within three months of the date of his appointment and shall not thereafter during the term of his office have an interest, either directly or indirectly, as a shareholder in *a chartered bank.*"

Clause 4: The purpose of this amendment is to permit more frequent meetings of the Board, and the enlargement of the Executive Committee as provided under clause 5.

Section 11 at present reads as follows:

"**11.** The directors are entitled to receive for attendance at directors' meetings and Executive Committee meetings such fees as may be fixed by the by-laws of the Bank, but the aggregate amount of the fees paid to all directors exclusive of expenses shall not exceed *thirty* thousand dollars in any year."

Clause 5: Subsection (1) at present reads as follows:

"**13.** (1) There shall be an Executive Committee of the Board, consisting of the Governor, the Deputy Governor and *one* director selected by the Board."

Clause 6: This amendment defines the relationship between the Government and the Bank in regard to monetary policy. It makes clear that there is a process of continuous consultation between the Government and the Bank in this regard and provides a procedure whereby, in the event of a disagreement between the Government and the Bank, the Government may issue a directive to the Bank as to the monetary policy that it is to follow. The amendment also eliminates the power the Governor now has to veto any action or decision of the Board of Directors or the Executive Committee.

Minister's directive.

(2) If, notwithstanding the consultations provided for in subsection (1), there should emerge a difference of opinion between the Minister and the Bank concerning the monetary policy to be followed, the Minister may, after consultation with the Governor and with the approval of the Governor in Council, give to the Governor a written directive concerning monetary policy, in specific terms and applicable for a specified period, and the Bank shall comply with such directive.

Publication and report.

(3) A directive given under this section shall be published forthwith in the *Canada Gazette* and shall be laid before Parliament within fifteen days after the giving thereof, or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting."

1953-54, c. 33, s. 6.

7. (1) Subsection (2) of section 15 of the said Act is repealed, and subsection (3) of that section is renumbered as subsection (2).

(2) Section 15 of the said Act is further amended by adding thereto the following subsection:

By-laws respecting Governor and Deputy Governor.

"(3) A by-law made under subsection (2) that provides for or relates to the payment of a pension in respect of the retirement of the Governor or Deputy Governor otherwise than by reason of age or disability does not take effect unless it is approved by the Governor in Council."

8. The said Act is further amended by adding thereto, immediately before section 16 thereof, the following heading:

"SECRECY."

1953-54, c. 33, s. 7.

9. (1) Paragraph (a) of subsection (1) of section 18 of the said Act is repealed and the following substituted therefor:

"(*a*) buy and sell gold, silver, nickel and bronze coin or any other coin and gold and silver bullion;"

1953-54, c. 33, s. 7.

(2) Paragraph (*h*) of subsection (1) of section 18 of the said Act is repealed and the following substituted therefor:

Section 14 at present reads as follows:

"**14.** (1) The Governor, or in the event of his absence or incapacity the Deputy Governor only, has power to veto any action or decision of the Board of Directors or of the Executive Committee, and if this veto power is exercised, the Governor or Deputy Governor, as the case may be, shall within seven days inform the Minister in writing of the circumstances and the Minister shall submit the veto to the Governor in Council who may confirm or disallow the veto.

(2) Any director or member of the Executive Committee may inform the Minister in writing of his view of the action or decision in question, which view shall also be transmitted to the Governor in Council."

Clause 7: (1) The purpose of this amendment is to remove a transitional provision that now serves no useful purpose.

Subsection (2) at present reads as follows:

"(2) The salary to be paid by the Bank to an officer, clerk or employee appointed prior to the coming into force of this subsection who at the date of his appointment was employed in the civil service of Canada shall be at a rate not less than the rate he was then receiving in the civil service."

(2) New. The purpose of this amendment is to require the approval of the Governor in Council to certain pension by-laws applicable to the Governor and Deputy Governor of the Bank.

Clause 8: A new heading is inserted for convenience.

Clause 9: (1) The relevant portions of subsection (1) at present read as follows:

"**18.** (1) The Bank may

.....

(*a*) buy and sell gold, silver, nickel and bronze coin and gold and silver bullion;"

(2) Paragraph (*h*) at present reads as follows:

"(*h*) make loans or advances for periods not exceeding six months to chartered banks or to banks to which the *Quebec Savings Banks Act* applies on the pledge or hypothecation of the classes of securities mentioned in the preceding paragraphs of this subsection, bills of exchange or promissory notes, or of Canadian municipal securities, or of securities issued by a school corporation or parish trustees, or of securities issued pursuant to the statutes of a province making provision for the payment thereof and the interest thereon by the province, or of mortgages or hypothecs, or of gold or silver coin or bullion or documents of title relating thereto;"

Loans and advances.

"(*h*) make loans or advances for periods not exceeding six months to chartered banks or to banks to which the *Quebec Savings Banks Act* applies on the pledge or hypothecation of the classes of securities mentioned in the preceding paragraphs of this subsection, of bills of exchange or promissory notes, or of Canadian municipal securities, or of securities issued by a school corporation or parish trustees, or of securities issued pursuant to the statutes of a province making provision for the payment thereof and the interest thereon by the province, or of mortgages or hypothecs, or of gold or silver coin or bullion or documents of title relating thereto;"

1953-54, c. 33, s. 7.

(3) Paragraph (*m*) of subsection (1) of section 18 of the said Act is repealed and the following substituted therefor:

"(*m*) open accounts in a central bank in any other country or in the Bank for International Settlements, accept deposits from central banks in other countries, the Bank for International Settlements, the International Monetary Fund, the International Bank for Reconstruction and Development and any other official international financial organization, and act as agent, depository or correspondent for any of such banks or organizations; and the Bank may pay interest on any such deposits;"

1953-54, c. 33, s. 7.

(4) Paragraphs (*o*) to (*q*) of subsection (1) of section 18 of the said Act are repealed and the following substituted therefor:

Unclaimed deposits, etc.

"(*o*) accept deposits of money that by the *Bank Act* or the *Quebec Savings Banks Act* are authorized or required to be transferred to the Bank, and, in accordance with the said Acts, pay interest on money so deposited and pay out money to any person entitled thereto under the said Acts; and

Incidental powers.

(*p*) do any other banking business incidental to or consequential upon the provisions of this Act and not prohibited by this Act."

(3) The purpose of this amendment is to give the Bank power to pay interest on deposits received from central banks of other countries and from official international organizations.

Paragraph (*m*) at present reads as follows:

"**18.** (1) The Bank may

.....

(*m*) open accounts in a central bank in any other country or in the Bank for International Settlements and act as agent, depository or correspondent of central banks in other countries, the Bank for International Settlements, the International Monetary Fund and the International Bank for Reconstruction and Development;"

(4) This amendment is consequential upon the amendment proposed in subclause (5) of this clause.

Paragraphs (*o*) to (*q*) at present read as follows:

"(*o*) alter the percentage of the deposit liabilities of chartered banks payable in Canadian currency that chartered banks are required by the *Bank Act* to maintain as a minimum average cash reserve during any month, but so that the percentage is not less than eight and not more than twelve; the Bank shall, not less than one month before the month in which any such alteration becomes effective, publish a notice of the alteration in the *Canada Gazette*, and the Bank shall not in any month increase the percentage by more than one;

(*p*) accept deposits of money that by the *Bank Act* or the *Quebec Savings Banks Act* are authorized or required to be transferred to the Bank, and, in accordance with the said Acts, pay interest on money so deposited and pay out money to any person entitled thereto under the said Acts; and

(*q*) do any other banking business incidental to or consequential upon the provisions of this Act and not prohibited by this Act."

1953-54, c. 33, s. 7.

(5) Subsections (2) and (3) of section 18 and all that portion of subsection (4) of section 18 of the said Act preceding paragraph (*a*) thereof are repealed and the following substituted therefor:

Percentage of deposit liabilities to be maintained as average secondary reserve.

"(2) The Bank may fix the percentage of the deposit liabilities of the chartered banks payable in Canadian currency that the banks are required by subsection (3) of section 72 of the *Bank Act* to maintain as an average secondary reserve during any month, in accordance with the following provisions:

(*a*) when no percentage is in effect for any month, the Bank shall not fix a percentage greater than six for the next following month;

(*b*) when a percentage is in effect for any month, the Bank shall not increase such percentage by more than one for the next following month;

(*c*) the Bank shall not fix a percentage greater than twelve;

(*d*) wherever the Bank fixes a percentage or revokes the requirement to maintain a secondary reserve, it shall mail to each chartered bank a written notice of its action specifying the month for which it will be effective and shall publish such notice forthwith in the Canada Gazette, and, except where the percentage is fixed for a month at a lower percentage than for the immediately preceding month or where the requirement to maintain a secondary reserve is revoked, the notice shall be mailed not less than thirty days before the first day of the month so specified; and

(*e*) when a percentage has been established for any month, it shall remain in effect until the last day of the month preceding the month for which a new percentage is fixed, or until the last day of the month preceding the month for which the requirement to maintain a secondary reserve is revoked.

Acquisition of collateral securities.

(3) The Bank may acquire from any chartered bank and hold any warehouse receipt, bill of lading and other security, held by such chartered bank pursuant to the provisions of the *Bank Act*, as security for the repayment of any bill of exchange or promissory note acquired by the Bank under subsection (1); and the Bank may exercise every right and remedy in respect of such security as could have been exercised by the chartered bank.

(5) Subsection (2) is new. Its purpose is to replace the power of the Bank to vary the minimum cash reserve requirements of the chartered banks as now provided (see paragraph (*o*) of section 18(1) in note above) by a power to impose and vary a minimum secondary reserve requirement.

Subsections (2) and (3), and the portion of subsection (4) to be repealed, at present read as follows:

"(2) The Bank may acquire from any chartered bank and hold any warehouse receipt, bill of lading and other security, held by such chartered bank pursuant to the provisions of the *Bank Act*, as security for the repayment of any bill of exchange or promissory note acquired by the Bank under subsection (1); and the Bank may exercise every right and remedy in respect of such security as could have been exercised by the chartered bank.

(3) The Bank shall at all times make public the minimum rate at which it is prepared to make loans or advances.

(4) The Bank is not liable, and no action shall be taken, for or in respect of any unpaid debt or instrument in respect of which a chartered bank, or a bank to which the *Quebec Savings Banks Act* applies, has made a payment to the Bank under the *Bank Act* or the *Quebec Savings Banks Act*, or any claim against a liquidator in respect of the winding-up of a chartered bank the amount of which claim has been paid to the Minister and by the Minister to the Bank under the *Bank Act*, if the amount paid to the Bank was less than *ten* dollars, and"

Publication of minimum interest rates on loans.

(4) The Bank shall at all times make public the minimum rate at which it is prepared to make loans or advances.

Prescription of unpaid claims.

(5) The Bank is not liable, and no action shall be taken, for or in respect of any unpaid debt or instrument in respect of which a chartered bank, or a bank to which the *Quebec Savings Banks Act* applies, has made a payment to the Bank under the *Bank Act* or the *Quebec Savings Banks Act*, or any claim against a liquidator in respect of the winding up of a chartered bank the amount of which claim has been paid to the Minister and by the Minister to the Bank under the *Bank Act*, if the amount paid to the Bank was less than twenty-five dollars, and"

10. Paragraph (*e*) of section 19 of the said Act is repealed and the following substituted therefor:

"(*e*) pay interest on any money deposited with the Bank; or"

11. Subsection (1) of section 20 of the said Act is repealed and the following substituted therefor:

Fiscal agent of Canadian Government.

"**20.** (1) The Bank shall act as fiscal agent of the Government of Canada without charge."

1953-54, c. 33, s. 8(1).

12. Subsection (1) of section 21 of the said Act is repealed and the following substituted therefor:

Sole right of note issue.

"**21.** (1) The Bank has the sole right to issue notes intended for circulation in Canada and such notes shall be a first charge upon the assets of the Bank."

1953-54, c. 33, s. 9.

13. The heading preceding section 22 and section 22 of the said Act are repealed and the following substituted therefor:

"REDEMPTION OF NOTES OTHER THAN THOSE OF THE BANK.

Liability for notes.

22. (1) The Bank is responsible for the redemption of notes payable to bearer on demand that were issued and outstanding on the 11th day of March, 1935, and immediately prior to that day constituted a direct liability of Canada, and such notes are and continue to be legal tender.

Idem.

(2) The Bank is responsible for the redemption of notes of the Canadian banks listed in Schedule P of the *Bank Act* that were issued prior to the 1st day of January, 1950, and intended for circulation in Canada."

Clause 10: The present provision reads as follows:

"**19.** The Bank shall not, except as authorized by this Act,

.....

(*e*) *accept deposits for a fixed term or* pay interest on any money deposited with the Bank; or"

This restriction is no longer necessary.

Clause 11: Subsection (1) at present reads as follows:

"**20.** (1) The Bank shall act as fiscal agent of the Government of Canada without charge *and, subject to the provisions of this Act, by agreement, may also act as banker or fiscal agent of the government of any province.*"

Clause 12: The purpose of this amendment is to remove words that are now anachronistic.

Subsection (1) at present reads as follows:

"**21.** (1) The Bank has the sole right to issue notes *payable to bearer on demand and* intended for circulation in Canada and such notes shall be a first charge upon the assets of the Bank."

Clause 13: The provisions of subsections (1) and (2) of section 22 and section 23 are now inoperative and are to be repealed. The banks referred to in the present subsection (4) are to be listed in the revision of the *Bank Act.*

The heading and section 22 at present read as follows:

"REDEMPTION OF NOTES.

22. (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 subsection (1) and remove such suspension.

(3) The Bank is responsible for the redemption of notes payable to bearer on demand that were issued and outstanding on the 11th day of March, 1935, and immediately prior to that day constituted a direct liability of Canada, and such notes are and continue to be legal tender.

(4) The Bank is responsible for the redemption of notes issued by any *chartered bank* prior to the 1st day of January, 1950, and intended for circulation in Canada."

1953-54, c. 33, s. 10.

14. The heading preceding section 23 of the said Act and section 23 are repealed.

15. The heading preceding section 24 of the said Act is repealed and the following substituted therefor:

"REST FUND."

1953-54, c. 33, s. 15(2).

16. Subsection (3) of section 27 of the said Act is repealed and the following substituted therefor:

Report to Parliament.

"(3) The Minister shall lay the copy of the accounts and Governor's report mentioned in subsection (2) before Parliament within twenty-one days after the receipt thereof by him if Parliament is then sitting, or if Parliament is then not sitting, within twenty-one days after the commencement of the next ensuing session."

1953-54, c. 33, s. 16(2).

17. Section 30 of the said Act is repealed.

1953-54, c. 33, s. 19.

18. (1) Schedule B to the said Act is amended by striking out Item 2 thereof under the heading "Assets" and substituting therefor the following:

"2. Deposits payable in Foreign Currencies:
(*a*) Pounds Sterling and U.S.A. Dollars . . . . .
(*b*) Other currencies . . . . ."

Clause 14: (See note to clause 12).

The heading and section being repealed at present read as follows:

"Reserves

23. (1) The Bank shall maintain a reserve against its outstanding notes and deposit liabilities consisting of its holdings of gold coin and bullion and foreign exchange, and, subject to section 25 of the *Currency, Mint and Exchange Fund Act* and subsection (3) of this section, the amount of the reserve held in the form of gold coin and bullion shall always be not less than twenty-five per cent of the outstanding notes and deposit liabilities of the Bank.

(2) For the purposes of this section "foreign exchange" means

(*a*) balances in pounds sterling, United States of America dollars and currencies that by law and in fact are convertible on demand at a fixed price into exportable gold, held in the Bank of England, the Federal Reserve Bank of New York, the Bank of International Settlements or a central bank in any country the currency of which is convertible as hereinbefore described,

(*b*) 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, and

(*c*) bills of exchange having a maturity not exceeding ninety days, excluding days of grace, from the date of acquisition by the Bank, payable in pounds sterling, United States of America dollars or in a currency that 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 cent 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; no such suspension shall continue for a period longer than one year without the sanction of Parliament."

Clause 15: The heading at present reads as follows:

"*Profits of the Bank.*"

Clause 16: Subsection (3) at present reads as follows:

"(3) The Minister shall lay the copy of the accounts and Governor's report mentioned in subsection (2) before Parliament within *fourteen* days after the receipt thereof by him if Parliament is then sitting, or if Parliament is then not sitting, within *fourteen* days after the commencement of the next ensuing session."

Clause 17: Section 30 at present reads as follows:

"**30.** Any officer of a chartered bank who transmits any statement to the Minister pursuant to the provisions of this Act or who has to do with preparing or transmitting the same to the Minister knowing the same to be false in any material particular, is guilty of an indictable offence and liable to imprisonment for not more than two years and not less than three months."

Clause 18: (1) Item 2 at present reads as follows:

"**2.** Foreign Exchange:
(*a*) Pounds Sterling and U.S.A. Dollars.....
(*b*) Other currencies....."

1953-54, c. 33, s. 19.

(2) Schedule B to the said Act is further amended by striking out paragraphs (*b*) and (*c*) of Item 6 thereof under the heading "Assets" and substituting therefor the following:

"(*b*) Other securities issued or guaranteed by Canada maturing within three years . . . . .

(*c*) Other securities issued or guaranteed by Canada not maturing within three years . . . . ."

1953-54, c. 33, s. 19.

(3) Schedule B to the said Act is further amended by striking out paragraph (*f*) of Item 6 thereof under the heading "Assets" and substituting therefor the following:

"(*f*) Securities issued by the United Kingdom and the United States of America

(*g*) Other Securities . . . . ."

1953-54, c. 33, s. 19.

(4) Schedule B to the said Act is further amended by striking out Item 5 thereof under the heading "Liabilities" and substituting therefor the following:

"5. Liabilities Payable in Foreign Currencies:

(*a*) To Government of Canada

(*b*) To Others . . . . ."

1953-54, c. 33, s. 19.

19. Schedule C to the said Act is amended by striking out all that portion of Item 1 preceding paragraph (*b*) thereof and substituting therefor the following:

"1. Maturity distribution of investments in securities issued or guaranteed by Canada not maturing within three years (item 6 (*c*) of Schedule B)

(*a*) Securities maturing in over 3 years but not over 5 years"

R.S., c. 315, s. 7(1)(*c*) amended.

20. (1) Paragraph (*c*) of subsection (1) of section 7 of the *Currency, Mint and Exchange Fund Act* is repealed and the following substituted therefor:

"(*c*) in notes issued by the Bank of Canada pursuant to the *Bank of Canada Act* intended for circulation in Canada."

R.S., c. 315, s. 25 repealed.

(2) Section 25 of the *Currency, Mint and Exchange Fund Act* is repealed.

(2) Schedule B at present requires that, in the statement of assets and liabilities of the Bank of Canada, holdings of Government of Canada securities maturing within two years be segregated from those with a longer term to maturity. The proposed amendment would move the dividing line to the three-year maturity term, which is a more significant dividing line in view of the practice of regarding government securities with a maturity of not more than three years as securities eligible for use by security dealers entering into purchase and resale arrangements with the Bank of Canada.

(3) Paragraph (*f*) at present reads as follows:

"(*f*) Other securities....."

(4) Item 5 at present reads as follows:

"**5.** Liabilities Payable in *Pounds Sterling, U.S.A. Dollars and Other* Foreign Currencies:
(*a*) To Government of Canada
(*b*) To Others....."

Clause 19: This amendment is consequential upon the amendment proposed in clause 18(2).

Clause 20: (1) This is a consequential amendment. See clauses 1(2) and 12 of this Bill.

The relevant portions of section 7(1) of the *Currency, Mint and Exchange Fund Act* read as follows:

"**7.** (1) Subject to this section, a tender of payment of money is a legal tender if it is made

.....

(*c*) in notes issued by the Bank of Canada pursuant to the *Bank of Canada Act* that *are payable to bearer on demand and* are intended for circulation in Canada."

(2) The section being repealed reads as follows:

"**25.** (1) Notwithstanding section 23 of the *Bank of Canada Act*, the Bank of Canada is not, unless the Governor in Council otherwise prescribes, required to maintain a minimum or fixed reserve ratio of gold or foreign exchange to its liabilities.

(2) The form of Schedule B to the *Bank of Canada Act* is, until such time as the Governor in Council otherwise prescribes, amended by deleting the statement of the ratio of the net reserves to notes and deposit liabilities."

Since section 23 of the *Bank of Canada Act* is being repealed by clause 14 of this Bill, section 25 of the *Currency, Mint and Exchange Fund Act* is no longer necessary.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-191.

An Act to amend the British North America Act, 1867, (Canadian Bill of Rights).

First reading, June 2, 1966.

Mr. BADANAI.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-191.

An Act to amend the British North America Act, 1867, (Canadian Bill of Rights).

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

30 and 31 Vict., c. 3.

1. The *British North America Act, 1867*, is amended by inserting immediately after section 91 thereof the following:

Rights and freedoms not to be abridged.

"**91A.** (1) Parliament shall make no law prohibiting, abrogating, abridging, trenching or infringing upon

(*a*) freedom of religion;
(*b*) freedom of speech;
(*c*) freedom of assembly and association;
(*d*) freedom of the press;
(*e*) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of the law; and
(*f*) the right of the individual to equality before the law and the protection of the law.

Laws not to discriminate.

(2) Parliament shall make no law that may be construed as discriminating by reason of

(*a*) race;
(*b*) national origin;
(*c*) colour;
(*d*) religion; and
(*e*) sex.

Rights of individuals.

(3) Parliament shall make no law to

(*a*) authorize or effect the arbitrary detention, imprisonment or exile of any person;
(*b*) impose or authorize the imposition of cruel and unusual treatment or punishment;
(*c*) deprive a person who has been arrested or detained

Explanatory Notes.

The purpose of this Bill is to amend the *British North America Act, 1867*, by adding thereto as part of the federal constitution, with regard to the powers of Parliament, a Canadian Bill of Rights in substitution for the Act of Parliament, Chapter 44, passed in the year 1960.

This latter statute has been to a certain point ineffective from the fact that it is not part of the Canadian Constitution and that its application has been rather limited because most of the time the decisions of the Courts have been to the effect that its provisions apply only to legislation adopted by Parliament since its coming into force.

Not only new legislation but that which is already on the Statute Books should be interpreted in the light of the principles which will be now contained in the Constitution itself.

This is what the present measure seeks to achieve.

If such a Bill is passed and becomes law, any legislation which is inconsistent with its provisions would be *ultra vires* to the extent of such inconsistency, which is not the case under the present legislation.

The present Bill will apply solely to matters of federal jurisdiction but nothing therein would prevent the provinces from agreeing amongst themselves to a similar amendment which might be inserted as part of section 92 of the *British North America Act, 1867*.

(i) of the right to be informed promptly of the reason for his arrest or detention,

(ii) of the right to retain and instruct counsel without delay, or

(iii) of the remedy by way of *habeas corpus* for the determination of the validity of his detention and for his release if the detention is not lawful;

(*d*) authorize a court, tribunal, commission, board or other authority to compel a person to give evidence if he is denied counsel, protection against self crimination or other constitutional safeguards;

(*e*) deprive a person of the right to a fair hearing in accordance with the principles of fundamental justice for the determination of his rights and obligations;

(*f*) deprive a person charged with a criminal offence of the right to be presumed innocent until proved guilty according to law in a fair and public hearing by an independent and impartial tribunal, or of the right to reasonable bail without just cause; or

(*g*) deprive a person of the right to the assistance of an interpreter in any proceedings in which he is involved or in which he is a party or a witness, before a court, commission, board or other tribunal, if he does not understand or speak the language in which such proceedings are conducted.

As to existing law.

(4) Any law of Parliament now in existence which is contrary to the provisions of the three preceding subsections shall be deemed to be unconstitutional to the extent of its inconsistency with those provisions.

Canadian Bill of Rights.

(5) The provisions of this section shall be known as the *Canadian Bill of Rights.*"

Repeal.

2. The Act for the Recognition and Protection of Human Rights and Fundamental Freedoms is hereby repealed.

Short title and citation.

3. This Act may be cited as the *British North America Act, 1966*, and the British North America Acts, 1867 to 1965, and this Act may be cited together as the *British North America Acts, 1867 to 1966.*

C-192.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-192.

An Act to amend the Criminal Code (Destruction of Criminal Records).

First reading, June 6, 1966.

Mr. TOLMIE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTRLLER OF STATIONERY
OTTAWA, 1966

24387

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-192.

An Act to amend the Criminal Code (Destruction of Criminal Records).

1953-54, cc. 51, 52; 1955, cc. 2, 45; 1956, c. 48; ss. 19, 20; 1957-58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37 and c. 45, s. 21; 1960-61, cc. 21, 42, 43, 44; 1962-63, c. 4; 1963, c. 8; 1964-65, c. 22, s. 10 and cc. 35, 53.

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

1. The *Criminal Code* is amended by inserting therein, immediately after section 655, the following:

Offence deemed not to have been committed.

"**655A.** (1) Subject to the provisions of subsection (3), everyone convicted of an offence or indictable offence under this Act, who, for a period of twelve years after he has served the sentence imposed on him as a result of this sole offence, has not been convicted of another offence or indictable offence under this Act, shall, for the purposes of this Act, be deemed not to have committed the offence for which he was convicted.

Offenders under twenty-one years of age.

(2) Subject to the provisions of subsection (3), everyone convicted of an offence or indictable offence under this Act when he was under twenty-one years of age, shall, upon attaining that age, be deemed not to have committed the offence or indictable offence for which he was convicted, provided that he had been convicted for only one offence; if, at any time he has been convicted of more than one offence, a court of criminal jurisdiction may, in its discretion, having regard to all circumstances surrounding the case, upon application of any interested party, make an order to the effect that the said person shall be deemed not to have committed the offences or indictable offences of which he was convicted.

Explanatory Notes.

The purpose of this Bill is twofold. Firstly, to erase criminal records incurred by minors who, upon reaching their majority, have become respectable members of society; secondly, to relieve adults who have paid their debt to society and taken their place as law-abiding citizens, from the continuing stigma and harassment of past criminal records.

Saving.

(3) This section shall not apply in the case of an indictable offence punishable by death or imprisonment for life.

Records and files to be destroyed.

(4) Notwithstanding anything in this or any other Act, all records and files respecting a hearing or disposal of any case mentioned in this section shall be destroyed by the officer having the custody thereof, immediately after the persons referred to in this section shall be deemed not to have committed the offences of which they were convicted."

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-193.

An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Diplomatic Service (Special) Superannuation Act, the Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act and the Canadian Corporation for the 1967 World Exhibition Act.

First reading, June 6, 1966.

THE MINISTER OF NATIONAL REVENUE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

22915

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-193.

An Act to amend the Public Service Superannuation Act, the Canadian Forces Superannuation Act, the Defence Services Pension Continuation Act, the Royal Canadian Mounted Police Superannuation Act, the Diplomatic Service (Special) Superannuation Act, the Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act and the Canadian Corporation for the 1967 World Exhibition Act.

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

Short title.

1. This Act may be cited as the *Statute Law (Superannuation) Amendment Act, 1966.*

1952-53, c. 47; 1953-54, c. 64; 1955, c. 16; 1956, c. 44; 1960, c. 38; 1965, c. 5.

PUBLIC SERVICE SUPERANNUATION ACT.

2. (1) Subsection (1) of section 2 of the *Public Service Superannuation Act* is amended by adding thereto, immediately after paragraph (*i*) thereof, the following paragraph:

"Provincial pension plan."

"(*ia*) "provincial pension plan" has the same meaning as in the *Canada Pension Plan*;"

1955, c. 16, s. 1.

(2) Paragraph (*n*) of subsection (1) of section 2 of the said Act is repealed.

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

When specified age deemed to be reached.

"(3) For the purposes of paragraph (*ba*) of subsection (1) of section 4 and paragraph (*e*) of subsection (2) of section 7, a person shall be deemed to have reached the age of eighteen years at the beginning of the month following the month in which he actually

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EXPLANATORY NOTES.

The purpose of this Bill is fourfold, namely

(1) to provide, because of the contributions required under the *Canada Pension Plan*, for a reduction in the contributions required to be paid to certain superannuation or pension funds or plans established by Parliament and for the correlation of the pensions or annuities payable under those funds or plans with the *Canada Pension Plan;*

(2) to extend the portability provisions of certain of these plans;

(3) to raise the limit on the amount of the supplementary death benefit payable in respect of persons employed in the Public Service and members of the Canadian Forces; and

(4) to make amendments of a general nature to certain of the Acts establishing these plans found desirable or necessary in the course of their administration.

Clause 2. (2) The paragraph being repealed at present reads as follows:

"(*n*) "temporary employee" means
(i) an employee who is engaged for a term of twelve months or less, or
(ii) a part-time employee;"

The repeal of this paragraph is consequential on the amendments to section 4 proposed in clause 3.

(3) The purpose of this amendment is to correlate the provisions of this Act and the *Canada Pension Plan* with respect to the day on which a person is deemed to have reached eighteen years of age and sixty-five years of age.

reached that age, and for the purposes of subsection (1a) of section 9, a person shall be deemed to have reached the age of sixty-five years at the beginning of the month following the month in which he actually reached that age."

3. (1) Subsection (1) of section 4 of the said Act is amended by adding thereto, immediately after paragraph (*b*) thereof, the following paragraph:

"(*ba*) an employee who has not reached the age of eighteen years unless he was, immediately before the coming into force of this paragraph, a person required by this subsection to contribute to the Superannuation Account and has been employed in the Public Service substantially without interruption since that day,"

1955, c. 16, s. 2(1).

(2) Paragraph (*c*) of subsection (1) of section 4 of the said Act is repealed and the following substituted therefor:

"(*c*) a prevailing rate employee, an employee who is engaged for a term of six months or less or a seasonal employee, unless he has been employed in the Public Service substantially without interruption for a period of more than six months,

(*ca*) a part-time employee,"

1960, c. 38, s. 2(2).

(3) Paragraph (*f*) of subsection (1) of section 4 of the said Act is repealed and the following substituted therefor:

"(*f*) a sessional employee, a postmaster or assistant postmaster in a revenue post office or a person employed as a clerk of works, a member of the staff of Government House who is paid by the Governor General from his salary or allowance, an employee of a commission that is appointed under Part I of the *Inquiries Act* and added to Part I of Schedule A, unless designated by the Minister individually or as a member of a class,"

Clause 3. (1) New. This amendment would provide that persons who become employed in the Public Service are not required to contribute under the Act until they reach eighteen years of age, the same age at which they will commence to contribute under the *Canada Pension Plan.* An exception is made for persons under the age of eighteen years who are contributors immediately before the coming into force of this amendment.

(2) Paragraph (*c*) at present reads as follows:

"(*c*) a *temporary* employee, unless, in the case of an employee who is engaged for a term of *twelve* months or less, he has been employed in the Public Service substantially without interruption for a period of more than *twelve* months,"

Prevailing rate and seasonal employees at present are not required to contribute under the Act unless they are designated by the Governor in Council and certain temporary employees must have been employed for more than twelve months before they become contributors. This amendment would provide that prevailing rate, seasonal and certain other employees described therein become contributors under the Act if they have been employed in the Public Service substantially without interruption for more than six months.

(3) Paragraph (*f*) at present reads as follows:

"(*f*) a *prevailing rate, seasonal* or sessional employee, a postmaster or assistant postmaster in a revenue post office or a person employed as a clerk of works, unless designated by the *Governor in Council* individually or as a member of a class,"

This amendment would provide that persons coming within the categories of persons referred to therein are not required to contribute under the Act unless designated by the Minister of Finance.

1960, c. 38, s. 2(3).

(4) Paragraphs (*g*) and (*h*) of subsection (1) of section 4 of the said Act are repealed and the following substituted therefor:

"(*g*) in the case of a male contributor, six and one-half per cent of his salary minus an amount equal to the amount he would be required to contribute under the *Canada Pension Plan* in respect of that salary if that salary, expressed in terms of an annual rate, were the total amount of his income for the year from pensionable employment as defined in that Act and that Act applied to his employment, and

(*h*) in the case of a female contributor, five per cent of her salary minus an amount equal to the amount she would be required to contribute under the *Canada Pension Plan* in respect of that salary if that salary, expressed in terms of an annual rate, were the total amount of her income for the year from pensionable employment as defined in that Act and that Act applied to her employment."

(5) Paragraph (*b*) of subsection (2) of section 4 of the said Act is repealed and the following substituted therefor:

"(*b*) no person who has become entitled to or has been granted any superannuation or pension benefit of a kind specified in the regulations, payable

(i) out of the Consolidated Revenue Fund or out of any account or Fund in the Consolidated Revenue Fund other than the Superannuation Account, or

(ii) out of or under a superannuation or pension fund or plan pursuant to which contributions have been paid out of the Consolidated Revenue Fund in respect of employees engaged locally outside of Canada,

shall contribute to the Superannuation Account as required by subsection (1) after that person has to his credit a period of pensionable service totalling thirty-five years less the number of years of service upon which that superannuation or pension benefit is based;"

(4) The purpose of this amendment is to reduce the amount of the contributions required to be made under the Act by a contributor by the amount the contributor is required to contribute under the *Canada Pension Plan* in respect of the salary received by him from his employment in the Public Service.

(5) This amendment would provide that a contributor who was previously an employee engaged locally outside of Canada and who has become entitled to or been granted any pension benefit payable under a pension plan to which contributions were paid out of the Consolidated Revenue Fund is not required to contribute under the Act after he has to his credit a period of pensionable service totalling thirty-five years less the number of years of service on which that pension benefit is based.

4. (1) Subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act is amended by adding thereto, immediately after clause (AB) thereof, the following clauses:

"(AC) any continuous period of full-time service of six months or more as an employee with an international organization specified in the regulations whose salary was paid out of the Consolidated Revenue Fund, if he elects, within one year of becoming a contributor under this Act, to pay for that service,

(AD) any continuous period of full-time service of six months or more in civilian war service of a kind specified in the regulations, if he elects, within one year of becoming a contributor under this Act, to pay for that service,"

(2) Subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act is further amended by striking out the word "and" at the end of clause (E) thereof and by adding thereto, immediately after clause (E) thereof, the following clause:

"(EA) any period of service in respect of which payment was made to a public service employer or an approved employer under an agreement entered into pursuant to section 28 and in respect of which that contributor subsequently received a return of contributions or other lump sum payment, if he elects, within one year of becoming a contributor under this Act, to pay for that service, and"

(3) An election may be made

(*a*) under clause (AC) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act as enacted by this section by any person who, on the coming into force of this section, had ceased to be employed in the Public Service, or any person who was a contributor under Part I of the said Act immediately before the coming into force of this section, and

Clause 4. (1) New. The purpose of this amendment is to allow a contributor to count as pensionable service under the Act service of the kind described in the amendment if he so elects within one year of becoming a contributor under the Act to pay for that service.

The right to elect in respect of this service is, by subclause (3) of this clause, extended to persons presently contributing under the Act and with respect to service of a kind described in clause (AC) is also extended to former contributors.

(2) New. This amendment would allow a contributor to count as pensionable service under the Act any former service in the Public Service in respect of which a payment was made to a public service or approved employer when the employee changed his employment and in respect of which he eventually received a return of contributions. The right to make this election is, by subclause (3) of this clause, extended to persons presently contributing under the Act.

(*b*) under clause (AD) or (EA) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act as enacted by this section by any person who was a contributor under Part I of the said Act immediately before the coming into force of this section,

and in its application to such persons clauses (AC), (AD) and (EA) shall be read and construed as though for the expression "within one year of becoming a contributor under this Act" where it appears therein there were substituted the expression "within one year of becoming a contributor under this Act or of the coming into force of this clause".

1960, c. 38, s. 4(2).

5. (1) Paragraphs (*e*) to (*f*) of subsection (1) of section 6 of the said Act are repealed and the following substituted therefor:

"(*e*) in respect of any period specified in clause (A) of subparagraph (iii) of the said paragraph (*b*), an amount determined as follows:

(i) in the case of a person who, immediately prior to his enlistment in the forces, was employed in the Public Service on a full-time basis, an amount equal to the amount that he would have been required to contribute during the period of his service in the forces had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of a salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest, and

(ii) in the case of a person who was not, immediately prior to his enlistment in the forces, employed in the Public Service on a full-time basis, an amount equal to twice the amount that he would have been required to contribute during the period of his service in the forces had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of a salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;

Clause 5. (1) Paragraphs (*e*) to (*f*) at present read as follows:

"(*e*) in respect of any period specified in clause (A) of subparagraph (iii) of the said paragraph (*b*), an amount determined as follows:

(i) in the case of a person who, immediately prior to his enlistment in the forces, was employed in the Public Service on a full-time basis, an amount equal to the amount that he would have been required to contribute during the period of his service in the forces had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4, in respect of a salary at the rate authorized to be paid to him *at the time he left his employment in the Public Service to enlist*, together with interest, and

(ii) in the case of a person who was not, immediately prior to his enlistment in the forces, employed in the Public Service on a full-time basis, an amount equal to twice the amount that he would have been required to contribute during the period of his service in the forces had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4, in respect of a salary at the *initial* rate authorized to be paid to him *upon subsequently becoming employed in the Public Service*, together with interest;

(*ea*) in respect of any period specified in clause (AA) of subparagraph (iii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute *in the manner and at the rates set forth in subsection (1) of section 4*, in respect of a salary *equal to the salary* authorized to be paid to him *during that period*, together with interest;

(*f*) in respect of any period specified in clause (AB) or (B) of subparagraph (iii) of the said paragraph (*b*), an amount equal to twice the amount that he would have been required to contribute had he, during that period, been required to contribute *in the manner and at the rates set forth in subsection (1) of section 4*, in respect of a salary at the *initial* rate authorized to be paid to him *upon subsequently becoming employed in the Public Service*, together with interest;"

These amendments would provide that a contributor who elects to count as pensionable service any of the periods of service referred to therein shall pay therefor in respect of a salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under the Act, together with interest. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 3.

(*ea*) in respect of any period specified in clause (AA) of subparagraph (iii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4, in respect of that period or that portion thereof,

in respect of a salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;

(*f*) in respect of any period specified in clause (AB), (AC), (AD), (B) or (EA) of subparagraph (iii) of the said paragraph (*b*), an amount equal to twice the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4, in respect of that period or that portion thereof,

in respect of a salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;"

(2) Subsection (1) is applicable to elections made after 1965, except that in the case of an election made in the year 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraphs (*e*) to (*f*) of subsection (1) of section 6 of the said Act shall be read as follows:

(2) The purpose of this subclause is to provide that a contributor who elects in the year 1966 or in the year 1967, if he was a contributor on December 31, 1966, to count as pensionable service any of the periods of service referred to therein, other than the service referred to in paragraph (*eb*), will pay for that service on the basis of the rate of salary presently referred to in those sections. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 3 of this Bill.

"(*e*) in respect of any period specified in clause (A) of subparagraph (iii) of the said paragraph (*b*), an amount determined as follows:

(i) in the case of a person who, immediately prior to his enlistment in the forces, was employed in the Public Service on a full-time basis, an amount equal to the amount that he would have been required to contribute during the period of his service in the forces had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of a salary at the rate authorized to be paid to him at the time he left his employment in the Public Service to enlist, together with interest, and

(ii) in the case of a person who was not, immediately prior to his enlistment in the forces, employed in the Public Service on a full-time basis, an amount equal to twice the amount that he would have been required to contribute during the period of his service in the forces had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of a salary at the initial rate authorized to be paid to him upon subsequently becoming employed in the Public Service, together with interest;

(*ea*) in respect of any period specified in clause (AA) of subparagraph (iii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4, in respect of that period or that portion thereof,

in respect of a salary equal to the salary authorized to be paid to him during that period, together with interest;

(*eb*) in respect of any period specified in clause (EA) of subparagraph (iii) of the said paragraph (*b*), an amount equal to the total amount paid to a public service employer or an approved employer in respect of the contributor's service during that period plus any amount paid to the contributor by way of a return of contributions at the time he ceased to be employed in the Public Service to become employed by that public service employer or approved employer, together with simple interest at the rate of four per cent per annum on the amounts so paid from the time of payment until the time of the contributor's election;

(*f*) in respect of any period specified in clause (AB), (AC), (AD) or (B) of subparagraph (iii) of the said paragraph (*b*), an amount equal to twice the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4, in respect of that period or that portion thereof,

in respect of a salary at the initial rate authorized to be paid to him upon subsequently becoming employed in the Public Service together with interest."

1960, c. 38, s. 4(2).

(3) Paragraph (*i*) of subsection (1) of section 6 of the said Act is repealed and the following substituted therefor:

"(*i*) notwithstanding anything in paragraphs (*a*) to (*h*) of this subsection, in respect of any period described in clause (E) of subparagraph (iii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute if he had elected under this Act, within the time prescribed for the making of the election, to pay for that period, and if during that period the rate of the salary authorized to

With respect to service of the kind referred to in paragraph (*eb*), a contributor who elects in the year 1966 to pay for that service will pay an amount equal to the total amount paid to a public service or approved employer in respect of the contributor's service plus any amount paid to the contributor by way of a return of contributions and simple interest at the rate of four per cent from the time of that payment until the time the election is made.

(3) Paragraph (*i*) at present reads as follows:

"(*i*) notwithstanding anything in paragraphs (*a*) to (*h*) of this subsection, in respect of any period described in clause (E) of subparagraph (iii) of the said paragraph (*b*), an amount equal to the amount of the return of contributions or other lump sum payment referred to in that clause plus the capitalized value, as of the time of the making of that payment to him, of such amounts by way of instalments of the amount required by this Act or Part I of the *Superannuation Act* to be paid by him in respect of that period as were payable by him before the time of the making of that payment to him and remained unpaid by him at that time, together with simple interest at four per cent per annum from that time until the time of the election, or, in the event of that payment being a payment under subsection (3) of section 8, an amount determined in accordance with the regulations to be the capitalized value, at the time of the election, of the annuity or annual allowance upon which that payment was based; and"

The purpose of this amendment is to provide that a contributor who elects to count as pensionable service any period of service in the Public Service in respect of which he received a return of contributions, will pay therefor in respect of a salary equal to the salary authorized to be paid to him on the most recent occasion on which he became a contributor, together with interest.

be paid to him had been equal to the rate of salary authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;"

(4) Subsection (3) is applicable to elections made after 1965, except that in the case of elections made in 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraph (*i*) of subsection (1) of section 6 of the said Act shall be read as it read on December 31, 1965.

1960, c. 38, s. 5(2).

6. (1) Subsection (2) of section 7 of the said Act is amended by striking out the word "or" at the end of paragraph (*c*) thereof, by repealing paragraph (*d*) thereof and by substituting therefor the following paragraphs:

"(*d*) any period of service of less than ninety days as defined by the regulations unless it is service that may be counted under clause (E) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5, or

(*e*) any period of service after 1965 and prior to the day on which the elector reached the age of eighteen years."

(2) Section 7 of the said Act is further amended by adding thereto the following subsection:

Recovery of annuity paid in error.

"(8) Where any amount has been paid in error under this Act on account of any annuity or annual allowance, the Minister may retain by way of deduction from any subsequent payments of that annuity or annual allowance, in the manner prescribed by the regulations, an amount equal to the amount paid in error, without prejudice to any other recourse available to Her Majesty with respect to the recovery thereof."

7. (1) The said Act is further amended by adding thereto, immediately after section 7 thereof, the following section:

Calculation of time for making of certain elections.

"**7A.** For the purposes of sections 5 and 25 the year within which a contributor may elect to count any service described in those sections as pensionable service for the purposes of this Act shall be deemed to end one year from the day on which written notice is sent by or on behalf of the Minister to that contributor informing him that he has become a contributor under this Act."

Clause 6. (1) Paragraph (*d*) at present reads as follows:

"7. (2) An election under this Act is void, in so far as it is an election to pay for . . . . . .

(*d*) any period of service of less than ninety days as defined by the regulations."

The purpose of the amendment to paragraph (*d*) is to provide that an election made under the Act to pay for a period of service of less than ninety days is not void in so far as it is an election in respect of service for which he had received a return of contributions.

The amendment contained in paragraph (*e*) is consequential on the amendment contained in clause 3 (1).

(2) New. This amendment would authorize the Minister of Finance to retain by way of a reduction from future payments of an annuity or annual allowance an amount equal to any amount paid in error on account of that annuity or annual allowance.

Clause 7. New. The purpose of this amendment is to provide that the period of one year in which a contributor may, under section 5 or 25, elect to count the kinds of service described therein shall be deemed to end one year after written notice is sent to that contributor informing him that he has become a contributor, rather than one year from the day on which he actually becomes a contributor under the Act.

(2) Subsection (1) is applicable only to elections made by persons who become contributors under the said Act on or after the coming into force of this section.

8. (1) Paragraph (*a*) of subsection (1) of section 8 of the said Act is repealed and the following substituted therefor:

"(*a*) "annuity" means an annuity computed in accordance with section 9;"

1960, c. 38, s. 6(1).

(2) Paragraph (*d*) of subsection (1) of section 8 of the said Act is repealed and the following substituted therefor:

"(*d*) "cash termination allowance" means an amount equal to one month's pay for each year of pensionable service computed on the basis of the rate of salary authorized to be paid to the contributor

(i) at the time he ceases to contribute to the Superannuation Account, or

(ii) in the case of a contributor who continues to be employed in the Public Service after having ceased to contribute to the Superannuation Account pursuant to paragraph (*a*) or (*b*) of subsection (2) of section 4, at the time he ceases to be employed in the Public Service,

minus an amount equal to the amount by which

(iii) the total amount the contributor would have been required to contribute to the Superannuation Account up to the time he ceases to be employed in the Public Service (other than interest or charges for payments by instalments) in respect of service after 1965, if he had contributed on the basis of the rates set forth in subsection (1) of section 4 as it read on December 31, 1965,

exceeds

(iv) the total amount the contributor was required to contribute to the Superannuation Account up to the time he ceases to be employed in the Public Service (other than interest or charges for payments by instalments) in respect of service after 1965."

Clause 8. (1) Paragraph (*a*) at present reads as follows:

"(*a*) "annuity" means an annuity computed in accordance with *subsection (1) of* section 9;"

This amendment is consequential on the amendment contained in clause 9.

(2) Paragraph (*d*) at present reads as follows:

"(*d*) "an amount equal to one month's pay for each year of pensionable service" means an amount computed on the basis of the rate of salary authorized to be paid to the contributor

(i) at the time he ceases to contribute to the Superannuation Account, or

(ii) in the case of a contributor who continues to be employed in the Public Service after having ceased to contribute to the Superannuation Account pursuant to paragraph (*a*) or (*b*) of subsection (2) of section 4, at the time he ceases to be employed in the Public Service, and"

This amendment would provide a new calculation of what was referred to as "an amount equal to one month's pay for each year of pensionable service" and shortens the phrase to "cash termination allowance". The new calculation is made necessary by the reduction in contributions to the Superannuation Account as a result of the correlation of the Act with the *Canada Pension Plan.*

1960, c. 38, s. 6(3).

(3) Paragraph (*c*) of subsection (4) of section 8 of the said Act is repealed and the following substituted therefor:

"(*c*) if, without having exercised or been deemed to have exercised the option, he becomes re-employed in the Public Service, he ceases to be entitled to exercise the option until such time as he ceases to be so re-employed, unless before that time he becomes, or would have become, but for subsection (2) of section 4, a contributor under this Act, in which case the period on which that benefit was based (except any such period specified in clause (C) or (D) of subparagraph (iii) of paragraph (*a*) of subsection (1) of section 5) shall be counted as pensionable service for the purposes of subsection (1) of section 5."

(4) Section 8 of the said Act is further amended by adding thereto the following subsection:

Contributor re-employed before return of contributions paid to him.

"(5) Where a contributor who is entitled under section 10 or 11 to a return of contributions becomes re-employed in the Public Service and a contributor under this Act before those contributions have been paid to him, the period of pensionable service to which such contributions relate (except any such period specified in clause (C) or (D) of subparagraph (iii) of paragraph (*a*) of subsection (1) of section 5) shall be counted as pensionable service for the purposes of this Act, and the amount of those contributions shall, in lieu of being paid to him, be applied in payment of or on account of the amount required by this Act to be paid by him for that service."

9. (1) Section 9 of the said Act is amended by adding thereto, immediately after subsection (1) thereof, the following subsections:

Deduction from annuity.

"(1a) Notwithstanding subsection (1), where a contributor

(*a*) has reached the age of sixty-five years and has ceased to be employed in the Public Service, or

(3) The relevant portion of subsection (4) at present reads as follows:

"(4) Where, under section 10 or 11, a contributor is entitled to a benefit therein specified at his option,.....

(*c*) if, without having exercised or been deemed to have exercised the option, he becomes re-employed in the Public Service, he ceases to be entitled to exercise the option until such time as he ceases to be so re-employed, unless before that time he becomes, or would have become, but for subsection (2) of section 4, a contributor under this Act, in which case *he shall be deemed thereupon to have exercised the option in favour of a return of contributions and to have elected to pay for the period of service to which such return of contributions relates, and the amount of such return of contributions shall, in lieu of being paid to him, be applied thereupon in payment of or on account of the amount required by this Act to be paid by him for the service.*"

The purpose of this amendment is to provide that where a contributor becomes re-employed in the Public Service without having exercised any option with respect to benefits that he is entitled to exercise under section 10 or 11 of the Act, he ceases to be entitled to exercise that option until such time as he again leaves the Public Service. If before he leaves the Public Service again, however, he becomes a contributor under the Act or would have become a contributor except for the exemption provided in section 4 (2), the period of service on which that benefit is based is to be counted as pensionable service for the purposes of the Act.

(4) New. The purpose of this amendment is to provide that where a contributor who is entitled to a return of contributions under section 10 or 11 becomes a contributor under this Act before the contributions have actually been paid to him, the period of service to which such contributions relate shall be counted as pensionable service and the amount of those contributions shall, in lieu of being paid to him, be applied in payment of or on account of the amount required by the Act to be paid for that service.

Clause 9. (1) New.

The purpose of subsection (1a) is to provide that where a contributor reaches sixty-five years and has ceased to be employed in the Public Service or having become entitled to a disability pension under the *Canada Pension Plan* or a provincial pension plan, there shall, as a result of the reduction in contributions provided in clause 3, be deducted from any annuity he is entitled to under the Act an amount calculated in the manner provided in this subsection.

(*b*) has become entitled to a disability pension payable under paragraph (*b*) of subsection (1) of section 44 of the *Canada Pension Plan* or a provision of a provincial pension plan similar thereto, or would have become entitled thereto if he had applied therefor,

there shall be deducted from the amount of any annuity to which that contributor is entitled under this Act an amount equal to thirty-five per cent of

(*c*) the average annual salary received by the contributor during the period of pensionable service described in subsection (1) applicable to him, not exceeding his Average Maximum Pensionable Earnings,

multiplied by

(*d*) the number of years of pensionable service after 1965 to the credit of the contributor not exceeding thirty-five, divided by fifty.

Definitions. "Average Maximum Pensionable Earnings." "Year's Maximum Pensionable Earnings."

(1b) For the purposes of subsection (1a),

(*a*) "Average Maximum Pensionable Earnings" means with respect to any contributor, the average of the Year's Maximum Pensionable Earnings for the year in which the deduction referred to in subsection (1a) is required to be made from his annuity and for each of the two preceding years; and

(*b*) "Year's Maximum Pensionable Earnings" has the same meaning as in the *Canada Pension Plan*.

Circumstances where annuity to be increased.

(1c) Where a person who was a contributor on December 31, 1965, and who has been employed in the Public Service substantially without interruption since that day has become entitled to an immediate annuity under this Act and

(*a*) the amount of that annuity, together with such amount as is determined in accordance with the regulations to be the amount of any retirement or disability pension to which that person is entitled under the *Canada Pension Plan* or a provincial pension plan (or to which he would be entitled thereunder if he applied therefor and in the case of a retirement pension, it had not been commuted), that is attributable to

The purpose of the new subsection (1c) is to insure that where a person was a contributor on December 31, 1965, and has been employed in the Public Service substantially without interruption since that day, the amount of the annuity payable to him together with the amount of any retirement or disability pension payable to him under the *Canada Pension Plan* or a provincial pension plan that is attributable to contributions made by him while in the Public Service, shall not be less than the amount of the annuity he would have otherwise been entitled to under section 9 (1).

contributions made thereunder in respect of his employment in the Public Service,

is less than

(*b*) the amount of the annuity to which he would have been entitled under this Act if no deduction was made as required under subsection (1a),

the amount of the annuity payable to him under this Act shall, upon application therefor by him in the manner prescribed by the regulations, be increased by the amount of the difference effective from such day as is determined in accordance with the regulations.

Exception.

(1d) Subsection (1c) does not apply to a person described therein during any period that a retirement pension is not payable to him or is reduced by virtue of section 68 or 69 of the *Canada Pension Plan* or a provision of a provincial pension plan similar thereto."

(2) Subsection (1) shall come into force on the 1st day of January, 1967, except that in its application to a contributor to whom an annuity under the said Act is payable at any time in the years 1967, 1968 or 1969, paragraph (*a*) of subsection (1a) of section 9 of the said Act, as enacted by this section, shall be read and construed as though for the expression "has reached the age of sixty-five years" where it appears therein there were substituted

(*a*) for the year 1967, the expression "has reached the age of sixty-eight years",

(*b*) for the year 1968, the expression "has reached the age of sixty-seven years", and

(*c*) for the year 1969, the expression "has reached the age of sixty-six years",

and for the purposes of that paragraph, a contributor shall be deemed to have reached the age of sixty-six, sixty-seven or sixty-eight years, as the case may be, at the beginning of the month following the month in which he actually reached that age.

(3) Where in the year 1967 a deduction is required to be made under subsection (1a) of section 9 of the said Act, as enacted by this section, the reference in paragraph (*a*) of subsection (1b) of section 9 of the said Act, as enacted by this section, to two preceding years shall be construed as a reference to one preceding year.

The new subsection (1d) would provide that the guarantee contained in subsection (1c) is not to apply to a person during any period that his retirement pension under the *Canada Pension Plan* or a provincial pension plan is not payable because he has not retired from regular employment or is reduced because his employment earnings are in excess of the earnings specified in those Acts.

(2) and (3) The purpose of these subclauses is to correlate the new provisions contained in this clause with similar provisions in the *Canada Pension Plan*.

(4) Paragraph (*c*) of subsection (2) of section 9 of the said Act is amended by striking out the word "or" at the end of subparagraph (i) thereof, by adding the word "or" at the end of subparagraph (ii) thereof and by adding thereto the following subparagraph:

"(iii) of service of a kind described in clause (AB), (AC) or (AD) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5;"

(5) Subsection (4) shall be deemed to have come into force on the 14th day of July, 1960.

(6) Paragraph (*d*) of subsection (2) of section 9 of the said Act is repealed and the following substituted therefor:

"(*d*) a contributor who is absent from the Public Service on leave of absence without pay and who contributes in respect of that absence in accordance with the regulations is deemed to have received during such period salary at a rate as prescribed in the regulations;

(*da*) where a person has to his credit pensionable service that includes any period of service for which he elected or might have elected under this Act to pay an amount calculated on the basis of his salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, he shall be deemed to have received during that period a salary at that rate, notwithstanding paragraphs (*b*) and (*c*);"

10. (1) All that portion of subsection (1) of section 10 of the said Act preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Contributors with less than five years of pensionable service.

"**10.** (1) The following provisions are applicable in respect of any contributor described in subsection (2), namely:"

(2) Paragraph (*a*) of subsection (1) of section 10 of the said Act is amended by adding the word "or" at the end of subparagraph (i) thereof, by repealing subparagraphs (ii) and (iii) thereof and by substituting therefor the following subparagraph:

(4) New. The purpose of this amendment is to determine, for the purpose of computing the amount of any annuity to which a contributor is entitled under section 9 (1), the salary deemed to have been received by that contributor during the period that he served in the armed forces, in the Royal Canadian Mounted Police, with certain international organizations or in civilian war service.

(6) Paragraph (*d*) at present reads as follows:

"(2) For the purposes of subsection (1), ...

(*d*) a contributor who is absent from the Public Service on leave of absence without pay and who contributes in respect of that absence in accordance with the regulations is deemed to have received during such period a salary at a rate *equal to the rate of salary that would have been authorized to be paid to him had he not been so absent on leave of absence without pay;*"

The purpose of this amendment is to deem a contributor described therein to have received during the period he is on leave of absence a salary at a rate as prescribed in the regulations.

Paragraph (*da*) is new and is consequential on the amendments contained in clause 5.

Clause 10. (1) and (2) The relevant portion of subsection (1) at present reads as follows:

"**10.** (1) The following provisions are applicable in respect of any contributor who, having been a contributor under Part I of the *Superannuation Act* immediately prior to the coming into force of this Act and having been employed in the Public Service substantially without interruption thereafter, has to his credit less than five years of pensionable service, namely,

(*a*) if he ceases to be employed in the Public Service, having reached sixty years of age, for any reason other than misconduct, or ceases to be employed in the Public Service by reason of having become disabled, he is entitled to

(i) an immediate annuity,

(ii) an amount equal to one month's pay for each year of pensionable service, or

(iii) a return of contributions,

at his option;"

The amendment contained in subclause (1) is consequential on the amendment in subclause (4) of this clause. The purpose of the amendment contained in subclause (2) is to provide that a contributor described in subclause (4) has the option either to an immediate annuity or the greater of the amounts referred to therein.

"(ii) either a cash termination allowance or a return of contributions, whichever is the greater,"

(3) Paragraph (*c*) of subsection (1) of section 10 of the said Act is repealed and the following substituted therefor:

"(*c*) if he becomes disabled, not having reached sixty years of age but having become entitled to a deferred annuity, he ceases to be entitled to that deferred annuity and becomes entitled to an immediate annuity; and"

(4) Subsection (2) of section 10 of the said Act is repealed and the following substituted therefor:

Contributor defined.

"(2) For the purposes of subsection (1), a contributor described in this subsection is any contributor who

(*a*) having been a contributor under Part I of the *Superannuation Act* immediately prior to the 1st day of January, 1954, and having been employed in the Public Service substantially without interruption thereafter, has to his credit less than five years of pensionable service;

(*b*) having to his credit more than thirty years of service upon which a superannuation or pension benefit of a kind described in paragraph (*b*) of subsection (2) of section 4 is based, has to his credit less than five years of pensionable service;

(*c*) having had to his credit more than five years of pensionable service, has, on ceasing to be employed in the Public Service in order to become employed by an approved employer, less than five years of pensionable service remaining to his credit for which no further contributions are required and that he is unable to count as pensionable service for the purposes of the superannuation or pension fund or plan of that approved employer; or

(*d*) having had to his credit more than five years of pensionable service, has, on ceasing to be employed in the Public Service in order to become a member of the regular forces or of the Force, less than five years of pensionable service remaining to his credit that he is unable to

(3) Paragraph (*c*) at present applies only to a person described therein who becomes entitled to a deferred annuity under paragraph (*b*). This amendment deletes the reference to paragraph (*b*) and is consequential on the amendment to section 15 contained in clause 13, which also provides for a deferred annuity.

(4) The subsection being repealed at present reads as follows:

"(2) A contributor who, not having been a contributor under Part I of the *Superannuation Act* immediately prior to the coming into force of this Act, or, having been a contributor thereunder at that time but not having been employed in the Public Service substantially without interruption thereafter, has to his credit less than five years of pensionable service, is entitled, upon ceasing to be employed in the Public Service, to a return of contributions."

The purpose of the new subsection (2) is to make the provisions of subsection (1) of section 10 applicable to the contributors described in this subsection.

count as pensionable service for the purposes of the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*.

(2a) A contributor, other than a contributor described in subsection (2), who has to his credit less than five years of pensionable service, is entitled, upon ceasing to be employed in the Public Service, to a return of contributions."

(5) Subsection (4) of section 10 of the said Act is repealed and the following substituted therefor:

Idem.

"(4) Notwithstanding subsection (5), upon the death of a contributor who at the time of his death was a contributor described in paragraph (*a*) or (*b*) of subsection (2), his widow and children are entitled to the annual allowances to which they would have been entitled under subsection (3) had the contributor, immediately prior to his death, become entitled under subsection (1) to an immediate annuity or a deferred annuity."

11. (1) Paragraphs (*b*) to (*d*) of subsection (1) of section 11 of the said Act are repealed and the following substituted therefor:

"(*b*) if he ceases to be employed in the Public Service, not having reached sixty years of age, by reason of having become disabled, he is entitled to

(i) an immediate annuity, or

(ii) either a cash termination allowance or a return of contributions, whichever is the greater,

at his option, except that if he has reached the age of forty-five years and has to his credit not less than ten years of pensionable service, he is not entitled to an amount as described in subparagraph (ii) in respect of any period of pensionable service after such day as may be fixed by the Governor in Council;

(*c*) if he ceases to be employed in the Public Service, not having reached sixty years of age, for any reason other than disability or misconduct, he is entitled to

(i) a deferred annuity,

(ii) an annual allowance, payable

Subsection (2a) is the former subsection (2) and its amendment is consequential on the amendment contained in the new subsection (2).

(5) Subsection (4) at present reads as follows:

"(4) Upon the death of a contributor who, having been a contributor under Part I of the *Superannuation Act* immediately prior to the coming into force of this Act and having continued to be employed in the Public Service substantially without interruption thereafter, was employed in the Public Service at the time of his death, having to his credit less than five years of pensionable service, the widow and children of the contributor are entitled to the annual allowances to which they would have been entitled under subsection (3) had the contributor, immediately prior to his death, become entitled under subsection (1) to an immediate annuity or a deferred annuity."

This amendment would provide that the widows and children of contributors with lengthy periods of service but less than five years of pensionable service to their credit are entitled to annual allowances rather than, as at present, to a return of contributions.

Clause 11. (1) Paragraphs (*b*) to (*d*) at present read as follows:

"(*b*) if he ceases to be employed in the Public Service, not having reached sixty years of age, by reason of having become disabled, he is entitled to

(i) an immediate annuity,

(ii) *an amount equal to one month's pay for each year of pensionable service, not exceeding ten, or*

(iii) a return of contributions,

at his option;

(*c*) if he ceases to be employed in the Public Service, not having reached sixty years of age, for any reason other than disability or misconduct, he is entitled to

(i) a deferred annuity,

(ii) a return of contributions, or

(iii) *with the consent of the Treasury Board,* an annual allowance, payable immediately in the case of a contributor fifty or more years of age. or payable upon reaching fifty years of age in the case of a contributor less than fifty years of age, which allowance shall be the actuarial equivalent, as determined in accordance with the regulations, of the deferred annuity referred to in subparagraph (i),

at his option;

(*d*) if he becomes disabled, not having reached sixty years of age but having become entitled to a deferred annuity *under paragraph (c), or becomes disabled, not having reached fifty years of age but having become entitled to an annual allowance under paragraph (c) payable upon reaching fifty years of age,* he ceases to be entitled to that deferred annuity or annual allowance and becomes entitled to an immediate annuity; and"

The amendment to paragraph (*b*) would provide that a contributor described therein has the option of an immediate annuity or the greater of the amounts referred to

(A) immediately, in the case of a contributor fifty or more years of age, or

(B) upon reaching fifty years of age, in the case of a contributor less than fifty years of age,

if he has to his credit twenty or more years of pensionable service, or, with the consent of the Minister, if he has to his credit less than twenty years of pensionable service, which allowance shall be the actuarial equivalent as determined in accordance with the regulations, of the deferred annuity referred to in subparagraph (i), or

(iii) a return of contributions,

at his option, except that if he has reached the age of forty-five years and has to his credit not less than ten years of pensionable service, he is not entitled to a return of contributions in respect of any period of pensionable service after such day as may be fixed by the Governor in Council;

(*d*) if he becomes disabled, not having reached sixty years of age but having become entitled to

(i) a deferred annuity, he ceases to be entitled to that deferred annuity and becomes entitled to an immediate annuity, or

(ii) an annual allowance, he ceases to be entitled to that annual allowance and becomes entitled to an immediate annuity, which shall be adjusted in accordance with the regulations to take into account the amount of the annual allowance he has received; and"

1960, c. 38, s. 9.

(2) Subsections (4) and (5) of section 11 of the said Act are repealed and the following substituted therefor:

Voluntary retirement of contributor.

"(4) Notwithstanding anything in this section, a contributor (other than a contributor described in paragraph (*c*) of subsection (4) or subsection (5) of section 8 or a contributor who has made an election under subsection (5) of section 25) who voluntarily retires from the Public Service, not having been employed therein substantially without interruption for a

in subparagraph (ii). By the exception added to the paragraph, however, if the contributor has reached forty-five years of age and has to his credit not less than ten years of pensionable service, he is entitled, in respect of any period of pensionable service after a day to be fixed, only to an annuity.

The amendment to paragraph (*c*) is to provide that if a contributor described therein has to his credit twenty or more years of service or if he has less than twenty, and the Minister of Finance has consented thereto, he may take the actuarial equivalent of a deferred annuity. If he has not less than ten years of pensionable service to his credit and is over the age of forty-five years he is entitled, in respect of any period of pensionable service after a day to be fixed, only to a deferred annuity or annual allowance.

The amendment to paragraph (*d*) is consequential on the amendment to section 15 contained in clause 13.

(2) Subsections (4) and (5) at present read as follows:

"(4) Notwithstanding anything in this section, a contributor who voluntarily retires from the Public Service, not having been employed therein substantially without interruption for a period of *five* years immediately before his retirement from the Public Service, is entitled only to a return of contributions.

(5) For the purpose of subsection (4), in calculating the period during which a contributor has been employed in the Public Service, any period of service of the contributor as a member of the regular forces or as a member of the Force shall be included."

The purpose of the amendment to subsection (4) is to reduce from five to two the number of years an employee must have been employed prior to his voluntary retirement from the Public Service if he is to receive a benefit under the Act other than a return of contributions. The amendment also provides that this provision is not to apply to a person who, having become entitled to a return of contributions, is re-employed in the Public Service before those moneys are received by him or who has under the Act transferred his pensionable service in the regular forces or the Royal Canadian Mounted Police.

period of two years immediately before his retirement from the Public Service, is entitled only to a return of contributions.

Idem

(5) For the purposes of subsection (4), in calculating the period during which a contributor has been employed in the Public Service, there shall be included any period of service of the contributor

(*a*) as a member of the regular forces or as a member of the Force, or

(*b*) with a public service employer or an approved employer with whom the Minister has entered into an agreement pursuant to section 28, that the contributor is, pursuant to the agreement, entitled to count as pensionable service for the purposes of this Act,

that is within a period of two years immediately before his retirement from the Public Service.

Where annual allowance to be adjusted.

(6) Where a contributor described in paragraph (*c*) of subsection (1) who was receiving an annual allowance payable under this Act is subsequently re-employed in the Public Service, the amount of any annuity or annual allowance to which that contributor may become entitled under this Act on again ceasing to be employed in the Public Service shall be adjusted in accordance with the regulations to take into account the amount of the annual allowance he has received."

12. Subsection (3) of section 13 of the said Act is repealed and the following substituted therefor:

Death within one year after marriage.

"(3) Notwithstanding anything in this Act, where a contributor dies within one year after his marriage, no annual allowance is payable to his widow or the children of that marriage if the Minister is not satisfied that the contributor was at the time of his marriage in such a condition of health as to justify him in having an expectation of surviving for at least one year thereafter."

13. Section 15 of the said Act is repealed and the following substituted therefor:

Disability payments.

"**15.** Where a contributor who

(*a*) is less than sixty years of age, and

(*b*) is in receipt of an annuity payable under this Act in respect of a disability previously incurred by him,

The purpose of the amendment to subsection (5) is to include, in calculating the period of two years referred to in subsection (4), any period of service with an approved employer with whom the Minister has entered into an agreement and which the contributor is, pursuant to that agreement, entitled to count as pensionable service under the Act. The service must have been within the period of two years immediately before the contributor retired from the Public Service.

Subsection (6) is new and its purpose is to provide that where a person described in paragraph (*c*) of subsection (1), who was receiving an annual allowance under this Act, is subsequently re-employed in the Public Service, the amount of the annuity or annual allowance to which he may be entitled on again ceasing to be employed shall be adjusted in accordance with the regulations to reflect the amount of annual allowance already received by him.

Clause 12. Subsection (3) at present reads as follows:

"(3) Notwithstanding anything in this Act, where a contributor dies within five years after his marriage, having been a contributor under this Act at the time of his marriage or at any time since his marriage, the amount of any annual allowance to which his widow and children may be entitled under this Act shall, if the Treasury Board is not satisfied that anticipation of impending death was not a consideration affecting the agreement to marry, be reduced by

(*a*) one hundred per cent, if the contributor dies within one year after his marriage;

(*b*) ninety-eight per cent, if he dies within the thirteenth month after his marriage;

(*c*) ninety-six per cent, if he dies within the fourteenth month after his marriage;

and so on, by like progressions, until the sixtieth month after his marriage, but not thereafter.

The purpose of this amendment is to correlate the provisions of this Act and of the *Canada Pension Plan* respecting the payment of a benefit when the death of a contributor occurs shortly after marriage.

Clause 13. Section 15 at present reads as follows:

"15. Where a contributor who

(*a*) is less than sixty years of age, and

(*b*) is in receipt of an annuity *or an annual allowance* payable under this Act in respect of a disability previously incurred by him,

is certified, in accordance with the regulations, to have regained his health or to be capable of performing the duties of his former position in the Public Service or any other position in the Public Service commensurate with his qualifications, *payment of the annuity or annual allowance shall be suspended but shall be resumed, subject to this Act, at such time as he reached sixty years of age, or again becomes disabled.*"

The purpose of this amendment is to provide that where a contributor described therein has regained his health, instead of his annuity being suspended as at present he will become entitled to a deferred annuity.

is certified, in accordance with the regulations, to have regained his health or to be capable of performing the duties of his former position in the Public Service or any other position in the Public Service commensurate with his qualifications, he ceases to be entitled to that annuity and thereupon is entitled to a deferred annuity."

1960, c. 38, s. 11(1).

14. Paragraph (*a*) of section 16 of the said Act is repealed and the following substituted therefor:

"(*a*) if that person is re-employed in the Public Service but does not become a contributor under this Act, whatever right or claim that he may have to payment of the said annuity, annual allowance or adjusted annual allowance shall, with respect to any period of three months, commencing on the 1st day of January, April, July or October in any year, during which he is at any time so re-employed, be suspended to the extent that the total amount of the salary authorized to be paid to him during that period of three months exceeds the amount by which

(i) three times the salary authorized to be paid to him in respect of his last full month of service in the Public Service before he became entitled to the annuity, annual allowance or adjusted annual allowance,

exceeds

(ii) the total amount of the annuity, annual allowance or adjusted annual allowance that would have been payable to him during that period of three months if he had not been so re-employed;"

1955, c. 16, s. 9(1).

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

Medical examination requirements.

"**18.** (1) Subject to subsection (3) but notwithstanding anything else in this Act, any election, other than an election made under subsection (5) of section 25, made by a person who becomes a contributor under this Act"

Clause 14. The purpose of this amendment is to remove an ambiguity in the present section with respect to the calculation of the amount by which a contributor's annuity or annual allowance is to be reduced during any period that he is re-employed in the Public Service.

Paragraph (*a*) at present reads as follows:

"(*a*) if that person is re-employed in the Public Service but does not become a contributor under this Act, whatever right or claim that he may have to payment of the said annuity, annual allowance or adjusted annual allowance shall, with respect to the period during which he continues to be so re-employed, be suspended, except that if, in respect of any period of three months commencing on the 1st day of January, April, July or October in any year during which he continues to be so re-employed, the total amount of the salary authorized to be paid to him is less than an amount equal to three times the salary authorized to be paid to him in respect of his last full month of service in the Public Service before becoming re-employed, then to the extent of the difference between those amounts the suspension provided for by this paragraph shall not apply with respect to that period of three months;"

Clause 15. Subsection (1) of section 18 provides that elections to pay for certain periods of service are void unless the person making the election has been medically examined.

The purpose of this amendment is to exempt from the requirements of the section a person who, being entitled to an annuity, annual allowance or pension as a member of the regular forces or the Royal Canadian Mounted Police, elects to surrender that annuity, annual allowance or pension pursuant to section 25 for the purposes of counting that service under the *Public Service Superannuation Act.*

(2) Paragraph (*b*) of subsection (1) of section 18 of the said Act is repealed and the following substituted therefor:

"(*b*) not having been employed in the Public Service, or in the Public Service and as a member of the regular forces or of the Force, substantially without interruption for a period of five years immediately prior to the making of the election,"

(3) This section shall be deemed to have come into force on the 14th day of July, 1960.

1960, c. 38, s. 17(1).

16. (1) Paragraph (*b*) of subsection (1) of section 25 of the said Act is repealed and the following substituted therefor:

"(*b*) in the case of service for which, by the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that service or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that service or that portion thereof,

in respect of a salary at the rate equal to the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest, as defined in subsection (2) of section 6."

(2) Subsection (1) is applicable to elections made after 1965, except that in the case of an election made in the year 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraph (*b*) of subsection (1) of section 25 of the said Act shall be read as follows:

"(*b*) in the case of service for which, by the *Canadian Forces Superannuation Act* or the *Royal Cana-*

(2) The purpose of this amendment is to exclude from subsection (1) of section 18 contributors who have been employed both in the Public Service and in the regular forces or the Royal Canadian Mounted Police substantially without interruption for a period of five years immediately prior to making an election under the Act.

Clause 16. (1) Section 25 of the Act allows contributors who have served as members of the regular forces or the Royal Canadian Mounted Police to count that service under certain circumstances for the purposes of the Act. The paragraph being amended sets out the amount to be paid for that service. Its amendment respecting rates of contribution is consequential on the amendments contained in clause 3.

(2) The purpose of this subclause is to provide that a contributor who elects in the year 1966 or in the year 1967, if he was a contributor on December 31, 1966, to count as pensionable service any of the periods of service referred to therein, will pay for that service on the basis of the rate of salary presently referred to in that paragraph. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 3 of this Bill.

dian Mounted Police Superannuation Act, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that service or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that service or that portion thereof,

in respect of a salary at a rate equal to the rate authorized to be paid to him during that period, together with interest, as defined in subsection (2) of section 6."

(3) Subsection (1) of section 25 of the said Act is further amended by striking out the word "and" at the end of paragraph (*a*) thereof, by adding the word "and" at the end of paragraph (*b*) thereof and by adding thereto the following paragraph:

"(*c*) notwithstanding paragraph (*a*), in the case of service for which, by the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, he was required to pay, and in respect of which he has received an amount by way of a return of contributions or a cash termination allowance, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that service or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that service or that portion thereof,

(3) New. This amendment would provide for the calculation of the amount a contributor must pay if he counts as pensionable service any service in the regular forces or the Royal Canadian Mounted Police for which he was required to pay and in respect of which he has received a return of contributions.

in respect of a salary at a rate equal to the rate authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest, as defined in subsection (2) of section 6."

1960, c. 38, s. 17(1).

(4) Subsection (2) of section 25 of the said Act is repealed and the following substituted therefor:

Salary deemed to have been received.

"(2) For the purposes of this Act, the salary deemed to have been received by a person to whom subsection (1) applies, during any period of service of the kind described in paragraph (*a*), (*b*) or (*c*) of subsection (1), is a salary at a rate equal to the rate of salary on the basis of which the amount required to be paid for that period of service

(*a*) by the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, in the case of service of the kind described in paragraph (*a*) of subsection (1), or

(*b*) by this Act, in the case of service of the kind described in paragraph (*b*) or (*c*) of subsection (1),

was determined."

(5) Section 25 of the said Act is further amended by adding thereto the following subsection:

Idem.

"(7) Upon the making of an election under this section whereby the person so electing is required to pay for any period of service of the kind described in paragraph (*c*) of subsection (1), there shall be charged to the account in the Consolidated Revenue Fund maintained pursuant to the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, and credited to the Superannuation Account in respect of that person, an amount equal to the amount of any return of contributions received by that person under that Act."

(6) Subsections (3) to (5) shall come into force on the 1st day of January, 1967, and shall be applicable only to persons who become contributors on or after that day.

(4) These amendments are consequential on the amendments to section 25 (1) contained in subclause (3).

(5) New. The purpose of this amendment is to provide for the crediting to the Superannuation Account and the charging to the Canadian Forces or Royal Canadian Mounted Police Superannuation Accounts, of an amount equal to the amount of any return of contributions received by a person described in the amendment contained in subclause (3) who makes the election referred to therein.

1960, c. 38, s. 18.

17. (1) Paragraphs (*a*) and (*b*) of subsection (2) of section 27 of the said Act are repealed and the following substituted therefor:

"(*a*) in the case of a male person, six and one-half per cent of his salary minus an amount equal to the amount he would be required to contribute under the *Canada Pension Plan* in respect of that salary if that salary, expressed in terms of an annual rate, were the total amount of his income for the year from pensionable employment as defined in that Act and that Act applied to his employment; and

(*b*) in the case of a female person, five per cent of her salary minus an amount equal to the amount she would be required to contribute under the *Canada Pension Plan* in respect of that salary if that salary, expressed in terms of an annual rate, were the total amount of her income for the year from pensionable employment as defined in that Act and that Act applied to her employment."

(2) All that portion of subsection (4) of section 27 of the said Act following paragraph (*b*) thereof is repealed and the following substituted therefor:

"he is entitled to be paid any amount to his credit in the Retirement Fund unless before it is paid to him he becomes a contributor under this Act."

1960, c. 38, s. 19.

18. (1) Subsection (1) of section 28 of the said Act is repealed and the following substituted therefor:

"Approved employer" defined.

"**28.** (1) In this section, "approved employer" means an employer for the benefit of whose employees there is an established superannuation or pension fund or plan approved by the Minister for the purposes of this Act, and includes the administrator of any such superannuation or pension fund or plan established for those employees."

(2) Subsection (4) of section 28 of the said Act is repealed and the following substituted therefor:

Consent of contributor.

"(4) No payment shall be made pursuant to subsection (3) except with the consent in writing of the contributor.

Clause 17. (1) Subsection (2) at present reads as follows:

"(2) Every person to whom this section applies is required to contribute to the Retirement Fund, by reservation from salary,

(*a*) six and one-half per cent of his salary, in the case of a male person, and

(*b*) five per cent of her salary, in the case of a female person."

The purpose of this amendment is to reduce the amount of the contributions required to be made by a contributor to the Retirement Fund by the amount the contributor is required to contribute under the *Canada Pension Plan* in respect of the salary received by him from his employment in the Public Service.

(2) Subsection (4) at present reads as follows:

"(4) Where a person who is required by subsection (2) to contribute to the Retirement Fund

(*a*) ceases to be employed in the Public Service, or

(*b*) is exempted from the application of this section pursuant to subsection (3),

any amount to his credit in the Retirement Fund *shall forthwith be paid to him.*"

This amendment would provide that the amount in the Retirement Fund to the credit of a person described therein would not be paid to him if he became a contributor to the Superannuation Account. By section 26 (2) of the Act, this amount would be transferred to that person's credit in the Superannuation Account.

Clause 18. (1) Subsection (1) at present reads as follows:

"**28.** (1) In this section, "public service employer" means a Crown corporation as defined in section 76 of the *Financial Administration Act* (except any such corporation specified in Part I of Schedule A), the government of a province or a municipality, the government of a country other than Canada or any international organization designated by the Governor in Council for the purpose of this section, and includes, for the purpose of this section, the Bank of Canada, a university or other institution of learning, a school board or the administrator of a superannuation or pension fund or plan established for the benefit of teachers."

The purpose of this amendment is to widen the category of employers with whom the Minister of Finance may enter into reciprocal agreements under the Act.

(2) Subsection (4) at present reads as follows:

"(4) No payment shall be made pursuant to subsection (3) except with the consent in writing of the contributor, *and upon the making of the payment the contributor ceases to be entitled to any other benefit under this Act.*"

No benefit payable in respect of transferred contributions.

(4a) Where, pursuant to subsection (3), the Minister makes a payment to an approved employer in respect of an employee, that employee ceases to be entitled to any benefit under this Act in respect of the period of pensionable service to which that payment relates.

Payment of balance to contributor.

(4b) Where

(*a*) the amount paid by the Minister to an approved employer pursuant to subsection (3) in respect of an employee,

together with

(*b*) the amount determined by the Minister as having been paid into the Superannuation Account in respect of that employee and in respect of which that employee is or may become entitled to a benefit under this Act,

is less than

(*c*) the amount determined by the Minister as being the total amount paid into the Superannuation Account by and in respect of that employee,

the Minister may pay to that employee an amount not exceeding that difference."

(3) Wherever in section 28 of the said Act the term "public service employer" is used, there shall in each and every case be substituted the term "approved employer".

1955, c. 16, s. 12(1).

19. (1) Paragraph (*d*) of subsection (1) of section 30 is repealed and the following substituted therefor:

"(*d*) prescribing, notwithstanding subsection (1) of section 4, the rates at which, the manner in which, and the circumstances under which persons who are required to contribute to the Superannuation Account in accordance with subsection (1) of section 4 but who are or have been, either before or after the coming into force of this paragraph, absent from the Public Service on leave of absence without pay shall contribute to the Superannuation Account in respect of that absence, and prescribing the salaries such persons are deemed to have received during that absence;"

1956, c. 44, s. 6(1).

(2) Paragraph (*fa*) of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

The new subsection (4a) would provide that where a payment is made by the Minister of Finance to an approved employer in respect of an employee, that employee ceases to be entitled under the Act to any benefit to which the transfer relates.

The new subsection (4b) would provide for the payment to a transferred employee of an amount not exceeding the difference between the amount paid into the Superannuation Account by and in respect of that employee and the amounts in respect of which he is entitled to an annuity under the Act and under the superannuation or pension fund of an approved employer.

(3) This amendment is consequential on the amendment contained in subclause (1).

Clause 19. (1) to (4) Section 30 of the Act provides for the making of regulations. The purpose of these amendments is to authorize the Governor in Council to make regulations respecting the matters mentioned therein and are consequential on amendments made by other clauses of this Bill.

"(*fa*) specifying the circumstances under which any service prior to becoming employed in the Public Service or to enlistment in the forces shall be deemed to be service immediately prior thereto;

(*fb*) specifying the international organizations service with which may be counted by a contributor as elective service and the kinds of civilian war service that may be counted by a contributor as elective service for the purposes of clauses (AC) and (AD) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5, respectively;"

(3) Paragraph (*i*) of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

"(*i*) respecting the manner in which amounts referred to in subsection (7) or (8) of section 7 may be recovered from any annuity or annual allowance payable under this Act;

(*ia*) respecting the determination, for the purposes of subsection (1c) of section 9, of the amount of any retirement or disability pension to which a person described therein is or would be entitled under the *Canada Pension Plan* or a provincial pension plan that is attributable to contributions made thereunder in respect of his employment in the Public Service, prescribing the manner of making any application referred to in that subsection and respecting the determination of the day from which the annuity payable to a contributor described therein shall be increased;"

(4) Subsection (1) of section 30 of the said Act is further amended by adding thereto, immediately after paragraph (*l*) thereof, the following paragraphs:

"(*la*) specifying, for the purposes of paragraph (*d*) of subsection (1) and subsection (6) of section 11, the method by which the amount of any annuity or annual allowance payable to a contributor described in paragraph (*c*) or (*d*) of subsection (1) of section 11 shall be adjusted;

(*lb*) determining, for the purposes of this Act, the amount that shall be deemed to be the salary of a contributor who is in receipt of more than one salary in respect of employment

in the Public Service or whose salary during any period he was employed in the Public Service cannot be determined;

(*lc*) prescribing, in respect of a contributor who is receiving or will be entitled to receive a superannuation or pension benefit based upon a portion of a period of service in pensionable employment that is prior to his becoming employed in the Public Service, the method of determining the portion of that period of service;"

20. The Governor in Council may make regulations

(*a*) determining, notwithstanding the *Public Service Superannuation Act*, the circumstances under which and the manner and rate at which a person who elected under the *Civil Service Superannuation Act* to count all prior service in the Civil Service, which service was not counted through no fault on the part of that person, may pay for any part of that service or be deemed to have elected to pay for only that part of that service that was counted and to have paid therefor; and

(*b*) prescribing the terms and conditions on which the period during which any employee of the Post Office Department was absent from duty between July 21st and August 8th, 1965, may be counted as pensionable service for the purposes of the *Public Service Superannuation Act*, and determining for the purposes of that Act the salary of that employee during that period.

1965, c. 5, s. 1.

21. (1) Subsection (2) of section 32 of the said Act is repealed and the following substituted therefor:

Salary increase credit.

"(2) There shall be credited to the Superannuation Account, following the authorization of any salary increase applicable to at least one per cent of those persons employed in the Public Service who are contributors, such amount as, in the opinion of the Minister, is necessary to provide for the increase in the cost to Her Majesty of the benefits payable under this Act as a result of such salary increase, and the amount so credited shall be charged to the Consolidated Revenue Fund in five equal annual instalments commencing in the fiscal year in which the salary increase is authorized.

Amount to be credited on basis of actuarial report.

(3) Following the laying before Parliament of any actuarial report described in section 33, there shall be credited to the Superannuation Account such amount

Clause 20. From time to time it is found that through no fault on the part of a contributor under the former *Civil Service Superannuation Act,* certain prior service of a contributor was not counted under that Act. The purpose of paragraph (*a*) is to authorize the Governor in Council to make regulations to correct these errors.

The purpose of paragraph (*b*) is to authorize the Governor in Council to make regulations prescribing the terms and conditions on which absence from duty by certain employees of the Post Office Department may be counted as pensionable service.

Clause 21. Subsection (2) at present reads as follows:

"(2) There shall be credited to the Superannuation Account, following the authorization of any salary increase applicable to at least one per cent of those persons employed in the Public Service who are contributors, in five equal annual instalments commencing in the fiscal year in which the salary increase is authorized, such amount as, in the opinion of the Minister, is necessary to provide for the increase in the cost to Her Majesty of the benefits payable under this Act, as a result of such salary increase."

The purpose of this amendment is to require the immediate crediting to the Superannuation Account of the amount determined by the Minister of Finance as necessary to provide for increased benefits under the Act as a result of certain salary increases. Actual payment of that amount into the Account would be made in five equal annual instalments.

Subsection (3) is new and would provide for the payment into the Superannuation Account of any amounts shown by the actuarial report as being required to be paid into the Account to meet the cost of benefits under the Act. These amounts would be paid in the same manner as is proposed in subsection (2) with respect to salary increases.

as, in the opinion of the Minister, together with the amount then to the credit of the said Account, is required to meet the cost of the benefits payable under this Act and the amount so credited shall be charged to the Consolidated Revenue Fund in five equal annual instalments commencing in the fiscal year in which the report is laid before Parliament."

(2) This section shall be deemed to have come into force on the 1st day of January, 1966.

1960, c. 38, s. 21(1).

22. (1) Paragraph (*a*) of subsection (1) of section 39 of the said Act is repealed and the following substituted therefor:

"Basic benefit."

"(*a*) "basic benefit" with respect to a participant means the salary of the participant if it is a multiple of two hundred and fifty dollars or the nearest multiple of two hundred and fifty dollars above the salary of the participant if it is not a multiple of two hundred and fifty dollars, subject to a reduction, to be made as of such time as the regulations prescribe, of one-tenth of that amount for every year of age in excess of sixty attained by the participant, except that

(i) in the case of a participant who is employed in the Public Service, the basic benefit shall be not less than

(A) one-sixth of his salary if such one-sixth is a multiple of two hundred and fifty dollars, or the nearest multiple of two hundred and fifty dollars above one-sixth of his salary if such one-sixth is not a multiple of two hundred and fifty dollars, or

(B) five hundred dollars,

whichever is the greater, and

(ii) in the case of an elective participant who, upon ceasing to be employed in the Public Service or to be a member of the regular forces, was entitled under Part I to an immediate annuity, the basic benefit shall be not less than five hundred dollars;"

(2) Paragraph (*d*) of subsection (1) of section 39 of the said Act is repealed and the following substituted therefor:

"Elective."

"(*d*) "elective" as applied to a participant means that the participant comes within subparagraph (iii) or (iv) of paragraph (*e*);"

Clauses 22 to 29. At present, members of the regular forces are participants in the Supplementary Death Benefit provisions set out in Part II of the *Public Service Superannuation Act.* Because of differences in the average age and general health of regular force and public service participants, which permit a lower rate of contributions by members of the regular forces, it is considered expedient to establish a separate Part in the *Canadian Forces Superannuation Act* respecting death benefits. The amendments to the *Canadian Forces Superannuation Act* that will accomplish this are set out in clause 52. As a result of these amendments, however, additional amendments are required to be made to Part II of the *Public Service Superannuation Act* and these are set out in clauses 22 to 30. In the explanatory notes to these amendments only those amendments that are not consequential are explained.

Clause 22. (1) Paragraph (*a*) at present reads as follows:

"(*a*) "basic benefit" with respect to a participant means

(i) *five thousand dollars*, or

(ii) the salary of the participant if it is a multiple of two hundred and fifty dollars or the nearest multiple of two hundred and fifty dollars above the salary of the participant if it is not a multiple of two hundred and fifty dollars,

whichever is the lesser amount, subject to a reduction, to be made as of such time as the regulations prescribe, of one-tenth of that *lesser* amount for every year of age in excess of sixty attained by the participant, except that in the case of a participant who is employed in the Public Service, the basic benefit shall be not less than

(iii) one-sixth of his salary if such one-sixth is a multiple of two hundred and fifty dollars, or the nearest multiple of two hundred and fifty dollars above one-sixth of his salary if such one-sixth is not a multiple of two hundred and fifty dollars, or

(iv) five hundred dollars,

whichever is the greater, and in the case of an elective participant who, upon ceasing to be employed in the Public Service, was entitled under Part I to an immediate annuity *or an annual allowance payable immediately or who, upon ceasing to be a member of the regular forces, was entitled under the Canadian Forces Superannuation Act to an annuity*, the basic benefit shall be not less than five hundred dollars;"

The purpose of this amendment is to increase the amount of the death benefit payable to a participant to an amount at least equal to the salary of that participant, subject to the present reduction required after the age of sixty.

(2) to (4) Consequential.

1960, c. 38, s. 21(2).

(3) Subparagraphs (iii) to (v) of paragraph (*e*) of subsection (1) of section 39 of the said Act are repealed and the following substituted therefor:

"(iii) a person not coming within subparagraph (i) or (ii) who has made an election under section 40 and continues to contribute under this Part, and

(iv) a person not coming within subparagraph (i), (ii) or (iii) who has made an election under section 40 and to whom the basic benefit in the amount of five hundred dollars referred to in paragraph (*a*) applies without contribution under this Part by him therefor,"

(4) Paragraphs (*g*) and (*h*) of subsection (1) of section 39 of the said Act are repealed and the following substituted therefor:

"Regular forces participant."

"(*h*) "regular forces participant" means a person who is a participant under Part III of the *Canadian Forces Superannuation Act*;"

(5) Paragraph (*i*) of subsection (1) of section 39 of the said Act is repealed and the following substituted therefor:

"Salary."

"(*i*) "salary" means

(i) in the case of a participant employed in the Public Service, the compensation received for the performance of the regular duties of his position or office in the Public Service, expressed in terms of an annual rate, except that where a retroactive increase is authorized in the compensation of such participant, such increase shall be deemed to have commenced to have been received by him on such day as the regulations prescribe, and

(ii) in the case of an elective participant, his salary in the Public Service at the time he ceased to be employed in the Public Service, expressed in terms of an annual rate;"

(6) Subsection (4) of section 39 of the said Act is repealed and the following substituted therefor:

Service in regular forces to be counted.

"(4) For the purposes of sections 40 and 42,

(5) Consequential in part. The words added in subparagraph (i) are for the purpose of authorizing the determination of the salary of a participant where a retroactive increase has been authorized in the salary of that participant.

(6) Consequential.

(*a*) in calculating the period during which a person has been employed in the Public Service, any service of that person as a member of the regular forces shall be deemed to be employment in the Public Service; and

(*b*) in calculating the period during which a person has been a participant under this Part, any period during which that person was a regular forces participant under this Part prior to the coming into force of this subsection or under Part III of the *Canadian Forces Superannuation Act* shall be included."

1956, c. 44, s. 7(1).

23. (1) Subsection (1) of section 40 of the said Act is repealed and the following substituted therefor:

Election to continue as participant.

"**40.** (1) A participant who is employed in the Public Service and has been so employed substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more may, within one year before such time as he ceases to be employed in the Public Service, elect to continue to be a participant under this Part after that time."

1956, c. 44, s. 7(1).

(2) All that portion of subsection (2) of section 40 of the said Act preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Idem.

"(2) A person who ceases to be employed in the Public Service and at the time he ceases to be so employed is a participant who has been employed in the Public Service substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more,"

1960, c. 38, s. 22(1).

(3) Paragraph (*b*) of subsection (2) of section 40 of the said Act is repealed and the following substituted therefor:

"(*b*) may, within that period of thirty days, elect to continue to be a participant under this Part after the expiration of that period, and shall, if upon ceasing to be so employed he is entitled under Part I to an immediate annuity, be deemed so to have elected within that period to continue to be a participant under this Part after the expiration of that period."

Clause 23. Consequential.

(4) Section 40 of the said Act is further amended by adding thereto the following subsection:

When regular forces participant deemed participant.

"(4) Notwithstanding anything in this Part, a participant who becomes a regular forces participant ceases to be a participant under this Part, but if on ceasing to be a regular forces participant he is not entitled to an annuity under the *Canadian Forces Superannuation Act* and is entitled to an immediate annuity under Part I, he shall be deemed to have elected under subsection (1) to continue to be a participant under this Part."

(5) Where, prior to the coming into force of this section, a person who was an elective regular forces participant under Part II of the said Act became a public service participant under that Part and on ceasing to be such a participant was not entitled to an immediate annuity under Part I of the said Act but was entitled under the *Canadian Forces Superannuation Act* or the *Defence Services Pension Continuation Act* to an annuity or pension, he shall, subject to such terms and conditions as are prescribed by the Governor in Council, be deemed to have elected to continue to be a participant under Part II of the said Act.

1956, c. 44, s. 7(1); 1960, c. 38, ss. 23, 24.

24. Sections 41 and 41A of the said Act are repealed and the following substituted therefor:

Elections to reduce benefit.

"**41.** (1) Where the basic benefit of an elective participant who, upon ceasing to be employed in the Public Service, was entitled under Part I to an immediate annuity, exceeds five hundred dollars, the amount thereof shall, if the participant so elects, be reduced to five hundred dollars.

Idem.

(2) An election made under this section is irrevocable."

25. Section 43 of the said Act is amended by adding thereto the following subsection:

Benefits to certain participants continued.

"(3) Notwithstanding subsection (1), in calculating the benefit payable under subsection (1) on the death of a person who was an elective public service participant immediately before the coming into force of this subsection and who continued to be an elective participant until the time of his death, "basic benefit" means the basic benefit referred to in paragraph (*a*) of subsection (1) of section 39 as it read immediately prior to the coming into force of this subsection."

Clause 24. The repeal of section 41 is consequential on the amendments contained in clause 53.

Section 41A at present reads as follows:

"41A. (1) Where the basic benefit, in the case of an elective participant who, upon ceasing to be employed in the Public Service, was entitled under Part I to an immediate annuity or an annual allowance payable immediately or who, upon ceasing to be a member of the regular forces, was entitled under the *Canadian Forces Superannuation Act* to an annuity, exceeds five hundred dollars, the amount thereof shall, if the participant so elects, be reduced to five hundred dollars.

(2) An election made under this section is irrevocable."

Clause 25. New. It is not intended that the increased death benefit be paid to persons who ceased to be employed in the Public Service prior to the coming into force of this amendment. This amendment would provide that the amount of the death benefit to which such persons are entitled is the amount of the benefit as it was prior to the enactment of this section.

1960, c. 38, s. 27(2).

26. Subsections (2) and (3) of section 45 of the said Act are repealed and the following substituted therefor:

How benefit to be charged.

"(2) Benefits shall be paid out of the Consolidated Revenue Fund and charged against the Public Service Death Benefit Account."

27. Sections 48 and 49 of the said Act are repealed and the following substituted therefor:

Actuarial report.

"**48.** The Minister shall lay before Parliament at least once in every five years an actuarial report on the state of the Public Service Death Benefit Account containing an estimate of the extent to which the amounts standing to the credit of the Account and the contributions payable under this Part are sufficient to meet the benefits chargeable against the Account.

Annual report.

49. The Minister shall lay before Parliament each year a report on the administration of this Part during the preceding fiscal year, including a statement showing the amounts that during such year were credited to or charged against the Public Service Death Benefit Account."

28. (1) Paragraph (*g*) of subsection (1) of section 50 of the said Act is repealed and the following substituted therefor:

"(*g*) prescribing the rate of interest and the manner of calculating the interest to be credited to the Public Service Death Benefit Account established by this Part;

(*ga*) prescribing, for the purposes of paragraph (*i*) of subsection (1) of section 39, the day on which a retroactive increase in pay shall be deemed to have commenced to have been received by a participant;"

(2) Paragraph (*i*) of subsection (1) of section 50 of the said Act is repealed.

(3) Subsection (2) of section 50 of the said Act is repealed and the following substituted therefor:

Application of Part I.

"(2) Section 19 except subsection (2) thereof, section 19A and paragraphs (*l*), (*lb*), (*m*), (*n*), (*o*), (*oa*) and (*p*) of subsection (1) of section 30 are, *mutatis mutandis*, applicable to this Part."

Clause 26. Consequential.

Clause 27. Consequential.

Clause 28. Consequential.

1953-54, c. 64, s. 2.

29. Subsection (1) of section 51 of the said Act is repealed.

30. (1) Part II of Schedule A to the said Act is amended by striking out the words

> "Employees of the Government of the Northwest Territories employed in connection with the administration of the Northwest Territories Territorial Liquor Ordinance"

and by substituting therefor the following:

> "Employees of the Government of the Northwest Territories (which Government is deemed for purposes of section 23 to be a Public Service corporation)"

(2) This section shall come into force on a day to be fixed by proclamation of the Governor in Council.

31. Finance Votes 62(a) and 66(a) in Schedule B of *Appropriation Act No. 5, 1963*, and Finance Vote 17(a) in Schedule B of *Appropriation Act No. 10, 1964* are repealed.

32. Wherever in the said Act the term "Treasury Board" is used, other than in paragraph (*e*) of subsection (1) of section 11, in subsection (2) of section 28 and in paragraph (*t*) of subsection (1) of section 30, there shall in each and every case be substituted the term "Minister".

33. There shall be included in calculating, for the purposes of the *Canada Pension Plan*, the amount of the contributory salary and wages for a year of a person who is a contributor under the *Public Service Superannuation Act* and whose salary as defined in that Act is not otherwise included in computing income for the purposes of the *Income Tax Act*, the amount of that salary.

34. (1) In their application to a person who is a contributor under the said Act on the day this Act is assented to, subsections (1) and (3) of section 2, subsection (4) of section 3, section 5, subsections (1) and (2) of section 16, subsection (1) of section 17 and section 33 of this Act shall be deemed to have come into force on the 1st day of January, 1966, or on the day on which that person most recently became a contributor under the said Act if that day is prior to the day this Act is assented to, whichever is the later.

(2) Sections 22 to 29 of this Act shall come into force on the first day of the month following the month in which this Act is assented to, but in their application to any

Clause 29. Subsection (1) of section 51 at present reads as follows:

"**51.** (1) Section 56 of the *Civil Service Act* does not apply to a participant."

The repeal of this section is consequential on the revision of the *Civil Service Act* in 1961.

Clause 30. The purpose of this amendment is to include as contributors under the *Public Service Superannuation Act* all employees of the Government of the Northwest Territories.

Clause 33. The purpose of this clause is to bring within the provisions of the *Canada Pension Plan* contributors under the *Public Service Superannuation Act* who receive a salary as defined in that Act that is not included in computing income for the purposes of the *Income Tax Act* and who are therefore excluded from the *Canada Pension Plan.*

person who was a public service participant under Part II of the said Act immediately before the day this Act is assented to and who dies before the first day of the month referred to above, the said sections shall be deemed to have come into force on the day this Act is assented to.

1959, c. 21; 1965, c. 5.

CANADIAN FORCES SUPERANNUATION ACT.

35. (1) Subsection (1) of section 2 of the *Canadian Forces Superannuation Act* is amended by striking out the word "and" at the end of paragraph (*k*) thereof and by adding thereto, immediately after paragraph (*k*) thereof, the following paragraph:

"Salary."

"(*ka*) "salary" as applied to a member of the Canadian Forces means his income for the year from his employment as a member of the Canadian Forces, computed in accordance with the *Income Tax Act*, plus any deductions for the year made in computing that income; and"

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

Employment in forces pensionable employment.

"(4) Except as provided in the regulations, employment as a member of the Canadian Forces is not excepted employment for the purposes of the *Canada Pension Plan*."

36. All that portion of subsection (1) of section 4 of the said Act following paragraph (*d*) thereof is repealed and the following substituted therefor:

"is required to contribute to the Superannuation Account, by reservation from pay or otherwise, an amount equal to six per cent of his pay minus an amount equal to the amount he would be required to contribute under the *Canada Pension Plan* in respect of his salary for the period of that pay if his salary were the total amount of his income for the year from pensionable employment as defined in that Act."

37. (1) Paragraphs (*c*) and (*d*) of subsection (1) of section 6 of the said Act are repealed and the following substituted therefor:

"(*c*) in respect of any period specified in clause (A) or (B) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount

Clause 35. (1) This amendment is consequential on the amendment contained in clause 36.

(2) New. The purpose of this amendment is to provide that employment as a member of the Canadian Forces, except as provided in the regulations, is pensionable employment for the purposes of the *Canada Pension Plan.*

Clause 36. At present, each contributor under the Act is required to contribute six per cent of his pay. The purpose of this amendment is to reduce the amount of that contribution by the amount the contributor is required to contribute under the *Canada Pension Plan* in respect of his salary as a member of the regular forces.

Clause 37. (1) Paragraphs (*c*) and (*d*) at present read as follows:

"(*c*) in respect of any period specified in clause (A), (B), (*C*) *or* (*D*) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute in the manner and at the rate set forth in subsection (1) of section 4, in respect of pay equal to the pay authorized to be paid to him *during that period*, together with interest;

(*d*) in respect of any period specified in clause (E) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute in the manner and at the rate set forth in subsection (1) of section 4, in respect of pay on a full-time basis at the rates in effect during that period for the rank or ranks in the Canadian Forces corresponding to the rank or ranks held by him during that period, together with interest;"

The amendments in these paragraphs respecting rates of contribution are consequential on the amendment contained in clause 36.

that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;

(*ca*) in respect of any period specified in clause (C) or (D) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him during that period, together with interest;

(*d*) in respect of any period specified in clause (E) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of pay on a full-time basis at the rates in effect during that period for the rank or ranks in the Canadian Forces corresponding to the rank or ranks held by him during that period, together with interest;"

The purpose of the amendment to paragraph (*c*) is to provide that a contributor who elects to count as pensionable service any period of service in the Public Service or the Royal Canadian Mounted Police shall pay therefor in respect of pay at the rate authorized to be paid to him on the most recent occasion on which he became a contributor under the Act.

Paragraph (*ca*) is new and provides that a contributor who elects to count as pensionable service any period of wartime service on active service or service in the Special Forces in Korea will continue to pay therefor in respect of pay at the rate authorized to be paid to him during that period.

(2) Paragraphs (*f*) and (*g*) of subsection (1) of section 6 are repealed and the following substituted therefor:

"(*f*) in respect of any period specified in clause (G) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay on a full-time basis at the rates in effect during those periods for the rank or ranks in the Canadian Forces corresponding to the rank or ranks held by him during that period, together with interest;

(*g*) in respect of any period specified in clause (H) of subparagraph (ii) of the said paragraph (*b*), an amount equal to one-fourth of an amount determined as described in paragraph (*f*), together with interest;"

(3) Subsections (1) and (2) are applicable to elections made after 1965, except that in the case of an election made in the year 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraph (*c*) of subsection (1) of section 6 of the said Act shall be read as follows:

"(*c*) in respect of any period specified in clause (A) or (B) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(2) Paragraphs (*f*) and (*g*) at present read as follows:

"(*f*) in respect of any period specified in clause (G) of subparagraph (ii) of the said paragraph (*b*), an amount *determined as described in paragraph* (*d*), together with interest;

(*g*) in respect of any period specified in clause (H) of subparagraph (ii) of the said paragraph (*b*), an amount equal to one-fourth of an amount determined as described in paragraph (*d*), together with interest;"

These amendments are consequential on the amendments contained in clauses 36 and 37.

(3) The amendments contained in subclauses (1) and (2) would be applicable to elections made after 1965. In the case of an election made in the year 1966, or in the year 1967 by a person who was a contributor on December 31, 1966, to count as pensionable service any period of service described in paragraph (*c*), that person would pay for that service on the basis of the rate of salary presently referred to in that paragraph. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 36.

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him during that period, together with interest;"

38. Paragraphs (*a*) and (*b*) of subsection (1) of section 8 of the said Act are repealed and the following substituted therefor:

"(*a*) "annuity" means an annuity computed in accordance with section 9;

(*b*) "cash termination allowance" means an amount equal to one month's pay for each year of pensionable service to the credit of the contributor, computed on the basis of the rate of pay authorized to be paid to him at the time he ceases to be a member of the forces, minus an amount equal to the amount by which

(i) the total amount the contributor would have been required to contribute to the Superannuation Account up to the time he ceases to be a member of the forces (other than interest or charges for payments by instalments) in respect of service after 1965, if he had contributed on the basis of the rate set forth in subsection (1) of section 4 as it read on December 31, 1965,

exceeds

(ii) the total amount the contributor was required to contribute to the Superannuation Account up to the time he ceases to be a member of the forces (other than interest or charges for payments by instalments) in respect of service after 1965."

39. Section 9 of the said Act is amended by adding thereto, immediately after subsection (1) thereof, the following subsections:

Deduction from annuity.

"(1a) Notwithstanding subsection (1), where a contributor has become entitled to a retirement or disability pension under the *Canada Pension Plan* (or would have become entitled thereto under that Act if

Clause 38. Paragraphs (*a*) and (*b*) at present read as follows:

"(*a*) "annuity" means an annuity computed in accordance with *subsection* (*1*) of section 9;

(*b*) "cash termination allowance" means an amount equal to one month's pay for each year of pensionable service to the credit of the contributor, computed on the basis of the rate of pay authorized to be paid to him at the time he ceases to be a member of the forces; and"

The amendment to paragraph (*a*) is consequential on the amendment contained in clause 39.

The amendment to paragraph (*b*) would provide a new calculation of the cash termination allowance. The amendment is made necessary by the reduction in contributions to the Canadian Forces Superannuation Account as a result of the correlation of the Act with the *Canada Pension Plan.*

Clause 39. New. The purpose of this amendment is to authorize the deduction from any annuity a contributor is entitled to under the Act, at such time as he is entitled to a retirement or disability pension under the *Canada Pension Plan* (or would be entitled except for the circumstances mentioned therein) of such amount as is determined by the regulations to be the amount of that pension that is attributable to contributions made in respect of his service as a member of the forces.

he applied therefor and in the case of a retirement pension, it had not been commuted or had not been reduced by virtue of section 69 of the *Canada Pension Plan*) there shall be deducted from the amount of any annuity to which that contributor is entitled under this Act such amount as is determined in accordance with the regulations to be the amount of that retirement or disability pension that is attributable to contributions made under the *Canada Pension Plan* in respect of his service as a member of the Canadian Forces prior to the day on which he completed thirty-five years of pensionable service."

40. (1) Paragraph (*c*) of subsection (6) of section 10 of the said Act is repealed and the following substituted therefor:

"(*c*) if, in the case of a contributor other than an officer, he has served in the forces for twenty or more years, he is entitled to an annuity, reduced, if he has served in the forces for less than twenty-five years, by five per cent for each full year by which the period of his service in the forces is less than twenty-five years or for each full year by which his age at the time of his retirement is less than the retirement age applicable to his rank, whichever is lesser."

(2) Section 10 of the said Act is further amended by adding thereto, immediately after subsection (6) thereof, the following subsection:

Computation of length of service.

"(6a) For the purposes of subsection (6), there shall be included in computing the length of service of a contributor in the forces any period of service on active service during time of war in the naval, army or air forces of Her Majesty raised by Canada."

41. Paragraph (*b*) of subsection (3) of section 11 of the said Act is repealed and the following substituted therefor:

"(*b*) an amount equal to one month's pay for each year of pensionable service to the credit of the contributor, computed on the basis of the rate of pay authorized to be paid to him at the time of his death,"

Clause 40. (1) Paragraph (*c*) at present reads as follows:

"(*c*) if, in the case of a contributor other than an officer, he has served in the forces for twenty or more years, he is entitled to an annuity, reduced, if he has served in the forces for less than twenty-five years, by five per cent for each full year by which the period of his service in the forces is less than twenty-five years."

The purpose of this amendment is to correct an anomaly in the Act whereby, on voluntary retirement from the forces, a contributor who has served for twenty years or more may actually receive a smaller annuity than a man of the same age with less than twenty years service.

(2) New. The purpose of this amendment is to eliminate the distinction between war time service and service in the regular forces in computing length of service for the purposes of subsection (6).

Clause 41. Subsection (3) of section 11 at present reads as follows:

"(3) Upon the death of a contributor who served in the forces for less than ten years and was a member of the forces at the time of his death, the widow and children of the contributor, in any case where the contributor died leaving a widow or a child less than eighteen years of age, are entitled jointly to

(*a*) a return of contributions, or

(*b*) a cash termination allowance,

whichever is the greater."

This amendment is consequential on the amendment contained in clause 38.

42. Subsection (5) of section 12 of the said Act is repealed and the following substituted therefor:

Widow deemed to have predeceased contributor.

"(5) If, upon the death of a contributor, it appears to the Minister that the widow of the contributor had, immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the Minister so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased the contributor."

43. Subsection (3) of section 13 of the said Act is repealed and the following substituted therefor:

Death within one year after marriage.

"(3) Notwithstanding anything in this Act, where a contributor dies within one year after his marriage, no annual allowance is payable to his widow or the children of that marriage if the Minister is not satisfied that the contributor was at the time of his marriage in such a condition of health as to justify him in having an expectation of surviving for at least one year thereafter."

44. Wherever in sections 12 and 14 of the said Act the term "Treasury Board" is used, there shall in each and every case be substituted the term "Minister".

45. Section 15 of the said Act is amended by adding thereto the following subsection:

Idem.

"(2) Where, upon the death of a contributor who, upon ceasing to be a member of the Canadian Forces, was entitled to an immediate annuity from which a deduction had been made pursuant to subsection (1a) of section 9, there is no person to whom an allowance provided in this Act may be paid, or where the persons to whom such allowance may be paid die or cease to be entitled thereto and no other amount may be paid to them under the Act, any amount by which an amount calculated in respect of that contributor in accordance with paragraph (*b*) of subsection (1) of section 8 exceeds the aggregate of all amounts paid to those persons and to the contributor under this Act shall be paid to the estate of the contributor."

Clause 42. Subsection (5) at present reads as follows:

"(5) If, upon the death of a contributor, it appears to the *Treasury Board* that the widow of the contributor had, *for a number of years* immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the *Treasury Board* so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased the contributor."

The purpose of this amendment is to remove the qualification that the widow of a contributor must have been living apart from him for a number of years prior to his death in circumstances that would have entitled her to an order for separate maintenance before the Minister can direct that she shall be deemed for the purposes of the Act to have predeceased her husband. The amendment would also change the references therein to the Treasury Board to the Minister of National Defence.

Clause 43. Subsection (3) at present reads as follows:

"(3) Notwithstanding anything in this Act, where a contributor dies within five years after his marriage the amount of any annual allowance to which his widow and children may become entitled under this Act shall, if the Treasury Board is not satisfied that anticipation of impending death was not a consideration affecting the agreement to marry, be reduced by

(*a*) one hundred per cent, if the contributor dies within one year after his marriage;

(*b*) ninety-eight per cent, if he dies within the thirteenth month after his marriage;

(*c*) ninety-six per cent, if he dies within the fourteenth month after his marriage;

and so on, by like progression, until the sixtieth month after his marriage but not thereafter."

The purpose of this amendment is to correlate the provisions of this Act and of the *Canada Pension Plan* respecting the payment of a benefit when the death of a contributor occurs shortly after marriage.

Clause 45. New. This amendment would provide that under the circumstances mentioned therein where a contributor who is in receipt of an annuity dies and there is no person to whom an allowance under the Act may be paid, the difference between an amount calculated as a cash termination allowance for that contributor and the amount paid to and in respect of him shall be paid to his estate.

46. Paragraph (*a*) of subsection (6) of section 16 of the said Act is repealed and the following substituted therefor:

"(*a*) the total amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him during that period, without interest;"

47. Subsections (2) and (3) of section 17 of the said Act are repealed.

48. Paragraph (*a*) of subsection (1) of section 18 of the said Act is repealed and the following substituted therefor:

"(*a*) six per cent of the pay authorized to be paid to him during that period minus, in respect of any period of service or portion thereof after 1965, an amount equal to the amount he would have been required to contribute under the *Canada Pension Plan* in respect of his salary during that period, if that salary were the total amount of his income for that period from pensionable employment as defined in that Act, or"

49. (1) Subsection (1) of section 19 of the said Act is amended by striking out the word "and" at the end of paragraph (*a*) thereof and by substituting therefor the word "or".

(2) Paragraph (*b*) of subsection (1) of section 19 of the said Act is repealed and the following substituted therefor:

Clause 46. Paragraph (*a*) at present reads as follows:

"(*a*) the total amount that he would have been required to contribute had he, during that period, been required to contribute in the manner and at the rate set forth in subsection (1) of section 4, in respect of pay equal to the pay authorized to be paid to him during that period, without interest;"

This amendment is consequential on the change in the rates of contribution contained in clause 36.

Clause 47. Subsections (2) and (3) at present read as follows:

"(2) Where a retired officer, warrant officer or chief petty officer first class or second class who has become entitled to an annuity under this Act or a pension under Part V of the former Act by virtue of having served in the forces is employed in the public service of Canada or is enrolled in any of the naval, army or air forces of Her Majesty raised by Canada, other than the forces, he is entitled to receive that part of his annuity or pension which, when added to his pay, does not exceed the greater of

(*a*) the pay authorized to be paid to him at the time of his retirement, or

(*b*) the current pay in effect for an officer, warrant officer or chief petty officer first class or second class holding the same rank and under the same circumstances as the contributor at the time of his retirement.

(3) Subsection (2) does not apply in respect of any period of service in the reserve forces, except any continuous period of full-time service therein in excess of six months during which the contributor received the pay of his rank as though he were a member of the forces.

The repeal of these subsections is consequential on the amendment contained in subclause (2) of clause 51.

Clause 48. The purpose of this amendment is to reduce the amount a contributor is required to pay under the Act where he has elected to contribute in respect of service in the forces occurring after 1965 by an amount equal to his contributions under the *Canada Pension Plan* in respect of the salary authorized to be paid to him during that period.

Clause 49. (2) Paragraph (*b*) at present reads as follows:

"(*b*) in the case of service for which, by the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute *in the manner and at the rate set forth in subsection (1) of section 4*, in respect of pay at a rate equal to the rate of pay authorized to be paid to him *during that period*, together with interest, as defined in subsection (2) of section 6."

"(*b*) in the case of service for which, by the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest, as defined in subsection (2) of section 6."

(3) Subsection (2) is applicable to elections made after 1965, except that in the case of an election made in the year 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraph (*b*) of subsection (1) of section 19 of the said Act shall be read as follows:

"(*b*) in the case of service for which, by the *Public Service Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rate set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rate set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

This amendment would provide that a contributor who elects to count as pensionable service any period of service referred to therein shall pay therefor in respect of pay equal to the pay authorized to be paid to him on the most recent occasion that he became a contributor under the Act. The amendments respecting the rate of his contribution are consequential on the amendments contained in clause 36.

(3) The purpose of this amendment is to provide that a contributor who elects in the year 1966, or in the year 1967 if he was a contributor on December 31, 1966, to count as pensionable service any period of service referred to therein shall pay for that service on the basis of the rate of salary presently referred to in that paragraph. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 36.

in respect of pay equal to the pay authorized to be paid to him during that period, together with interest, as defined in subsection (2) of section 6.

(4) Section 19 of the said Act is further amended by adding thereto, immediately after subsection (5) thereof, the following subsection:

Amount to be paid for elected service.

"(5a) Where a person, having been a member of the Royal Canadian Mounted Police and having become entitled to an annuity or annual allowance under the *Royal Canadian Mounted Police Superannuation Act*, for which he was not required to contribute, makes an election of the kind described in subsection (5), in addition to any amount he is, as a result of that election, required by that subsection to pay, that person shall pay into the Consolidated Revenue Fund for credit to the account maintained therein pursuant to the *Royal Canadian Mounted Police Superannuation Act*, an amount equal to the amount of any annuity or annual allowance that has been paid to him out of that account prior to his making an election under subsection (5)."

50. (1) Subsection (1) of section 20 of the said Act is repealed and the following substituted therefor:

Service Pension Board.

"**20.** (1) The Minister shall appoint a board, to be known as the Service Pension Board, consisting of a chairman and two other members, one to represent the Canadian Forces and one to represent the Minister."

(2) Subsection (4) of section 20 of the said Act is repealed and the following substituted therefor:

Application of ss. (2) and (3).

"(4) Subsections (2) and (3) do not apply to any case or class of cases specified by the Treasury Board."

51. (1) Paragraph (*c*) of section 21 of the said Act is repealed and the following substituted therefor:

"(*c*) prescribing the extent to which and the circumstances under which any period of service of a person, whether before or after the coming into force of this Act, for which no pay was authorized to be paid or for which any forfeiture of pay or deduction from pay in respect of a period of suspension from duty was authorized to be made shall be counted as pensionable

(4) New. This amendment would provide that where a former member of the Royal Canadian Mounted Police elects under the Act to count as pensionable service any service in that Force in respect of which he is entitled to an annuity or annual allowance under the *Royal Canadian Mounted Police Superannuation Act* and for which he was not required to contribute under that Act, he is required in addition to the contributions required by the *Canadian Forces Superannuation Act* to pay an amount equal to the amount of any annuity or annual allowance paid to him under that Act prior to his making the election.

Clause 50. (1) Subsection (1) at present reads as follows:

"20. (1) The Minister shall appoint a board, to be known as the Service Pension Board, consisting of a chairman, *one member from each of the Services* and a *member* to represent the Minister."

This amendment is consequential on recent amendments to the *National Defence Act* respecting the organization of the Canadian Forces.

(2) Subsection (4) at present reads as follows:

"(4) Subsections (2) and (3) do not apply, in any case or class of cases specified by the Treasury Board, *to or in respect of any contributor who has served in the forces for less than ten years.*"

This amendment would remove the qualification contained in the words being repealed.

Clause 51. (1) Section 21 of the Act provides for the making of regulations. These amendments are consequential on amendments made by other clauses of the Bill.

service for the purposes of this Act, prescribing the pay that shall be deemed to have been authorized to be paid to that person and to have been received by him during that period, and prescribing, notwithstanding subsection (1) of section 4, the rates at which that person shall contribute to the Superannuation Account in respect of that pay;

(*ca*) specifying, for the purposes of subsection (4) of section 2, the employment as a member of the Canadian Forces that is excepted employment;

(*cb*) respecting the determination, for the purposes of subsection (1a) of section 9, of the amount of any retirement or disability pension to which a contributor is entitled under the *Canada Pension Plan* that is attributable to contributions made thereunder in respect of his service as a member of the Canadian Forces;"

(2) Section 21 of the said Act is further amended by adding thereto, immediately after paragraph (*d*) thereof, the following paragraph:

"(*da*) specifying, notwithstanding anything in this Act, the extent to which and the circumstances under which any annuity or pension payable under this Act or the former Act to a retired officer, warrant officer or chief petty officer first class or second class who holds any office or position or performs any services, the remuneration for which is payable out of the Consolidated Revenue Fund or by an agent of Her Majesty in right of Canada, shall be reduced or suspended;"

(3) Section 21 of the said Act is further amended by adding thereto the following subsection:

Failure to elect on erroneous advice.

"(2) The Governor in Council may make regulations prescribing, in the case of a member of the forces, who, pursuant to erroneous advice received from a person in the forces whose ordinary duties included the giving of advice respecting the making of elections under this Act or the former Act, failed to elect to become a contributor under this Act, Part V of the *Defence Services Pension Act* or Part V of the *Militia Pension Act*, the terms and conditions (including conditions as

(2) New. The purpose of this amendment is to authorize the Governor in Council to make regulations specifying the extent to which and the circumstances under which any amount payable to a person described therein may be reduced where that person is employed in any position the remuneration of which is payable out of the Consolidated Revenue Fund or by an agent of Her Majesty.

(3) New. The purpose of this amendment is to authorize the Governor in Council to make regulations with respect to the terms and conditions on which a member of the forces who has received erroneous advice with respect to the making of an election under the Acts mentioned therein may elect to become a contributor under the *Canadian Forces Superannuation Act.*

to interest) on which that member may elect to become a contributor under this Act, and upon the making of that election, he shall be deemed to have elected to pay for the service he would have been entitled to count under those Acts if he had not received erroneous advice and had made the election, an amount calculated in accordance with subsection (6) of section 16."

1965, c. 5, s. 2

52. Subsection (2) of section 24 of the said Act is repealed and the following substituted therefor:

Pay increase credit.

"(2) There shall be credited to the Superannuation Account, following the authorization of any pay increase applicable to at least one per cent of the members of the forces such amount as, in the opinion of the Minister of Finance, is necessary to provide for the increase in the cost to Her Majesty of the benefits payable under this Act as a result of such pay increase, and the amount so credited shall be charged to the Consolidated Revenue Fund in five equal annual instalments commencing in the fiscal year in which the salary increase is authorized.

Amount to be credited on basis of actuarial report.

(3) Following the laying before Parliament of any actuarial report described in section 25, there shall be credited to the Superannuation Account such amount as in the opinion of the Minister of Finance, together with the amount then to the credit of the said Account is required to meet the cost of the benefits payable under this Act and the amount so credited shall be charged to the Consolidated Revenue Fund in five equal annual instalments commencing in the fiscal year in which the report is laid before Parliament."

53. The said Act is further amended by adding thereto the following Part:

"PART III

SUPPLEMENTARY DEATH BENEFITS.

INTERPRETATION.

Definitions.

"Basic benefit."

44. (1) In this Part,

(*a*) "basic benefit" with respect to a participant means the salary of the participant if it is a multiple of two hundred and fifty dollars or the nearest multiple of two hundred and fifty dollars above the salary of the participant if

Clause 52. Subsection (2) at present reads as follows:

"(2) There shall be credited to the Superannuation Account, following the authorization of any pay increase applicable to at least one per cent of the members of the forces, in five equal annual instalments commencing in the fiscal year in which the pay increase is authorized, such amount as, in the opinion of the Minister of Finance, is necessary to provide for the increase in the cost to Her Majesty of the benefits payable under this Act, as a result of such pay increase."

The purpose of this amendment is to require the immediate crediting to the Superannuation Account of the amount determined by the Minister of Finance as being necessary to provide for increased benefits under the Act as a result of certain pay increases to members of the forces. Actual payment into the Account of that amount would be made in five equal annual instalments.

Subsection (3) is new and would provide for the payment into the Superannuation Account of any amounts shown by the actuarial report as being required to be paid into the Account to meet the cost of benefits under the Act. These amounts would be paid in the same manner as is proposed in subsection (2) with respect to pay increases.

Clause 53. New. At present, members of the regular forces are participants in the Supplementary Death Benefits plan set out in Part II of the *Public Service Superannuation Act.* Because of differences in the general age and general health of regular force and public service participants, it is considered expedient to establish a separate Part in the *Canadian Forces Superannuation Act* respecting death benefits. The amendments necessary to accomplish this are set out in this clause. Most of the amendments proposed are identical with existing sections in Part II of the *Public Service Superannuation Act.* The only substantive changes are in paragraph (a) of section 44 and section 47.

Section 44. The amendment to paragraph (a) would increase the benefits payable from $3,000, in the case of participants other than officers, and $5,000, in the case of participants who are officers, to the amount of the pay received by them.

it is not a multiple of two hundred and fifty dollars, subject to a reduction, to be made as of such time as the regulations prescribe, of one-tenth of that amount for every year of age in excess of sixty attained by the participant, except that in the case of an elective participant who, upon ceasing to be a member of the regular forces or upon ceasing to be employed in the Public Service, was entitled under Part I or under the *Defence Services Pension Continuation Act* to an annuity or pension, the basic benefit shall not be less than five hundred dollars;

"Benefit." (*b*) "benefit" means the amount payable in respect of a participant under section 48;

"Elective." (*c*) "elective" as applied to a participant means that the participant comes within subparagraph (ii) or (iii) of paragraph (*d*);

"Participant." (*d*) "participant" means

(i) a member of the regular forces,

(ii) a person other than a member of the regular forces who has made an election under section 45 and continues to contribute under this Part, and

(iii) a person not coming within subparagraph (i) or (ii) who has made an election under section 45 and to whom the basic benefit in the amount of five hundred dollars referred to in paragraph (*a*) applies without contribution under this Part by him therefor,

but does not include a person described in paragraph (*b*) of subsection (1) of section 52 of the *Public Service Superannuation Act* who elected not to come under the provisions of Part II of that Act;

"Public service participant." (*e*) "public service participant" means a person who is a participant under Part II of the *Public Service Superannuation Act;*

"Salary." (*f*) "salary" means

(i) in the case of a participant who is a member of the regular forces, the greater of

(A) the pay of that participant, expressed in terms of an annual rate, or

(B) three thousand dollars per annum if his rank is lower than chief petty officer in the Royal Canadian Navy or warrant officer in the Canadian Army or Royal Canadian Air Force, or five thousand dollars per annum if his rank

is chief petty officer or higher in the Royal Canadian Navy or warrant officer or higher in the Canadian Army or Royal Canadian Air Force, and

(ii) in the case of an elective participant, the greater of

(A) the pay of that participant at the time he ceased to be a member of the regular forces, expressed in terms of an annual rate, or

(B) three thousand dollars per annum if his rank at the time he ceased to be a member of the regular forces was lower than chief petty officer in the Royal Canadian Navy or warrant officer in the Canadian Army or Royal Canadian Air Force, or five thousand dollars per annum if his rank at that time was chief petty officer or higher in the Royal Canadian Navy or warrant officer or higher in the Canadian Army or Royal Canadian Air Force,

except that where a retroactive increase is authorized in the pay of that participant, such increase shall be deemed to have commenced to have been received by him on such day as the regulations prescribe; and

Other words and expressions.

(*g*) other words and expressions have the same meaning as in Part I.

When woman deemed widow.

(2) Where in any circumstances a woman would be deemed to be or not to be the widow of a deceased contributor under Part I or under the *Defence Services Pension Continuation Act*, a woman shall, in like circumstances, be deemed for the purposes of this Part to be or not to be the widow of a deceased participant.

Service in Public Service to be counted.

(3) For the purpose of section 45,

(*a*) in calculating the period during which a person has been a member of the regular forces, any period during which that person was employed in the Public Service shall be deemed to be service as a member of the regular forces; and

(*b*) in calculating the period during which a person has been a participant under this Part, any period during which that person was a participant under Part II of the *Public Service Superannuation Act* shall be included.

Election to continue as participant.

45. (1) A participant who is a member of the regular forces and who has been such a member substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more may, within one year before such time as he ceases to be such a member, elect to continue to be a participant under this Part after that time.

Idem.

(2) A person who ceases to be a member of the regular forces and at the time he ceases to be a member is a participant who has been a member of the regular forces substantially without interruption for five years or more or has been a participant under this Part without interruption for five years or more,

(*a*) shall be deemed, for the purposes of this Part except section 47, to be a participant under this Part for a period of thirty days after that time, and

(*b*) may, within that period of thirty days, elect to continue to be a participant under this Part after the expiration of that period, and shall if upon ceasing to be a member he is entitled under Part I or under the *Defence Services Pension Continuation Act* to an annuity or pension, be deemed so to have elected within that period to continue to be a participant under this Part after the expiration of that period.

Idem.

(3) An election under subsection (1) or (2) shall be deemed not to take effect until the expiration of the period of thirty days mentioned in paragraph (*a*) of subsection (2).

When public service participant deemed participant.

(4) Notwithstanding anything in this Part, a participant who becomes a public service participant ceases to be a participant under this Part, but if on ceasing to be a public service participant he is not entitled to an immediate annuity under the *Public Service Superannuation Act* and is entitled under Part I or under the *Defence Services Pension Continuation Act* to an annuity or pension he shall be deemed to have elected under subsection (1) to continue to be a participant under this Part.

Election to reduce basic benefit.

46. (1) Where the basic benefit of an elective participant who, upon ceasing to be a member of the regular forces, was entitled under Part I or under the *Defence Services Pension Continuation Act* to an annuity or pension exceeds five hundred dollars, the amount thereof shall, if the participant so elects, be reduced to five hundred dollars.

Idem.

(2) An election made under this section is irrevocable.

CONTRIBUTIONS.

Amount of contribution.

47. Every participant shall contribute to the Consolidated Revenue Fund at the rate of five cents per month for every two hundred and fifty dollars in the amount of his basic benefit, or, in the case of elective participants or participants who are absent from duty, such contribution as the regulations prescribe.

BENEFITS.

Payment of benefit.

48. (1) On the death of a participant there shall be paid to the persons and in the manner specified in this Part, the amount of the basic benefit of the participant with respect to which the last contribution payable under this Part by the participant was calculated.

Benefits to certain participants continued.

(2) Notwithstanding subsection (1), in calculating the benefit payable under subsection (1) on the death of a person who was an elective regular forces participant under Part II of the *Public Service Superannuation Act* immediately before the coming into force of this section and who continued to be an elective participant until the time of his death, "basic benefit" means the basic benefit as defined in paragraph (*a*) of subsection (1) of section 39 of the *Public Service Superannuation Act* as it read immediately prior to the coming into force of this section.

To whom benefits paid.

49. (1) Benefits shall be paid as follows:

(*a*) in the case of a deceased male participant survived by a widow, to the widow; and

(*b*) in the case of any other deceased participant, to the estate of the participant.

How benefits paid.

(2) Subject to any regulations made under paragraph (*e*) of subsection (1) of section 55, a benefit shall be paid in a lump sum.

Regular Forces Death Benefit Account.

50. (1) The Regular Forces Death Benefit Account in the Consolidated Revenue Fund is continued and there shall be credited to it the following:

(*a*) the amount of all contributions paid under section 47 by participants;

(*b*) one-sixth of the benefit paid in respect of each participant who, at the time of death, was a member of the regular forces, for which benefit contributions under this Part were payable by him at that time;

Section 47. At present, participants under Part II of the *Public Service Superannuation Act* contribute with respect to the death benefit provided thereunder at the rate of ten cents per month for every two hundred and fifty dollars in the amount of their basic benefit. The purpose of this amendment is to reduce from ten cents to five cents per month the amount required to be paid by regular forces participants for every two hundred and fifty dollars of the basic benefit.

(*c*) one-sixth of the benefit paid in respect of each elective participant who upon ceasing to be a member of the regular forces was entitled under Part I or under the *Defence Services Pension Continuation Act* to an annuity or pension, for which benefit contributions under this Part were payable by him at the time of death;

(*d*) the amount of the single premium determined under Schedule A in respect of each participant in the case of whom the basic benefit in the amount of five hundred dollars referred to in paragraph (*a*) of subsection (1) of section 44 applies without contribution under this Part by him therefor; and

(*e*) an amount representing interest on the balance from time to time to the credit of the said Account at such rate and calculated in such manner as the regulations prescribe.

How benefits to be charged.

(2) Benefits shall be paid out of the Consolidated Revenue Fund and shall be charged against the Regular Forces Death Benefit Account.

GENERAL.

Elective participants.

51. (1) There shall be issued to elective participants a document in such form as the regulations prescribe as evidence that they are participants under this Part.

Idem.

(2) An elective participant ceases to be a participant if any contribution payable by him under this Part is not paid within thirty days after the due date thereof.

Benefits not assignable, etc.

52. Benefits are not capable of being assigned, charged, attached, anticipated or given as security and any transaction purporting to assign, charge, attach, anticipate or give as security any benefit is void.

Actuarial report.

53. The Minister of Finance shall lay before Parliament at least once in every five years an actuarial report on the state of the Regular Forces Death Benefit Account containing an est mate of the extent to which the amounts standing to the credit of the Account and the contributions payable under this Part are sufficient to meet the benefits chargeable against the Account.

Annual report.

54. The Minister shall lay before Parliament each year a report on the administration of this Part during the preceding fiscal year, including a statement showing the amounts that during such year were credited to or charged against the Regular Forces Death Benefit Account.

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Regulations.

55. (1) The Governor in Council may make regulations for carrying the purposes and provisions of this Part into effect and, without restricting the generality of the foregoing, may make regulations

(*a*) prescribing the times as of which the reductions referred to in paragraph (*a*) of subsection (1) of section 44 shall be made;

(*b*) prescribing the manner and time of payment of contributions;

(*c*) prescribing the contributions to be made by elective participants and by participants who are absent from duty and prescribing the conditions upon which participants who are absent from duty may continue to be participants;

(*d*) respecting the manner and time of making elections under this Part;

(*e*) authorizing payment, with the approval of the Minister, out of any benefit payable to the widow or the estate of a deceased participant, of reasonable expenses incurred for the maintenance, medical care or burial of the participant;

(*f*) prescribing the rate of interest and the manner of calculating the interest to be credited to the Regular Forces Death Benefit Account established by this Part;

(*g*) specifying, for the purposes of this Part, the circumstances under which a person's service in the regular forces shall be deemed to be substantially without interruption;

(*h*) respecting the determination, for the purposes of this Part, of the effective date upon which a person shall be deemed to have become or to have ceased to be a member of the regular forces;

(*i*) prescribing the nature of the evidence required to establish proof of age or marital status for the purposes of this Part, the time within which such evidence shall be provided and the consequences of any failure to provide such evidence within that time;

(*j*) prescribing for the purposes of paragraph (*f*) of subsection (1) of section 44, the day on which a retroactive increase in pay shall be deemed to have commenced to have been received by a participant; and

(*k*) prescribing forms for the purposes of this Part.

Application of Part I.

(2) Section 14, except subsection (2) thereof, applies *mutatis mutandis* to this Part."

54. (1) Any person who, on the day immediately prior to the coming into force of this Act, was entitled under subsection (2) of section 41 of the *Public Service Superannuation Act* to elect to continue to be a participant under Part II of that Act

(*a*) shall be deemed, for the purposes of Part III of the *Canadian Forces Superannuation Act* as enacted by section 53 of this Act, to be a participant under that Part for a period equal to the unexpired portion of the period during which he could have elected to be a participant under Part II of the *Public Service Superannuation Act*; and

(*b*) may, within the period referred to in paragraph (*a*), elect to continue to be a participant under Part III of the *Canadian Forces Superannuation Act* as enacted by section 53 of this Act after the expiration of that period and shall, if he is entitled under the *Canadian Forces Superannuation Act* or under the *Defence Services Pension Continuation Act* to an annuity or pension be deemed to have elected within that period to continue to be a participant under that Part after the expiration of that period.

(2) Every person who elected under section 41 of the *Public Service Superannuation Act* to continue to be a participant under Part II thereof and who was by virtue of such election a participant under that Part on the day immediately prior to the coming into force of this section shall be deemed to have elected to be a participant under subsection (1) of section 45 of the *Canadian Forces Superannuation Act* as enacted by section 53 of this Act.

55. The said Act is further amended by adding thereto the following Schedule:

Clause 55. This amendment is consequential on the amendments contained in clause 53.

"SCHEDULE A.

Single Premium for $500 of Death Benefit Coverage for Life.

Age of participant nearest birthday	Amount of Single Premium	
	Males	Females
65	$310	$291
6	316	298
7	323	306
8	329	313
9	336	320
70	343	328
1	349	335
2	356	342
3	362	349
4	369	356
75	375	363
6	381	370
7	387	377
8	393	383
9	398	389
80	403	395"

56. (1) Sections 35 to 39 and sections 41, 48, 49 and 52 shall be deemed to have come into force on the 1st day of January, 1966.

(2) Section 47 and subsection (2) of section 51 shall come into force on such day as may be fixed by proclamation of the Governor in Council.

(3) Sections 53 and 54 shall come into force on the first day of the month following the month in which this Act is assented to, but in their application to any person who was a regular forces participant under Part II of the *Public Service Superannuation Act* immediately before the day this Act is assented to and who dies before the first day of the month referred to above, the said sections shall be deemed to have come into force on the day this Act is assented to.

R.S., cc. 63, 310; 1952–53, c. 24; 1953–54, c. 13; 1955, c. 28; 1956, c. 18; 1959, c. 21.

Defence Services Pension Continuation Act.

1952, c. 310, s. 4(1).

57. (1) Subsections (11) and (11a) of section 3 of the *Defence Services Pension Continuation Act* are repealed.

(2) Subsection (1) shall come into force on such day as may be fixed by proclamation of the Governor in Council.

1955, c. 28, s. 15.

58. Subsection (2) of section 31A of the said Act is repealed and the following substituted therefor:

Widow deemed to have predeceased officer.

"(2) If, upon the death of an officer or former officer, it appears to the Minister that the widow of that officer had, immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the officer was ordinarily resident, and if the Minister so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased that officer."

59. Where in section 31A of the said Act the term "Treasury Board" is used, there shall in each and every such case be substituted the term "Minister".

1959, c. 34; 1965, c. 5.

Royal Canadian Mounted Police Superannuation Act.

60. Section 2 of the *Royal Canadian Mounted Police Superannuation Act* is amended by adding thereto the following subsection:

Employment in the Force pensionable employment.

"(4) Except as provided in the regulations, employment as a member of the Force is not excepted employment for the purposes of the *Canada Pension Plan*."

61. Paragraphs (*d*) and (*e*) of subsection (1) of section 4 of the said Act are repealed and the following substituted therefor:

"(*d*) in the case of a male contributor, six per cent of his pay minus an amount equal to the amount he would be required to contribute under the *Canada Pension Plan* in respect of that pay if that pay, expressed in terms of an annual rate, were the total amount of his income for the year from pensionable employment as defined in that Act, and

Clause 57. Subsections (11) and (11a) at present read as follows:

"(11) A retired officer who has been granted a pension under this Part and is employed in the public service of Canada or appointed to, enlisted in or transferred to the naval, army or air forces of Canada is entitled to receive that part of his pension which, when added to his salary or pay and allowances, as the case may be, will not at any time exceed the greater of

(*a*) the pay and allowances of which he was in receipt at the date of his retirement from the force, or

(*b*) the current pay and allowances in effect for an officer holding the same rank and under the same circumstances as the pensioner at the date of his retirement.

(11a) Subsection (11) does not apply in respect of service in the reserve forces unless the service is for a full-time continuous period in excess of six months during which period the pensioner received the pay of his rank as though he were in the force."

The repeal of these subsections is consequential on the amendment contained in subclause (2) of clause 51.

Clause 58. Subsection (2) at present reads as follows:

"(2) If, upon the death of an officer or former officer, it appears to the *Treasury Board* that the widow of that officer had, *for a number of years* immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the officer was ordinarily resident, and if the *Treasury Board* so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Act, to have predeceased that officer."

This amendment would remove the qualification that the widow of an officer or former officer must have been living apart from him for a number of years prior to his death in circumstances that would have entitled her to an order for separate maintenance before the Minister can direct that she shall be deemed, for the purposes of the Act, to have predeceased her husband. The amendment would also change the reference to the Treasury Board to the Minister of National Defence.

Clause 60. New. The purpose of this amendment is to provide that employment as a member of the Royal Canadian Mounted Police is, except as provided in the regulations, pensionable employment for the purposes of the *Canada Pension Plan.*

Clause 61. This amendment would reduce the amount of the contribution required to be paid by a contributor under the Act by the amount the contributor is required to contribute under the *Canada Pension Plan* in respect of the pay received by him as a member of the Force.

(*e*) in the case of a female contributor, five per cent of her pay minus an amount equal to the amount she would be required to contribute under the *Canada Pension Plan* in respect of that pay if that pay, expressed in terms of an annual rate, were the total amount of her income for the year from pensionable employment as defined in that Act."

62. (1) Subparagraph (ii) of paragraph (*b*) of section 5 of the said Act is amended by adding thereto, immediately after clause (E) thereof, the following clause:

"(EA) any period of service as a member of the Force for which he was not required to contribute under the former Act, if he elects within one year of becoming a contributor under this Part to pay for that service,"

(2) An election may be made under clause (EA) of subparagraph (ii) of paragraph (*b*) of section 5 of the said Act as enacted by this section by any person who was a contributor under Part I of the said Act immediately before the coming into force of this section, and in its application to such person, clause (EA) shall be read and construed as though for the expression "within one year of becoming a contributor under this Part" where it appears therein there were substituted the expression "within one year of the coming into force of this clause".

63. (1) Paragraphs (*d*) and (*e*) of subsection (1) of section 6 of the said Act are repealed and the following substituted therefor:

"(*d*) in respect of any period specified in clause (B) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

Clause 62. New. The purpose of this amendment is to allow a contributor to elect as pensionable service for the purposes of the Act any prior service as a member of the Force in respect of which he was not required to make contributions.

Clause 63. (1) Paragraphs (*d*) and (*e*) at present read as follows:

"(*d*) in respect of any period specified in clause (B) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4, in respect of pay *on a full-time basis at the rates in effect during that period for the rank or ranks in the Canadian Forces held by him during that period or corresponding to the rank or ranks held by him during that period, as the case may be*, together with interest;

(*e*) in respect of any period specified in clause (C), (D), (E) or (F) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4, in respect of pay equal to the pay authorized to be paid to him *during that period*, together with interest;"

This amendment would provide that a contributor who elects to count as pensionable service any period of wartime service on active service or service in the Special Forces in Korea, the regular forces, the Public Service or with the Force shall pay therefor in respect of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under the Act. The amendments respecting the rates of contribution are consequential on the amendments contained in clause 61.

in respect of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;

(*e*) in respect of any period specified in clause (C), (D), (E), (EA) or (F) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest;"

(2) Subsection (1) is applicable to elections made after 1965, except that in the case of an election made in the year 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraphs (*d*) and (*e*) of subsection (1) of section 6 of the said Act shall be read as follows:

"(*d*) in respect of any period specified in clause (B) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

(2) The purpose of this subclause is to provide that a contributor who elects in the year 1966 or in the year 1967, if he was a contributor on December 31, 1966, to count as pensionable service any of the periods of service referred to therein, will pay for that service on the basis of the rate of salary presently referred to in that paragraph. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 61 of this Bill.

in respect of pay on a full-time basis at the rates in effect during that period for the rank or ranks in the Canadian Forces held by him during that period or corresponding to the rank or ranks held by him during that period as the case may be, together with interest;

(*e*) in respect of any period specified in clause (C), (D), (E), (EA) or (F) of subparagraph (ii) of the said paragraph (*b*), an amount equal to the amount that he would have been required to contribute had he, during that period, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him during that period, together with interest;"

64. (1) Paragraph (*a*) of subsection (1) of section 8 of the said Act is repealed and the following substituted therefor:

"(*a*) "annuity" means an annuity computed in accordance with section 9;"

(2) Paragraph (*d*) of subsection (1) of section 8 of the said Act is repealed and the following substituted therefor:

"(*d*) "cash termination allowance" means an amount equal to one month's pay for each year of pensionable service to the credit of the contributor, computed on the basis of the rate of pay authorized to be paid to him at the time he ceases to be a member of the Force, minus an amount equal to the amount by which

(i) the total amount the contributor would have been required to contribute to the Superannuation Account up to the time he ceases to be a member of the Force (other than interest or charges for payments by instalments) in respect of

Clause 64. (1) Paragraph (*a*) at present reads as follows:

"(*a*) "annuity" means an annuity computed in accordance with *subsection* (*1*) *of* section 9;"

This amendment is consequential on the amendment contained in clause 65.

(2) Paragraph (*d*) at present reads as follows:

"(*d*) "cash termination allowance" means an amount equal to one month's pay for each year of pensionable service to the credit of the contributor, computed on the basis of the rate of pay authorized to be paid to him at the time he ceases to be a member of the Force; and"

This amendment would provide a new calculation of the cash termination allowance. The amendment is made necessary by the reduction in contributions to the Superannuation Account as a result of the correlation of the Act with the *Canada Pension Plan*.

service after 1965, if he had contributed on the basis of the rates set forth in subsection (1) of section 4 as it read on December 31, 1965,

exceeds

(ii) the total amount the contributor was required to contribute to the Superannuation Account up to the time he ceases to be a member of the Force (other than interest or charges for payments by instalments) in respect of service after 1965."

65. Section 9 of the said Act is amended by adding thereto, immediately after subsection (1) thereof, the following subsections:

Deduction from annuity.

"(1a) Notwithstanding subsection (1), where a contributor has become entitled to a retirement or disability pension under the *Canada Pension Plan* (or would have become entitled thereto under that Act if he applied therefor and in the case of a retirement pension, it had not been commuted or had not been reduced by virtue of section 69 of the *Canada Pension Plan*), there shall be deducted from the amount of any annuity to which that contributor is entitled under this Act such amount as is determined in accordance with the regulations to be the amount of that retirement or disability pension that is attributable to contributions made under the *Canada Pension Plan* in respect of his service as a member of the Force prior to the day on which he completed thirty-five years of pensionable service."

66. Paragraph (*b*) of subsection (6) of section 10 of the said Act is repealed and the following substituted therefor:

"(*b*) a member of the Force not holding a rank in the Force is entitled to a benefit determined under this section, other than the benefit provided in subparagraph (i) of paragraph (*b*) of subsection (5), as though he were an officer."

67. Paragraph (*b*) of subsection (3) of section 12 of the said Act is repealed and the following substituted therefor:

"(*b*) an amount equal to one month's pay for each year of pensionable service to the credit of the

Clause 65. New. The purpose of this amendment is to authorize the deduction from any annuity a contributor is entitled to under the Act, at such time as he is entitled to a retirement or disability pension under the *Canada Pension Plan* (or would be so entitled except for the circumstances mentioned therein), of such amount as is determined by the regulations to be the amount of that pension that is attributable to contributions made in respect of his service as a member of the Force.

Clause 66. The proposed amendment adds the underlined words for the purpose of providing that a civilian member of the Force who retires voluntarily with ten or more years, but less than twenty years pensionable service is entitled to a return of contributions or a deferred annuity, at his option, instead of just a return of contributions.

Clause 67. Subsection (3) of section 12 at present reads as follows:

"(3) Upon the death of the contributor who was a member of the Force at the time of his death, having to his credit less than ten years of pensionable service, the widow and children of the contributor, in any case where the contributor died leaving a widow or a child less than eighteen years of age, are entitled jointly to

(*a*) a return of contributions, or

(*b*) *a cash termination allowance, whichever is the greater.*"

contributor, computed on the basis of the rate of pay authorized to be paid to him at the time of his death,"

68. Subsection (5) of section 13 of the said Act is repealed and the following substituted therefor:

Widow deemed to have predeceased contributor.

"(5) If, upon the death of a contributor, it appears to the Minister that the widow of the contributor had, immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the Minister so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Part, to have predeceased the contributor."

69. Subsection (3) of section 14 of the said Act is repealed and the following substituted therefor:

Death within one year of marriage.

"(3) Notwithstanding anything in this Act, where a contributor dies within one year after his marriage, no annual allowance is payable to his widow or the children of that marriage if the Minister is not satisfied that the contributor was at the time of his marriage in such a condition of health as to justify him in having an expectation of surviving for at least one year thereafter."

70. Wherever in sections 13 and 15 of the said Act the term "Treasury Board" is used, there shall in each and every case be substituted the term "Minister".

71. (1) Subsection (1) of section 19 of the said Act is amended by striking out the word "and" at the end of paragraph (*a*) thereof and by substituting the word "or".

(2) Paragraph (*b*) of subsection (1) of section 19 of the said Act is repealed and the following substituted therefor:

"(*b*) in the case of service for which, by the *Public Service Superannuation Act* or the *Canadian Forces Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

Clause 68. Subsection (5) at present reads as follows:

"(5) If, upon the death of a contributor, it appears to the *Treasury Board* that the widow of the contributor had, *for a number of years* immediately prior to his death, been living apart from him under circumstances that would have disentitled her to an order for separate maintenance under the laws of the province in which the contributor was ordinarily resident, and if the *Treasury Board* so directs, having regard to the surrounding circumstances, including the welfare of any children involved, she shall be deemed, for the purposes of this Part, to have predeceased the contributor."

This amendment would remove the qualification that the widow of a contributor must have been living apart from him for a number of years prior to his death in circumstances that would have entitled her to an order for separate maintenance before the Minister can direct that she shall be deemed, for the purposes of the Act, to have predeceased her husband. The amendment would also change the reference to the Treasury Board to the Minister.

Clause 69. Subsection (3) at present reads as follows:

"(3) Notwithstanding anything in this Part, where a contributor dies within five years after his marriage the amount of any annual allowance to which his widow and children may become entitled under this Part shall, if the Treasury Board is not satisfied that anticipation of impending death was not a consideration affecting the agreement to marry, be reduced by

(*a*) one hundred per cent, if the contributor dies within one year after his marriage;

(*b*) ninety-eight per cent, if he dies within the thirteenth month after his marriage;

(*c*) ninety-six per cent, if he dies within the fourteenth month after his marriage;

and so on, by like progressions, until the sixtieth month after his marriage but not thereafter."

The purpose of this amendment is to correlate the provisions of this Act and of the *Canada Pension Plan* respecting the payment of a benefit when the death of a contributor occurs shortly after marriage.

Clause 71. (2) Paragraph (*b*) at present reads as follows:

"(*b*) in the case of service for which, by the *Public Service Superannuation Act* or *the Canadian Forces Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute in the manner and at the rates set forth in subsection (1) of section 4, in respect of pay at a rate equal to the rate of pay authorized to be paid to him *during that period*, together with interest, as defined in subsection (2) of section 6."

This amendment would provide that a contributor who elects to count as pensionable service any period of service for which, under the Acts referred to, he was not required to pay, shall pay for that service at a rate of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under the Act. The amendments respecting the rate of his contribution are consequential on the amendments contained in clause 61.

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him on the most recent occasion on which he became a contributor under this Act, together with interest, as defined in subsection (2) of section 6."

(3) Subsection (2) is applicable to elections made after 1965, except that in the case of an election made in the year 1966, or in the case of an election made in the year 1967 by a person who was a contributor on December 31, 1966, paragraph (*b*) of subsection (1) of section 19 of the said Act shall be read as follows:

"(*b*) in the case of service for which, by the *Public Service Superannuation Act* or the *Canadian Forces Superannuation Act*, as the case may be, he was not required to pay, an amount equal to the amount that he would have been required to pay had he, during the period of that service, been required to contribute

(i) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(ii) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

in respect of pay equal to the pay authorized to be paid to him during that period plus any amount paid to him under those Acts at any time before the making of the election, together with interest, as defined in subsection (2) of section 6."

(3) The purpose of this subclause is to provide that a contributor who elects in the year 1966 or in the year 1967, if he was a contributor on December 31, 1966, to count as pensionable service any of the periods of service referred to therein, will pay for that service on the basis of the rate of salary presently referred to in that paragraph. The amendments respecting the rate of his contributions are consequential on the amendments contained in clause 61 of this Bill.

72. Notwithstanding subsection (1) of section 19 of the said Act, a person to whom Part VII of the *Royal Canadian Mounted Police Act*, chapter 241 of the Revised Statutes of Canada, 1952, was applicable immediately before the coming into force of the *Royal Canadian Mounted Police Superannuation Act* and who became a contributor under Part I of that Act as of the day it came into force may count as pensionable service for the purposes of that Act any period of pensionable service to his credit under the *Public Service Superannuation Act*, if he elects, within one year of the coming into force of this section, to pay for that service, in which case the amount to be paid by him therefor is an amount determined in accordance with subsection (1) of section 19 of the said Act.

73. (1) Subsection (1) of section 21 of the said Act is amended by adding thereto, immediately after paragraph (*b*) thereof, the following paragraphs:

"(*ba*) specifying, for the purposes of subsection (4) of section 2, the employment as a member of the Force that is excepted employment;

(*bb*) respecting the determination, for the purposes of subsection (1a) of section 9, of the amount of any retirement or disability pension to which a contributor is entitled under the *Canada Pension Plan* that is attributable to contributions made in respect of his service as a member of the Force;"

(2) Subsection (2) of section 21 of the said Act is repealed and the following substituted therefor:

Regulations respecting leave of absence.

"(2) For the purposes of this Part, a person who has contributed to the Superannuation Account in accordance with any regulation made under paragraph (*b*) of subsection (1) in respect of any period during which he was absent from the Force on leave of absence without pay shall be deemed to have contributed to the Superannuation Account,

(*a*) where that period or any portion thereof was prior to 1966, in the manner and at the rates set forth in subsection (1) of section 4 as it read on December 31, 1965, in respect of that period or that portion thereof, and

(*b*) where that period or any portion thereof was after 1965, in the manner and at the rates set forth in subsection (1) of section 4 in respect of that period or that portion thereof,

Clause 72. The purpose of this clause is to allow those persons who, on the coming into force of the Act, were contributors under the former *Royal Canadian Mounted Police Act*, to elect to count as pensionable service any service to their credit under the *Public Service Superannuation Act* and to provide the amount they will be required to pay for that service.

Clause 73. (1) New. These amendments are consequential on the amendments contained in clauses 60 and 65.

(2) Subsection (2) at present reads as follows:

"(2) For the purposes of this Part, a person who has contributed to the Superannuation Account in accordance with any regulation made under paragraph (*b*) of subsection (1) in respect of any period during which he was absent from the Force on leave of absence without pay shall be deemed to have contributed to the Superannuation Account, in *respect of that period, in accordance with subsection (1) of section 4* and to have received, during that period, pay and allowances at a rate equal to the rate of pay and allowances that would have been authorized to be paid to him if he had not been so absent on leave of absence without pay."

This amendment is consequential on the reduction in rates contained in clause 61.

and to have received, during that period, pay and allowances at a rate equal to the rate of pay and allowances that would have been authorized to be paid to him if he had not been so absent on leave of absence without pay."

1965, c. 5, s. 3.

74. (1) Subsection (2) of section 23 of the said Act is repealed and the following substituted therefor:

Pay increase credit.

"(2) There shall be credited to the Superannuation Account, following the authorization of any pay increase applicable to at least one per cent of the members of the Force such amount as, in the opinion of the Minister of Finance, is necessary to provide for the increase in the cost to Her Majesty of the benefits payable under this Part as a result of such pay increases, and the amount so credited shall be charged to the Consolidated Revenue Fund in five equal annual instalments commencing in the fiscal year in which the salary increase is authorized.

Amount to be credited on basis of actuarial report.

(3) Following the laying before Parliament of any actuarial report described in section 24, there shall be credited to the Superannuation Account such amount as, in the opinion of the Minister of Finance, together with the amount then to the credit of the said Account, is required to meet the cost of the benefits payable under this Part and the amount so credited shall be charged to the Consolidated Revenue Fund in five equal annual instalments commencing in the fiscal year in which the report is laid before Parliament."

(2) This section shall be deemed to have come into force on the 1st day of January, 1966.

75. Subsection (3) of section 27 of the said Act is repealed and the following substituted therefor:

"(3) In applying Schedules A and B of the *Pension Act* for the purposes of this Part, the ranks in the Force set out in the following table, and such prescribed classes in the Force of members not holding a rank in the Force as are specified in accordance with the regulations to be the classes corresponding to those ranks, shall be deemed to correspond to the ranks in the Canadian Army set out as follows:

Clause 74. Subsection (2) at present reads as follows:

"(2) There shall be credited to the Superannuation Account, following the authorization of any pay increase applicable to at least one per cent of the members of the Force, in five equal annual instalments commencing in the fiscal year in which the pay increase is authorized, such amount as, in the opinion of the Minister of Finance, is necessary to provide for the increase in the cost to Her Majesty of the benefits payable under this Part, as a result of such pay increase."

The purpose of the amendment to subsection (2) is to require the immediate crediting to the Superannuation Account of the amount determined by the Minister of Finance as being necessary to provide for increased benefits under the Act as a result of certain pay increases to members of the Force. Actual payment of the amount into the Account would be made in five equal annual instalments.

Subsection (3) is new and would provide for the payment into the Superannuation Account of any amounts shown by the actuarial report as being required to be paid into the Account to meet the cost of benefits under the Act. These amounts would be paid in the same manner as is proposed in subsection (2) with respect to pay increases.

Clause 75. Subsection (3) at present reads as follows:

"(3) In applying Schedules A and B of the *Pension Act* for the purposes of this Part, the ranks in the Force set out in the following table, and such prescribed classes in the Force of members not holding a rank in the Force as are specified in accordance with the regulations to be the classes corresponding to those ranks, shall be deemed to correspond to the Army Ranks set out as follows:

Rank in Force	*Canadian Army Rank*
Commissioner, Deputy Commissioner or Assistant Commissioner	Brigadier and higher ranks
Chief Superintendent	Colonel
Superintendent and lower ranks	Lieutenant Colonel and lower ranks."

76. In their application to a person who is a contributor under the said Act on the day this Act is assented to, sections 60, 61, 63, 65, 67, 71 and 73 shall be deemed to have come into force on the 1st day of January, 1966, or on the day on which that person most recently became a contributor under the said Act if that day is prior to the day this Act is assented to, whichever is the later.

R.S., c. 82.

DIPLOMATIC SERVICE (SPECIAL) SUPERANNUATION ACT.

77. (1) The *Diplomatic Service (Special) Superannuation Act* is amended by adding thereto, immediately after section 2 thereof, the following section:

Retirement age.

"**2A.** (1) Every Public Official who is not a contributor under the *Public Service Superannuation Act* ceases to hold office as such upon reaching the age of sixty-five years.

Idem.

(2) Notwithstanding subsection (1), a Public Official to whom subsection (1) applies who has reached the age of sixty-five years may continue to hold office as such from year to year thereafter if, prior to each anniversary of his birthday commencing with the sixty-fifth anniversary thereof, the Governor in Council has approved that he continue to hold such office."

(2) Where a Public Official who is not a contributor under the *Public Service Superannuation Act* has, on or before the coming into force of this Act, reached the age of sixty-four years he may, notwithstanding subsection (1), continue to hold office as such until January 1, 1967 and thereafter, until the anniversary of his birthday next following and from year to year thereafter if, prior to each anniversary of his birthday, the Governor in Council has approved that he continue to hold such office.

Rank in Force.	*Army Rank*
Commissioner or Deputy Commissioner.....	Brigadier-General
Assistant Commissioner or Chief Superintendent...	Colonel
Superintendent.....	Lieutenant-Colonel
Inspector and lower ranks.....	Major"

This amendment is consequential on changes made in the rank structures of the Force in 1960.

Clause 77. New. This amendment would provide for the retirement of Public Officials upon reaching the age of sixty-five and for the continuation in office of Public Officials in certain cases after attaining that age.

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

Pension to Public Official.

"**3.** (1) Every Public Official who

(*a*) has served as a Public Official for not less than five years, and

(*b*) immediately prior to his appointment to a Public Office, was not a contributor under the *Civil Service Superannuation Act* or the *Public Service Superannuation Act*

is, subject to this Act, entitled upon his retirement or resignation

(*c*) if he has reached the age of sixty-five years or is afflicted with a permanent infirmity disabling him from the due execution of his office, to a pension calculated in accordance with subsection (2), or

(*d*) if he has not reached the age of sixty-five years, to

(i) a deferred pension, calculated in accordance with subsection (2), or

(ii) a return of the total contributions made by him under this Act, without interest,

at his option, except that if he has reached the age of forty-five years and has served as a Public Official for not less than ten years, he is not entitled to a return of contributions in respect of any period of service as a Public Official after such day as may be fixed by the Governor in Council."

(2) All that portion of subsection (2) of section 3 of the said Act preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Amount.

"(2) Subject to this Act, the pension to which a Public Official is entitled under this section shall"

(3) Subsections (3) to (5) of section 3 of the said Act are repealed and the following substituted therefor:

Deductions from annuity.

"(2a) Where a Public Official

(*a*) has reached the age of sixty-five years and has ceased to hold office as a Public Official, or

(*b*) has become disabled and a disability pension has become payable to him under the *Canada Pension Plan*,

there shall be deducted from the amount of any pension to which he is entitled under this section

Clause 78. (1) Subsection (1) at present reads as follows:

"3. (1) The Governor in Council, upon the retirement or resignation of a Public Official who has served as such for not less than five years and

(*a*) has attained the age of sixty-five years, or

(*b*) is afflicted with a permanent infirmity disabling him from the due execution of his office,

and who immediately prior to his appointment to a Public Office was not a contributor under the *Civil Service Superannuation Act*, may grant to him a pension for his life in accordance with subsection (2)."

At present, the Governor in Council may grant a pension under the Act to a Public Official who meets the requirements of the section. The purpose of this amendment is to provide that a Public Official described therein is entitled to the pension provided in the Act or if he has not reached sixty-five, to a deferred pension or a return of contributions, at his option. The amendment adds the further qualification, that if a Public Official has reached the age of forty-five, and has served as a Public Official for not less than ten years, he is entitled only to a deferred pension in respect of any period of service after such day as may be fixed by the Governor in Council.

(2) The relevant portion of subsection (2) at present reads as follows:

"(2) The pension to *be granted* to a Public Official shall"

This amendment is consequential on the amendment proposed in subclause (1).

(3) Subsections (2a) to (3) are new.

The purpose of subsection (2a) is to authorize the deduction from any pension to which a Public Official is entitled under the Act, upon his reaching sixty-five and ceasing to hold office or upon becoming entitled to a disability pension under the *Canada Pension Plan*, of an amount calculated in the manner set out in the subsection.

(*c*) an amount equal to one fiftieth of his Average Maximum Pensionable Earnings for each year between January 1, 1966 and December 31, 1975 that he has contributed under this Act, and

(*d*) an amount equal to one one-hundredth of his Average Maximum Pensionable Earnings for each year after 1975 that he has contributed under this Act.

Definitions.

(2b) In this section,

"Average Maximum Pensionable Earnings."

(*a*) "Average Maximum Pensionable Earnings" means, with respect to any Public Official, the average of the Year's Maximum Pensionable Earnings for the year in which the deductions referred to in subsection (2a) are required to be made from his pension and for each of the two preceding years;

"Average salary."

(*b*) "average salary" means the average of the salary received by the Public Official during the last ten years of his service in a Public Office or, where he served less than ten years in a Public Office, the average of the salary received by him during his entire service in a Public Office;

"Deferred pension."

(*c*) "deferred pension" means a pension that becomes payable to a Public Official at the time he reaches sixty-five years of age; and

"Year's Maximum Pensionable Earnings."

(*d*) "Year's Maximum Pensionable Earnings" has the same meaning as in the *Canada Pension Plan*.

When age of sixty-five deemed to be reached.

(2c) For the purposes of subsection (2a), a Public Official shall be deemed to have reached the age of sixty-five years at the beginning of the month following the month in which he actually reached that age.

Circumstances where amount to be increased.

(2d) Subject to subsection (4) and to section 9, where

(*a*) the amount of the pension to which a Public Official is entitled under subsection (1) on his retirement or resignation, together with such amount as is determined in accordance with the regulations to be the amount of any retirement or disability pension to which he is entitled under the *Canada Pension Plan* (or to which he would be entitled thereunder if he applied therefor and in the case of a retirement pension, it had not been commuted), that is attributable to contributions made thereunder in respect of his employment as a Public Official

is less than

(*b*) the amount of the pension to which he would have been entitled under this Act if no deduction was made as required under subsection (2a),

The new subsection (2c) is consequential on the correlation of the Act with the *Canada Pension Plan.*

The purpose of the new subsection (2d) is to ensure that the pension payable to a person who was a Public Official, together with the amount of any retirement or disability pension payable to him under the *Canada Pension Plan* and that is attributable to contributions made by him while a Public Official, will not be less than the amount of the annuity that otherwise might have been payable to him.

the amount of the pension to which that Public Official is entitled under this Act shall, upon application therefor by him in the manner prescribed by the regulations, be increased by the amount of the difference effective from such day as is determined in accordance with the regulations.

Exception.

(3) Subsection (2d) does not apply to a person described therein during any period that a retirement pension is not payable to him or is reduced by virtue of section 68 or 69 of the *Canada Pension Plan*.

Maximum pension.

(4) Notwithstanding anything in this section, the pension to which a Public Official is entitled under this section shall not exceed an amount that, when added to any superannuation or retirement pension or annuity received by him in respect of any prior service under some other Act of the Parliament of Canada, equals the pension to which he would have been entitled if the prior service and the annual remuneration upon which such other pension or annuity is calculated were, respectively, additional years of service in a Public Office and salary as a Public Official.

Return of contributions to Public Official upon retirement or resignation.

(5) Every Public Official who

(*a*) immediately prior to his appointment to a Public Office was not a contributor under the *Civil Service Superannuation Act* or the *Public Service Superannuation Act*, and

(*b*) upon his retirement or resignation is not entitled to a pension under subsection (1),

is entitled, upon his retirement or resignation, to a return of the total contributions made by him under this Act, without interest.

Return of contributions to widow of Public Official.

(6) Upon the death of a Public Official who is a contributor under this Act, other than a Public Official who has made an election under subsection (1) of section 8, there shall be paid to his widow the total amount of the contributions made by that Public Official under this Act, without interest."

(4) Subsection (2a) and subsections (2c) to (3) of section 3 of the said Act as enacted by subsection (3) of this section shall come into force on the 1st day of January, 1967, except that in its application to a Public Official to whom a pension under the said Act is payable at any time in the years 1967, 1968 or 1969, paragraph (*a*) of subsection (2a) of section 3 of the said Act shall be read and construed as though for the expression "has reached the age of sixty-five years" where it appears therein there were substituted

(*a*) for the year 1967, the expression "has reached the age of sixty-eight years",

Subsections (4) and (5) at present read as follows:

"(4) Notwithstanding subsection (1), the pension *authorized to be granted* under this section to a Public Official shall not exceed an amount that, when added to any superannuation or retirement pension or annuity received by him in respect of any prior service under some other Act of the Parliament of Canada, equals the pension *that might have been granted to him* if the prior service and the annual remuneration upon which such other pension or annuity is calculated were, respectively, additional years of service in a Public Office and salary as a Public Official.

(5) The Governor in Council, upon the retirement or resignation for any reason other than misconduct of a Public Official who immediately prior to his appointment to a Public Office was not a contributor under the *Civil Service Superannuation Act* and upon whose retirement or resignation the grant of a pension is not authorized by subsection (1), may grant to him a withdrawal allowance payable in one sum equal to the total amount of his contributions made under this Act without interest."

These amendments are consequential on the amendments contained in subclause (1).

Subsection (6) is new and would provide for the payment to the widow of a Public Official described therein of an amount equal to the contributions made by her deceased husband.

(*b*) for the year 1968, the expression "has reached the age of sixty-seven years", and

(*c*) for the year 1969, the expression "has reached the age of sixty-six years",

and, for the purposes of that paragraph, a Public Official shall be deemed to have reached the age of sixty-six, sixty-seven or sixty-eight years, as the case may be, at the beginning of the month following the month in which he actually reached that age.

(5) Where, in the year 1967, a deduction is required to be made under subsection (2a) of section 3 of the said Act as enacted by this section, the reference to two preceding years in paragraph (*a*) of subsection (2b) of section 3 of the said Act as enacted by subsection (3) of this section shall be construed as a reference to one preceding year.

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

Public Official's contribution.

"**4.** (1) Every Public Official who is not a contributor under the *Public Service Superannuation Act* shall, by reservation from his salary, contribute to the Consolidated Revenue Fund six per cent of his salary minus an amount equal to the amount he would be required to contribute under the *Canada Pension Plan* in respect of that salary if that salary, expressed in terms of an annual rate, were the total amount of his income for the year from pensionable employment as defined in that Act.

Contribution not required.

(2) Notwithstanding subsection (1), no Public Official shall contribute to the Consolidated Revenue Fund as required by subsection (1) after he has served as a Public Official for a period of thirty-five years less the number of years of service upon which any pension or annuity received by him in respect of any prior service under some other Act of Parliament is based."

80. Section 5 of the said Act is repealed.

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

Right to elect in respect of part of service.

"(3) A person who, by virtue of an election under subsection (1) to contribute under this Act in respect of his prior service, may count the whole or any part of such prior service for the purposes of this Act as service in a Public Office, may, within the time prescribed by that subsection for the making of any such election,

Clause 79. Section 4 at present reads as follows:

"4. Every Public Official who is not a contributor under the *Civil Service Superannuation Act* shall, by reservation from his salary, contribute six per cent of his salary to the Consolidated Revenue Fund, but no such contribution shall be made in respect of a period of service in excess of thirty-five years."

The purpose of this amendment is to reduce the amount of contributions required to be made under the Act by a Public Official by the amount he is required to contribute under the *Canada Pension Plan* in respect of the salary received by him as a Public Official.

Subsection (2) is new in part and is similar in purpose to section 4 (2) of the *Public Service Superannuation Act.*

Clause 80. Section 5 at present reads as follows:

"5. (1) A person who immediately prior to his appointment to a Public Office was a contributor under the *Civil Service Superannuation Act*, shall continue while a Public Official to be a contributor under the *Civil Service Superannuation Act;* and, for the purposes of the *Civil Service Superannuation Act*, his service as a Public Official shall be counted as service in the civil service and he, his widow children or other dependants, if any, or his legal representatives, may be granted the respective allowances or gratuities provided by the *Civil Service Superannuation Act.*

(2) Where a person who was a civil servant immediately before his appointment to a Public Office is retired from such Public Office he may, in accordance with regulations made under the *Civil Service Act*, be assigned to a position in the civil service as nearly as may be of the same class from which he was so retired or for which he is qualified, or in the alternative, be granted the same allowance or gratuity under the *Civil Service Superannuation Act* as he might have been granted if he were retired in like circumstances from a position in the civil service.

(3) A Public Official who immediately prior to his appointment to a Public Office, held a position in the civil service or was an "employee" within the meaning of the *Civil Service Act*, shall retain and be eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained under that Act."

The enactment of the *Public Service Superannuation Act* in 1953, and the new *Civil Service Act* in 1960 make the provisions of this section no longer necessary.

Clause 81. (1) Subsection (3) at present reads as follows:

"(3) The contribution required under this section in respect of the whole of the prior service of a Public Official shall be an amount equal to that which he would have contributed had he during the said prior service made contributions under this Act upon his actual salary from Her Majesty during that period together with simple interest at the rate of four per cent per annum up to the time of his election, and the contribution required in respect of any part of the said prior service shall be that proportion of the said amount which the said part is of the whole of the said service."

The purpose of this amendment is to provide a new basis for computing the contributions required in respect of an election to contribute for a part only of prior service.

elect to contribute under this Act in respect of part only of his prior service but only that part that is most recent in point of time, and upon so electing, may count that part of his prior service for the purposes of this Act as service in a Public Office.

Contribution required in respect of prior service.

(3a) The contribution required under this section by virtue of an election by a Public Official to contribute under this Act in respect of any period of prior service is an amount equal to the amount that he would have been required to contribute had he, during that period, made contributions under this Act in respect of a salary at the rate authorized to be paid to him on the most recent occasion on which he became a contributor, together with simple interest at four per cent per annum until the time of the making of the election."

(2) Subsections (5) and (6) of section 6 of the said Act are repealed and the following substituted therefor:

Unpaid instalments.

"(5) Where a Public Official who has elected under this Act to pay for any period of prior service and has undertaken to pay for that period of service in instalments ceases to be a Public Official before all the instalments have been paid, the unpaid instalments may be reserved, in accordance with the regulations, from any amount payable to him by Her Majesty in right of Canada, including any pension payable to him under this Act, until such time as

(*a*) all the instalments have been paid, or

(*b*) the contributor dies,

whichever occurs first.

Certain prior service not to be counted.

(6) Notwithstanding anything in this section, no person is, for the purposes of this Act, entitled to count as service in a Public Office any prior service in respect of which he is entitled to or has been granted a pension or annuity under any other Act of the Parliament of Canada."

(3) Subsection (1) is applicable to elections made after the coming into force of this Act.

82. (1) Subsections (1) to (3) of section 8 of the said Act are repealed and the following substituted therefor:

Election to accept pension in lieu of any other pension.

"**8.** (1) Where a Public Official who is not a contributor under the *Public Service Superannuation Act* elects in writing, at any time prior to his retirement or resignation as a Public Official, to accept a pension authorized by this section, he is entitled, in lieu of the

(2) Subsections (5) and (6) at present read as follows:

"(5) Where a Public Official who is contributing by instalments in respect of prior service under this section resigns or is retired before payment of the said instalments in full he shall be deemed to have contributed in respect of the said service for which he elected to contribute and the remaining instalments shall be reserved out of any pension payable under this Act.

(6) Notwithstanding anything in this section, no person is for the purposes of this Act entitled to count as service in a Public Office any prior service in respect of which he is receiving a pension or annuity under any other Act of the Parliament of Canada."

The amendment to subsection (5) would authorize the recovery of any payments owing by a Public Official in respect of prior service from any amount payable to him by the Crown, rather than only from any pension payable to him under the Act.

The amendment to subsection (6) substitutes the underlined words.

Clause 82. (1) Subsections (1) to (3) at present read as follows:

"**8.** (1) Where a Public Official who is not a contributor under the *Civil Service Superannuation Act* elects in writing *within six months after the 17th day of July, 1947, or after his appointment to a Public Office*, to accept a pension authorized by this section *the Governor in Council may*, in lieu of the pension authorized by any other section of this Act, *grant to him* a pension equal to two-thirds of the pension *that the Governor in Council might* but for *his election have granted to him* pursuant to the provisions of this Act other than this section.

pension authorized by section 3, to a pension equal to two-thirds of the pension to which he would have been entitled under section 3, but for his election.

Pension to wife of pensioner.

(2) Where a Public Official is receiving a pension under subsection (1), his wife is entitled to a pension equal to one-half of the pension to which that Public Official is entitled.

Pension to widow.

(3) Where a Public Official who has made an election under subsection (1) dies while holding office as such, his widow is entitled to a pension equal to one-half of the pension to which that Public Official would have been entitled had he, immediately prior to his death, retired or resigned from his office, having become afflicted with a permanent infirmity disabling him from the due execution of his office."

(2) Subsections (5) and (6) of section 8 of the said Act are repealed and the following substituted therefor:

Cessation of pension to wife or widow.

"(5) A pension to which the wife or widow of a Public Official is entitled under this section shall cease in the event of her remarriage.

Return of contributions to widow not entitled to pension.

(6) Where a Public Official who has made an election under subsection (1) dies while holding office as such and his widow is not entitled to a pension under subsection (3), there shall be paid to his widow the total amount of the contributions made by that Public Official under this Act, without interest."

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

Pensioner employed in public service or appointed judge.

"**9.** Where a Public Official who is entitled to a pension under this Act is employed in the public service of Canada or is appointed a judge of a superior, district or county court in Canada, payment of his pension under this Act shall, during the period while he is so employed or serving as such judge, be suspended if, during that period, the rate of salary authorized to be paid to him exceeds a like rate computed on the basis of the salary authorized to be paid to him in respect of his last full month of service as a Public Official prior to becoming so employed or prior to his appointment as such judge, but if it does not exceed the rate so computed such suspension shall not apply to payment of his pension as hereinbefore mentioned, to the extent that the rate so computed exceeds the rate of salary authorized to be paid to him during the period while he is so employed or serving as such judge."

(2) *The Governor in Council may grant* to the wife of a Public Official *to whom a pension is granted* under subsection (1) a pension equal to one-half of the pension *granted to the Public Official to commence with the first payment of the pension to the Public Official and to continue thenceforth during her natural life.*

(3) Where a Public Official who has made an election under subsection (1) dies while holding office as such the *Governor in Council may grant* to his widow a pension equal to one-half of the pension *that the Governor in Council might have granted to* the Public Official if he had resigned *immediately before his death.*"

The purpose of the amendment to subsection (1) is to extend the time for making an election under that subsection. The amendment to subsection (2) is to provide that the wife of a Public Official described therein is entitled to a pension. The amendment to subsection (3) provides a pension to a widow of a Public Official who dies in office.

(2) Subsections (5) and (6) at present read as follows:

"(5) A pension *granted* to the wife or widow of a Public Official pursuant to this section shall cease on the remarriage of the pensioner.

(6) Where a Public Official who has made an election under subsection (1), dies while holding office as such and *the Governor in Council is not authorized to grant* to the widow a pension under subsection (3), *the Governor in Council may grant* to the widow *a gratuity equal to the* total amount of the contributions made by the Public Official under this Act without interest."

These amendments are consequential on the amendments contained in subclause (1).

Clause 83. Section 9 at present reads as follows:

"**9.** If a person who is granted a pension under this Act is employed in the public service of Canada or is appointed a judge of a superior, district or county court in Canada, his salary shall be reduced by the amount of such pension."

The purpose of this amendment is to provide for the suspension or reduction of the pension of a Public Official who becomes employed in the public service or is appointed a judge.

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

Payments out of Consolidated Revenue Fund.

"**10.** (1) The pensions and returns of contributions payable under this Act shall be paid out of the Consolidated Revenue Fund.

Duration of payment.

(2) Where a pension becomes payable under this Act, it shall be paid in equal monthly instalments in arrears and shall continue, subject to this Act, during the lifetime of the recipient and thereafter until the end of the month in which he dies.

Capitalization.

(3) Where a person has become entitled under this Act to a pension as or in respect of a Public Official, the monthly instalments of which would amount to less than ten dollars each, there may be paid to that person, upon request by him to the Minister of Finance in writing within three months from the time when he became so entitled, an amount determined by the Minister to be the capitalized value of the said pension, which payment shall be in lieu of that pension."

85. Subsections (1) and (2) of section 11 of the said Act are repealed and the following substituted therefor:

Election not to contribute under section 4.

"**11.** (1) A Public Official who is not a contributor under the *Public Service Superannuation Act* may elect in writing within one year after his appointment to a Public Office not to contribute under section 4, and upon so electing he shall, notwithstanding section 4, not be required to contribute under that section.

Idem.

(1a) A Public Official is not required to contribute under the *Public Service Superannuation Act* by reason of an election made by him under subsection (1).

Return of contributions.

(2) A Public Official who has made an election under this section and who has made contributions under section 4 is entitled to a return of the total amount of those contributions, without interest."

86. The said Act is further amended by adding thereto the following sections:

Residual amounts.

"**12.** Where, upon the death of a Public Official, there is no widow to whom a pension or return of contributions under this Act may be paid, or where the widow of a Public Official who is or would be entitled to a pension under this Act dies or ceases to be entitled thereto, any amount by which the total amount

Clause 84: Section 10 at present reads as follows:

"**10.** (1) The pensions, *withdrawal allowances and gratuities* payable under this Act shall be paid out of *moneys forming part of* the Consolidated Revenue Fund *of Canada.*

(2) For any period less than a year the pensions shall be paid *pro rata.*

(3) The pensions shall be paid by monthly instalments."

The term "returns of contributions" has been substituted for "withdrawal allowances" and "gratuities" in the proposed amendment to section 10.

The new subsections (2) and (3) are similar in purpose to subsections (2) and (3) of section 8 of the *Public Service Superannuation Act.*

Clause 85. Subsections (1) and (2) at present read as follows:

"**11.** (1) A Public Official may, with the consent of the Secretary of State for External Affairs, elect in writing *on or before the 1st day of November, 1948,* or within *three months* after his appointment to a Public Office not to contribute under section 4.

(2) The Governor in Council may grant to a Public Official who has made an election under this section and who has made contributions under section 4 a withdrawal allowance payable in one sum equal to the total amount of the contributions, without interest."

The purpose of this amendment is to clarify the law as to the effect of an election not to contribute under section 4 of the Act.

Clause 86: This clause adds five new sections. Sections 12 and 14 are similar in purpose to sections 14 and 19(3), respectively, of the *Public Service Superannuation Act.* Section 13 is similar in purpose to section 90 of the *Canada Pension Plan.* Section 15 provides that a person to whom a pension has already been granted under the Act is entitled to that pension. Section 16 provides for the making of regulations under the Act by the Governor in Council.

of the contributions made by the Public Official under this Act, without interest, exceeds the total amount paid to the Public Official and his widow under this Act, shall be paid to his estate or, if less than five hundred dollars, as authorized by the Minister of Finance.

Presumption of death of Public Official or other person.

13. (1) Where a Public Official or any person to whom any pension or return of contributions has become payable under this Act has disappeared under circumstances that, in the opinion of the Minister of Finance, raise beyond a reasonable doubt a presumption that that person is dead, the Minister of Finance may issue a certificate declaring that such person is presumed to be dead and stating the date upon which his death is presumed to have occurred, and thereupon such person shall be deemed, for all purposes of this Act, to have died on the date so stated in the certificate.

Effect of certificate.

(2) Notwithstanding subsection (1), if after the issue of a certificate under that subsection it is made to appear that the person named in the certificate did not in fact die on the date stated therein, the certificate has effect as provided in subsection (1) in relation to any period before such time as it is made to appear that he did not in fact so die, but no effect in relation to any period after that time.

When person unable to manage affairs.

14. (1) Where, for any reason, a person to whom any pension has become payable under this Act is unable to manage his own affairs, or where he is incapable of managing his own affairs and there is no person entitled by law to act as his committee, the Minister of Finance may pay to any person designated by the Treasury Board to receive payment on behalf of that person any amount that is payable to that person under this Act.

Payment deemed to be to person entitled.

(2) For the purposes of this Act, any payment made by the Minister pursuant to subsection (1) is deemed to be a payment to the person in respect of whom such payment is made.

Entitlement to pension.

15. A person to whom a pension has been granted under this Act prior to the coming into force of this section shall, for the purposes of this Act, be deemed to have been entitled to that pension under this Act.

Regulations.

16. The Governor in Council may make regulations for carrying into effect the purposes and provisions of this Act."

87. Notwithstanding anything in the said Act, the Governor in Council may grant to any person any pension that might have been granted to that person under the said Act as it read on the day immediately before this Act is assented to, and for which that person had, prior to that day, become eligible.

88. In their application to any Public Official who was a contributor under the said Act on the day this Act is assented to, subsections (1), (3) and (4) of section 78 and section 79 of this Act shall be deemed to have come into force on the 1st day of January, 1966.

1907, c. 22.

THE INTERCOLONIAL AND PRINCE EDWARD ISLAND RAILWAYS EMPLOYEES' PROVIDENT FUND ACT.

89. Section 5 of *The Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act* is repealed and the following substituted therefor:

Contributions by employees.

"**5.** Every employee shall contribute to the fund by reservation from his salary one and one-half per cent of that portion of his salary for a year that is in excess of the Year's Maximum Pensionable Earnings for that year as defined in the *Canada Pension Plan*."

90. Subsection (1) of section 13 of the said Act is repealed and the following substituted therefor:

Amount of allowance to employee.

"**13.** (1) The allowance to be paid to an employee under this Act shall be a monthly allowance of

(*a*) one and one-half per cent of the average monthly pay received by the employee for the eight years immediately preceding his retirement, for each year of his service prior to 1966,

plus

(*b*) where the employee has made contributions to the fund for eight years or more after 1965, one and one-half per cent of the average for the eight years immediately preceding his retirement of that portion of his salary on which he made contributions to the fund, multiplied by the number of years of his service after 1965 and divided by twelve, or

(*c*) where the employee has made contributions to the fund for less than eight years after 1965, one and one-half per cent of the average for those years of that portion of his salary on which he made contributions to the fund, multiplied by the number of years of his service after 1965 and divided by twelve.

Clause 89. Section 5 at present reads as follows:

"**5.** Every employee shall contribute to the fund monthly one and one-half per cent of his regular monthly salary and wages, which percentage shall be deducted by the Minister each month out of the said salary and wages, and so long as he remains in the service he shall in like manner continue to contribute to the fund upon the said basis, or upon such other or new basis as is established as provided for in this Act; but, in order to provide for the payment of allowances to be provided under this Act to persons who become entitled thereto immediately or soon after the coming into force of this Act, the first monthly contribution by the employees shall be three per cent instead of one and one-half per cent."

This amendment would provide that each employee contribute to the fund only in respect of that portion of his salary that is in excess of the Year's Maximum Pensionable Earnings for the year as that phrase is defined in the *Canada Pension Plan.*

Clause 90. Subsection (1) at present reads as follows:

"**13.** (1) The allowance to be paid under this Act shall be a monthly allowance of one and one-half per cent of the average monthly pay received by an employee for the eight years immediately preceding his retirement for each year of his service, and shall be paid monthly from the fund upon retirement for the remainder of his life."

The purpose of this amendment is to provide a new method for the calculation of the monthly allowance payable under the Act as a consequence of the change in the rate of contributions contained in clause 89.

Circumstances where allowance to be increased.

(1a) Where

(*a*) the amount of the allowance to be paid to an employee under subsection (1), together with such amount as is determined in accordance with the regulations to be the amount of any retirement or disability pension to which that employee is entitled under the *Canada Pension Plan* or a provincial pension plan (or to which he would be entitled thereunder if he applied therefor and in the case of a retirement pension, it had not been commuted or had not been reduced by virtue of section 69 of the *Canada Pension Plan*) that is attributable to contributions made thereunder in respect of him as an employee,

is less than

(*b*) the amount of the allowance to which he would have been entitled under subsection (1) of section 13 as it read immediately before the coming into force of this section,

the amount of the allowance to be paid to him under this Act shall, upon application therefor by him in the manner prescribed by the regulations, be increased by the amount of the difference effective from such day as is determined in accordance with the regulations.

Exceptions.

(1b) Subsection (1a) does not apply to a person described therein during any period that a retirement pension is not payable to him or is reduced by virtue of section 68 or 69 of the *Canada Pension Plan* or a provision of a provincial pension plan similar thereto.

"Provincial pension plan" defined.

(1c) In this section, "provincial pension plan" has the same meaning as in the *Canada Pension Plan*."

91. Section 21 of the said Act is repealed.

92. In their application to a person who is, on the day on which this Act is assented to, a person required by section 5 of the said Act to contribute to the fund established under the said Act, sections 89 and 90 shall be deemed to have come into force on the 1st day of January, 1966.

1962-63, c. 12; 1963, c. 32.

Canadian Corporation for the 1967 World Exhibition Act.

1963, c. 32, s. 7(1).

93. (1) Subsection (4) of section 8 of the *Canadian Corporation for the 1967 World Exhibition Act* is repealed and the following substituted therefor:

Subsection (1a) would ensure that the amount of the allowance payable to an employee under subsection (1), together with the amount of any pension he is entitled to under the *Canada Pension Plan* (or to which he would be so entitled except for the circumstances mentioned therein) will not be less than the amount of allowance he would have been entitled to under the Act as it now reads.

Clause 91. Section 21 at present reads as follows:

"**21.** Any person in receipt of a monthly allowance under this Act shall cease to be regular member of the Association and shall thereby relinquish all claim to any sick or accident benefits from the Association; provided that he may, if he so desires, retain his membership in the Association in regard to the life insurance feature of the Association, in which case the Board may each month deduct and pay over to the Association out of his monthly allowance, the monthly death-levy due by him to the Association.

2. No person shall be entitled to receive both a monthly allowance under this Act and the total-disability allowance from the Association, but it shall be optional with him, at the time of his retirement, to designate which he shall receive."

The repeal of this provision will permit employees to receive the total disability allowance referred to therein.

Clause 93. Subsection (4) at present reads as follows:

"(4) The officers and employees of the Corporation shall be deemed to be employed in the Public Service for the purposes of the *Public Service Superannuation Act* and to be prevailing rate employees for the purposes of that Act, and the Corporation shall be deemed to be a Public Service corporation for the purposes of section 23 of that Act."

The purpose of this amendment is to provide that employees of the Corporation are not required to contribute under the *Public Service Superannuation Act* unless designated by the Minister of Finance.

Application of *Public Service Superannuation Act.*

"(4) The Corporation shall be deemed to be a Public Service corporation for the purposes of section 23 of the *Public Service Superannuation Act*, but an officer or employee of the Corporation is not required to contribute to the Superannuation Account established under that Act, by reservation from salary or otherwise, unless designated by the Minister of Finance individually or as a member of a class."

(2) Nothing in subsection (4) of section 8 of the said Act as amended by subsection (1) shall be construed so as to affect any officer or employee of the Canadian Corporation for the 1967 World Exhibition who, on the day this Act is assented to, is a person required by the said Act to contribute to the Superannuation Account established under the *Public Service Superannuation Act.*

GENERAL.

94. (1) There shall be charged to the Consolidated Revenue Fund and credited to the Canada Pension Plan Account an amount equal to the contributions required to be made by Her Majesty in right of Canada as employer's contributions under the *Canada Pension Plan* in respect of persons in employment under Her Majesty in right of Canada that is not excepted employment under that Act.

(2) There shall be charged to the Consolidated Revenue Fund and paid to the appropriate authority in a province with which an agreement has been entered into under subsection (3) of section 4 of the *Canada Pension Plan*, an amount equal to the contributions required to be paid by Her Majesty in right of Canada under that agreement as an employer's contributions in respect of persons employed by Her Majesty in right of Canada in employment designated in the agreement.

The purpose of subclause (2) is to ensure that the amendment contained in subclause (1) does not apply to employees already contributing under the *Public Service Superannuation Act.*

Clause 94. The purpose of this clause is to authorize the payment out of the Consolidated Revenue Fund of such amounts as are required to be paid as an employer's contributions by Her Majesty in right of Canada under the *Canada Pension Plan* or under an agreement entered into pursuant to that Act.

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C-194.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-194.

An Act to establish a corporation for the administration of the National Arts Centre.

First reading, June 6, 1966.

THE SECRETARY OF STATE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23788

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-194.

An Act to establish a corporation for the administration of the National Arts Centre.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *National Arts Centre Act*.

INTERPRETATION.

Definitions. "Board."

2. In this Act,

(*a*) "Board" means the Board of Trustees of the Corporation;

"Centre."

(*b*) "Centre" means the National Arts Centre located in the City of Ottawa;

"Corporation."

(*c*) "Corporation" means the National Arts Centre Corporation established by section 3;

"Minister."

(*d*) "Minister" means such member of the Queen's Privy Council for Canada as is designated by the Governor in Council to act as the Minister for the purposes of this Act; and

"Performing arts."

(*e*) "performing arts" means the arts of the theatre and the concert hall, including the creating, staging and performing of drama, music and the dance.

CORPORATION ESTABLISHED.

Corporation established.

3. A corporation is hereby established to be known as the National Arts Centre Corporation consisting of a Board of Trustees composed of a Chairman, a Vice-Chairman, the persons from time to time holding office as

(*a*) the Mayor of the Corporation of the City of Ottawa,
(*b*) the Mayor of the City of Hull,
(*c*) the Director of the Canada Council,
(*d*) the President of the Canadian Broadcasting Corporation, and
(*e*) the Government Film Commissioner,

and nine other members to be appointed as provided in section 4.

Appointment of Chairman and Vice-Chairman.

4. (1) The Chairman and Vice-Chairman of the Board shall be appointed by the Governor in Council for such terms, not exceeding four years each, as are fixed by the Governor in Council.

Appointment of other members.

(2) Each of the members of the Board, other than the Chairman, the Vice-Chairman and those holding the offices set out in paragraphs (*a*) to (*e*) of section 3, shall be appointed by the Governor in Council for terms not exceeding three years, except that of those members first appointed, three shall be appointed for a term of two years, three shall be appointed for a term of three years and three shall be appointed for a term of four years.

Eligibility for re-appointment.

(3) A person who has served two consecutive terms as Chairman or Vice-Chairman of the Board or as a member of the Board appointed under subsection (2) is not, during the twelve months following the completion of his second term, eligible to be reappointed to the Board in the capacity in which he so served.

Vacancy in membership.

(4) A vacancy in the membership of the Board does not impair the right of the remaining members to act.

REMUNERATION AND EXPENSES.

Remuneration and expenses.

5. Each member of the Board, other than a member who is in receipt of a salary fixed by the Governor in Council, shall be paid by the Corporation, for each day he attends any meeting of the Board or of any committee of the Board, such remuneration as is fixed by by-law of the Board, and each member of the Board is entitled to be paid by the Corporation such travelling and living expenses incurred by him in connection with the performance of his duties as are fixed by by-law of the Board.

DIRECTOR.

Director.

6. (1) There shall be a Director of the Centre to be appointed by the Board to hold office for a term not exceeding five years.

Reappointment.

(2) A person appointed as Director is eligible for reappointment.

Salary.

(3) The Director shall be paid by the Corporation such salary as is fixed by the Governor in Council.

Director chief executive officer.

7. (1) The Director is the chief executive officer of the Corporation, and has supervision over and direction of the work and the staff of the Corporation.

Acting Director.

(2) If the Director is absent or unable to perform the duties of his office or the office is vacant, the Board may authorize an officer of the Corporation to act as Director.

OFFICERS AND EMPLOYEES.

Staff.

8. The Corporation may employ such officers and employees and such technical and professional advisers as it considers necessary for the proper conduct of its activities at such remuneration and upon such other terms and conditions as it deems fit.

OBJECTS AND POWERS OF THE CORPORATION.

Objects of Corporation.

9. (1) The objects of the Corporation are to operate and maintain the Centre, to develop the performing arts in the National Capital region and to assist the Canada Council in the development of the performing arts elsewhere in Canada.

Idem.

(2) In furtherance of its objects, but without limiting the generality of subsection (1), the Corporation may

(*a*) arrange for and sponsor performing arts activities at the Centre;

(*b*) encourage and assist in the development of performing arts companies resident at the Centre;

(*c*) arrange for or sponsor radio and television broadcasts from the Centre and the showing of films in the Centre;

(*d*) provide accommodation at the Centre, on such terms and conditions as the Corporation may fix, for national and local organizations whose objects include the development and encouragement of the performing arts in Canada; and

(*e*) at the request of the Government of Canada or the Canada Council, arrange for performances elsewhere in Canada by performing arts companies, whether resident or non-resident in Canada, and arrange for performances outside Canada by performing arts companies resident in Canada.

Powers of Corporation.

10. In carrying out its objects under this Act the Corporation may

(*a*) acquire by purchase, lease or otherwise any real or personal property, including securities, and hold, manage or dispose thereof as it may determine;

(*b*) acquire by gift, bequest or devise any real or personal property and may, notwithstanding anything in this Act, expend, administer or dispose of any such property, subject to the terms, if any, upon which it was given, bequeathed or devised to the Corporation;

(*c*) operate restaurants, lounges, parking facilities, shops and other facilities in the Centre for the use of the public, and lease or otherwise make available, on such terms and conditions as it sees fit, any such facilities or space therefor;

(*d*) expend any moneys appropriated by Parliament for the purposes of the Corporation or received by the Corporation from its operation of the Centre, including any moneys received by it from leasing or otherwise making available any facilities in the Centre described in paragraph (*c*) or space therefor; and

(*e*) generally, do and authorize such things as it may deem necessary for the attainment of the objects and the exercise of the powers of the Corporation.

BY-LAWS.

By-laws.

11. The Board may make by-laws

(*a*) for the regulation of its proceedings, including the establishment of special and standing committees of the Board, the delegation to such committees of any of its duties and the fixing of quorums for meetings of the Board or of such committees;

(*b*) for the establishment of advisory committees consisting of members of the Board and persons other than members;

(*c*) subject to the approval of the Minister, fixing the remuneration and travelling and living expenses to be paid to members of the Board as provided in this Act; and

(*d*) generally, for the conduct and management of its activities.

GENERAL.

Head Office.

12. The Head Office of the Corporation shall be at the City of Ottawa.

Application of certain Acts and regulations.

13. (1) The Director and the officers and employees of the Corporation shall be deemed to be employed in the Public Service for the purposes of the *Public Service Superannuation Act* and the Corporation shall be deemed to be a Public Service corporation for the purposes of section 23 of that Act.

Idem.

(2) For the purposes of the *Government Employees Compensation Act* and any regulation made pursuant to section 5 of the *Aeronautics Act*, the Director and the officers and employees of the Corporation shall be deemed to be employees in the public service of Canada.

Corporation not agent of Her Majesty.

14. The Corporation is not an agent of Her Majesty and, except as provided in section 13, the Director and the officers and employees of the Corporation are not part of the public service.

Corporation charitable organization.

15. The Corporation shall be deemed to be a charitable organization in Canada

(*a*) as described in paragraph (*e*) of subsection (1) of section 62 of the *Income Tax Act*, for the purposes of that Act; and

(*b*) as described in subparagraph (i) of paragraph (*d*) of subsection (1) of section 7 of the *Estate Tax Act*, for the purposes of that Act.

Audit.

16. The accounts and financial transactions of the Corporation shall be audited annually by the Auditor General and a report of the audit shall be made to the Chairman of the Board.

REPORT TO PARLIAMENT.

Report to Parliament.

17. The Chairman of the Board shall, within three months after the termination of each fiscal year, submit to the Minister a report of all proceedings under this Act for that fiscal year, including the financial statement of the Corporation, and the Auditor General's report thereon, and the Minister shall cause such report to be laid before Parliament within fifteen days after the receipt thereof, or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

C-195.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-195.

An Act to amend the Criminal Code
(Tire Safety).

First reading, June 8, 1966.

Mr. MATHER.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24391

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-195.

1953–54, c. 51; 1955, cc. 2, 45; 1956, c. 48; 1957–58, c. 28; 1958, c. 18; 1959, cc. 40, 41; 1960, c. 37, 1960–61, cc. 21, 42, 43, 44; 1962–63, c. 4; 1963, c. 8; 1964–65, cc. 22, 35, 53.

An Act to amend the Criminal Code (Tire Safety).

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

1. The *Criminal Code* is amended by inserting immediately after section 165 thereof the following section:

Defective tires.

"**165A.** (1) No one shall manufacture, sell or otherwise dispose of tires for motor vehicles, which may, on account of their defective nature, endanger the life or property of drivers, passengers, pedestrians or any other person.

Regulations.

(2) The Governor in Council shall, by regulation, establish and define the minimum standards of safety of tires for motor vehicles.

Penalty.

(3) Everyone who fails to comply with this section and the regulations issued thereunder is guilty of an indictable offence and liable to a fine of not more than two thousand dollars or to imprisonment for six months or to both.

"Motor vehicles."

(4) In this section "motor vehicle" means passenger cars, station wagons and trucks but does not include any motor vehicle classified as a special purpose vehicle such as an antique or racing car."

Explanatory Notes.

The purpose of this Bill is to enable the Governor in Council to define by regulation the minimum standards of safety of tires for motor vehicles, and to provide that everyone who manufactures, sells or otherwise disposes of tires which do not meet the said minimum standards is guilty of an indictable offence.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-196.

An Act to amend the Canadian Bill of Rights.

First reading, June 9, 1966.

Mr. THOMPSON.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24279

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-196.

An Act to amend the Canadian Bill of Rights.

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

1960, c. 44.

1. Section 1 of the *Canadian Bill of Rights* is repealed and the following substituted therefor:

Recognition and declaration of rights and freedoms.

"**1.** It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion, sex, profession, trade or education, the following human rights and fundamental freedoms, namely:

(*a*) freedom of religion;
(*b*) freedom of speech;
(*c*) freedom of assembly and association;
(*d*) freedom of the press;
(*e*) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;
(*f*) the right of the individual to an adequate and prompt compensation in case of expropriation;
(*g*) the right of the individual to equality before the law and the protection of the law; and
(*h*) the right of access of the individual to all courts and tribunals and the right to appear in person and to handle his own case and the right to be reimbursed of his costs, disbursements and reasonable expenses, if a judgment or decision is rendered in his favour."

Explanatory Notes.

The purpose of this Bill is to provide that there should be no discrimination by reason of one's belonging to a particular profession, trade or by reason of one's education, in respect to the enjoyment of the basic rights and freedoms recognized by the *Canadian Bill of Rights*.

This Bill provides also that in case of expropriation, the compensation shall be prompt and adequate.

Finally, this Bill provides that each individual shall have the right of access to all courts and tribunals, the right to appear in person before those courts and tribunals and the right to handle his own case; furthermore if a decision is rendered in his favour, he should be reimbursed his costs, disbursements and reasonable expenses, in the same manner as if he were a lawyer handling his own case; this is to emphasize the fact that a private individual should be entitled to obtain full justice in handling his case personally.

C-197.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-197.

An Act to amend the Canada Student Loans Act.

First reading, June 13, 1966.

THE MINISTER OF FINANCE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-197.

An Act to amend the Canada Student Loans Act.

1964-65, c. 24.

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

1. (1) Section 6 of the *Canada Student Loans Act* is repealed and the following substituted therefor:

Interest payable by Minister.

"**6.** (1) The Minister shall pay to a bank, in respect of each guaranteed student loan that a borrower is obligated to repay to that bank, interest thereon at the rate prescribed for the purposes of this section in respect of any period or periods described in section 4 in respect of which no interest is payable by the borrower on the loan.

Idem.

(2) No interest is payable by the Minister to a bank pursuant to subsection (1) in respect of a guaranteed student loan, in respect of any period before the obligation of the borrower to that bank in respect of the loan has commenced or after such obligation has ceased."

(2) This section shall be deemed to have come into force on the 28th day of July, 1964.

2. (1) Section 11 of the said Act is repealed and the following substituted therefor:

Limitation on aggregate amount.

"**11.** (1) The appropriate authority for a province shall not issue or cause to be issued any certificate of eligibility in a loan year if, as a result thereof, the aggregate of the amounts set out in the certificates of eligibility issued or caused to be issued by such authority in that loan year would exceed the aggregate of

Explanatory Notes.

Clause 1: (1) Section 6 at present reads as follows:

"**6.** The Minister shall pay to a bank, in respect of each guaranteed student loan that a borrower is obligated to repay to that bank, interest thereon at the rate prescribed for the purposes of this section, in respect of

(*a*) the period commencing when any amount advanced under the loan was made available to the borrower and ending on the last day of the sixth month after the month in which the borrower ceased to be a full-time student; or

(*b*) the period throughout which the obligation of the borrower to that bank in respect of the loan continued,

whichever is the lesser."

The purpose of this amendment is to require the Minister to pay interest to a bank on a guaranteed student loan on behalf of the student in respect of any period for which the borrower's interest-free status was reinstated after having earlier expired.

Clause 2: (1) Section 11 at present reads as follows:

"**11.** (1) The appropriate authority for a province shall not issue or cause to be issued any certificate of eligibility in a loan year if as a result thereof the aggregate of the amounts set out in certificates of eligibility issued or caused to be issued by such authority in that loan year would exceed the provincial allocation for that province for that loan year.

(*a*) the provincial allocation for that province for that loan year; and

(*b*) the supplementary allocation, if any, for that province for that loan year, determined by the Minister pursuant to subsection (5).

Calculation of provincial allocation.

(2) The provincial allocation for a province for a loan year is an amount, as determined by the Minister after consultation with the Dominion Statistician, equal to that part of the basic loan provision for that loan year that bears the same relationship to the basic loan provision for that loan year that

(*a*) the estimated number of persons in that province that, on the first day of that loan year, have attained eighteen years of age and have not attained twenty-five years of age,

bears to

(*b*) the estimated number of persons in Canada on the first day of the loan year, of the same age group.

Loan provision for year commencing in 1965.

(3) The basic loan provision for the loan year commencing in 1965 is fifty-eight million dollars.

Loan provision for subsequent years.

(4) The basic loan provision for any loan year commencing after 1965 is an amount, as determined by the Minister after consultation with the Dominion Statistician, equal to that part of fifty-eight million dollars that bears the same relationship to fifty-eight million dollars that

(*a*) the estimated number of persons in Canada that, on the first day of the loan year, have attained eighteen years of age and have not attained twenty-five years of age,

bears to

(*b*) the estimated number of persons in Canada on the 1st day of July, 1965, of the same age group.

Calculation of supplementary allocation.

(5) The Minister may, upon application therefor by the government of a province, determine a supplementary allocation for that province for any loan year in an amount not exceeding

(*a*) twenty per cent of the basic loan provision for that loan year, as determined pursuant to subsection (4)

minus

(*b*) the aggregate of each other supplementary allocation for a province for that loan year, determined by the Minister pursuant to this subsection."

(2) This section is applicable in respect of any loan year commencing after 1964.

(2) The provincial allocation for a province for a loan year is an amount, as determined by the Minister after consultation with the Dominion Statistician, equal to that part of the total loan provision for that loan year that bears the same relationship to the total loan provision for that loan year that

(*a*) the estimated number of persons in that province that, on the first day of that loan year, have attained eighteen years of age and have not attained twenty-five years of age,

bears to

(*b*) the estimated number of persons in Canada on the first day of the loan year, of the same age group.

(3) The *total* loan provision for the loan year commencing in *1964* is *forty* million dollars.

(4) The *total* loan provision for any loan year commencing after *1964* is an amount, as determined by the Minister after consultation with the Dominion Statistician, equal to that part of *forty* million dollars that bears the same relationship to *forty* million dollars that,

(*a*) the estimated number of persons in Canada that, on the first day of the loan year, have attained eighteen years of age and have not attained twenty-five years of age,

bears to

(*b*) the estimated number of persons in Canada on the 1st day of July, *1964*, of the same age group."

The purpose of this amendment is to increase provincial allocations for the loan year commencing July 1, 1965 and subsequent loan years

(*a*) by authorizing the Minister, on application by a province, to determine a supplementary allocation for that province in an amount not exceeding twenty per cent of the basic loan provision for the year; and

(*b*) by increasing to fifty-eight million dollars the basic loan provision for the loan year commencing in 1965.

C-198.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-198.

An Act to amend the Excise Tax Act.

First reading, June 14, 1966.

THE MINISTER OF FINANCE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

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1st Session, 27th Parliament, 14 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

R.S., cc. 100, 320; 1952-53, c. 35; 1953-54, c. 56; 1955, c. 53; 1956, c. 37; 1957, c. 26; 1957-58, c. 14; 1958, c. 30; 1959, c. 23; 1960, c. 30; 1960-61, c. 47; 1962-63, c. 6; 1963, c. 12.

BILL C-198.

An Act to amend the Excise Tax Act.

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

1953-54, c. 46, s. 3.

1. Paragraph (*a*) of subsection (2) of section 22 of the *Excise Tax Act* is repealed and the following substituted therefor:

"(*a*) in calculating the sale price of goods manufactured or produced in Canada there shall be included the amount charged as price for or in respect of the wrapper, package, box, bottle or other container in which the goods are contained; and"

2. Section 29 of the said Act is amended by adding thereto, immediately after subsection (2b) thereof, the following subsection:

Retreader of tires deemed manufacturer or producer.

"(2c) A person engaged in the business of retreading tires shall, for the purposes of this Part, be deemed to be the manufacturer or producer of tires retreaded by him and tires retreaded by him for or on behalf of any other person shall be deemed to be sold, at the time they are delivered to that other person, at a sale price equal to the retreading charge."

3. (1) Subparagraph (i) of paragraph (*a*) of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

"(i) payable, in any case other than a case mentioned in subparagraph (ii) or (iii), by the producer or manufacturer at the time when the goods are delivered to the

EXPLANATORY NOTES.

Clause 1. This amendment would implement paragraph 18 of the Excise Tax Act Resolution which reads as follows:

"**18.** That effective March 30, 1966, in calculating the sale price of goods manufactured in Canada for the purpose of determining the excise tax payable under Part IV of the said Act, there shall not be included the amount charged as price for or in respect of any other goods contained in or attached to the wrapper, package, box, bottle or other container in which the goods are contained."

The relevant portion of subsection (2) of section 22 at present reads as follows:

"(2) For the purpose of determining the excise tax payable under this Part

(*a*) in calculating the sale price of goods manufactured or produced in Canada there shall be included the amount charged as price for or in respect of

(i) the wrapper, package, box, bottle or other container in which the goods are contained, and

(ii) any other goods contained in or attached to such wrapper, package, box, bottle or other container; and"

Clause 2. This new subsection would implement paragraph 7 of the Excise Tax Act Resolution which reads as follows:

"**7.** That effective March 30, 1966, a person engaged in the business of retreading tires be deemed to be a producer or manufacturer."

Clause 3. Subclauses (2) and (3) of this clause would implement paragraph 13 of the Excies Tax Act Resolution by providing for payment of sales tax on dressed or dressed and dyed furs at the time they are received from a dresser and dyer or at the time they are imported or taken out of warehouse for consumption. Subclause (1) provides for an amendment that is consequential on the proposed implementation of paragraph 13.

purchaser or at the time when the property in the goods passes, whichever is the earlier,"

(2) Paragraph (*a*) of subsection (1) of section 30 of the said Act is further amended by adding the word "and" at the end of subparagraph (ii) thereof and by adding thereto the following subparagraph:

"(iii) payable, in the case of dressed or dressed and dyed furs, by the person to whom the furs are delivered by the dresser or dyer, at the time of such delivery, whether or not that person is a licensed wholesaler or licensed manufacturer, and the sale price of the goods shall be deemed to be either the aggregate of the current market value of the furs in their raw state and the dressing or dressing and dyeing charge, or the dyeing charge only where the furs delivered were dressed furs on which tax has been paid under this subparagraph or on importation, and the dresser or dyer shall collect the tax at the time the furs are so delivered in the form of a certified cheque made payable to the Receiver General of Canada and shall forthwith remit the same to the Receiver General of Canada;"

(3) Section 30 of the said Act is further amended by adding thereto the following subsections:

Dressed or dressed and dyed furs.

"(5) Notwithstanding anything contained in this Part, dressed or dressed and dyed furs are deemed not to be partly manufactured goods and paragraphs (*c*) of subsection (1) and (*c*), (*d*) and (*f*) of subsection (2) do not apply in respect of such furs.

Current market value determined by the Minister.

(6) For the purposes of subparagraph (iii) of paragraph (*a*) of subsection (1), the Minister shall determine the current market value of furs in their raw state in such manner as may be prescribed by regulation of the Governor in Council."

1956, c. 37, s. 5.

4. Subsection (3) of section 32 of the said Act is repealed and the following substituted therefor:

Paragraph 13 of the Excise Tax Act Resolution reads as follows:

"**13.** That effective July 1, 1966, a person who receives dressed or dressed and dyed furs from a dresser or dyer shall, whether or not he is a licensed wholesaler or manufacturer under Part VI of the said Act, be subject to sales tax payable at the time such furs are delivered to him, on

(*a*) the aggregate of

(i) the current market value in their raw state of the furs so received by him, and

(ii) the dressing or dressing and dyeing charge in respect of such furs, or

(*b*) the dyeing charge only where the furs so received were tax-paid dressed furs at the time they were delivered to the dyer.

and that for the purpose of the said Act, dressed or dressed and dyed furs shall be deemed not to be partly manufactured goods and a licensed wholesaler shall not be entitled to import tax free dressed or dressed and dyed furs for resale."

Clause 4: Subsection (3) is new and would provide for the progressive removal of sales tax on the goods described in the proposed new Schedule V to the Act provided for by clause 9. This clause, together with clause 9 and subclause (3) of clause 10, would implement paragraphs 2 and 3 of the Excise Tax Act Resolution. Paragraph 3 is quoted in the explanatory note to clause 9 and paragraph 2 reads in part as follows:

"**2.** That the combined rate of tax under the said Act and the Old Age Security Act on the following goods (other than goods described in paragraph 1) shall, effective April 1, 1967, be reduced to 6% and effective April 1, 1968, be reduced to zero, namely:"

Articles progressively exempted.

"(3) There shall be imposed, levied and collected only three-eighths of the tax imposed by section 30 on the sale or importation of the articles enumerated in Schedule V and with respect to any such articles delivered to the purchaser or imported or taken out of warehouse for consumption after March 31, 1968, the tax imposed by section 30 shall not apply.

Further articles exempted.

(4) The taxes imposed by Parts IV to VI inclusive, do not apply to goods imported under *Customs Tariff* items 69005-1, 69305-1, 69310-1, 69315-1, 70305-1, 70310-1, 70315-1, 70320-1, 70321-1, 70405-1, 70410-1, 70500-1, 70505-1 and 70800-1."

5. Subsection (4) of section 46 of the said Act is repealed and the following substituted therefor:

Refund on goods enumerated in item 44200-1.

"(4) A refund or deduction of the amount of the consumption or sales tax may be granted to a wholesaler, jobber or other dealer on goods enumerated in *Customs Tariff* item 44200-1 when sold to manufacturers to be used as specified in the said item."

1963, c. 12, s. 6.

6. The said Act is further amended by adding thereto, immediately after section 47A thereof, the following sections:

Deduction from tax in respect of furs.

"**47B.** Where a dressed or dressed and dyed fur on which tax has been paid is delivered to a person to be incorporated by him or on his behalf into an article on which consumption or sales tax is payable, the Minister may, upon application by such person in such form as the Minister prescribes, allow to him at such time as the Minister may by regulation prescribe, but in any case at a time not later than the time when the tax in respect of the article in which the fur is incorporated is payable, a deduction from tax payable by him equal to the tax paid on such fur less any deduction from tax previously allowed in respect thereof.

Calculation of deduction, refund or payment.

47C. Where by this Act or *An Act to amend the Excise Tax Act*, chapter 12 of the Statutes of 1963, a deduction from or refund of tax is provided for or a payment by the Minister in an amount equal to tax paid is provided for, and circumstances exist that render it difficult to determine the exact amount of such deduction, refund or payment by the Minister, the Minister, with the consent of the person to whom the deduction, refund or payment may be granted or made, may in lieu thereof grant a deduction or

The balance of the paragraph sets out the goods described in the proposed Schedule V.

Subsection (4) is equivalent to the present subsection (3). References to *Customs Tariff* items have been brought into line with the renumbering effected by *Customs Tariff Renumbering Order, 1965-1*, P.C. 1965–1279, dated 14th July, 1965. In addition, *Customs Tariff* item 70505–1 describing certain settlers' effects has been added to this subsection and the words "settlers' effects" have been deleted from the portion of Schedule III to the Act under the heading "Farm and Forest."

Subsection (3) of section 32 at present reads as follows:

"(3) The taxes imposed by Parts IV to VI inclusive, do not apply to goods imported under *Customs Tariff* items 690a, 693, 703, 704, 705, and 708."

Clause 5: This amendment would merely bring up to date the reference to a *Customs Tariff* item contained in subsection (4) of section 46.

Subsection (4) of section 46 at present reads as follows:

"(4) A refund or deduction of the amount of the consumption or sales tax may be granted to a wholesaler, jobber or other dealer on goods enumerated in *Customs Tariff* item 442 when sold to manufacturers to be used as specified in the said item."

Clause 6: The new sections 47B and 47C would implement paragraphs 14 and 15 of the Excise Tax Act Resolution which read as follows:

"**14.** That effective July 1, 1966, where a tax-paid dressed or dressed and dyed fur is delivered to a person to be incorporated by him or on his behalf, into an article on which sales tax is payable, a deduction from tax payable by him shall be allowed, at such time as the Minister may by regulation determine but in any case at a time not later than the time when the tax in respect of an article in which the fur is incorporated is payable, in an amount equal to the tax paid on the dressed or dressed and dyed fur less the amount of any deduction previously allowed in respect of such tax.

15. That effective March 30, 1966, where by the said Act or An Act to amend the Excise Tax Act, Chapter 12 of the Statutes of Canada 1963, a deduction from or refund of tax is provided for or a payment by the Minister in an amount equal to tax paid is provided for, and circumstances exist which render it difficult to determine the exact amount of such deduction, refund or payment by the Minister, the Minister may, with the consent of the person entitled to such deduction, refund or payment, grant a deduction or refund or pay an amount determined, in such manner as the Governor in Council may by regulation prescribe, to be the correct deduction, refund or amount."

refund or make a payment in an amount determined, in such manner as the Governor in Council may by regulation prescribe, to be the exact amount of the deduction, refund or payment."

1960-61, c. 47, s. 7(2).

7. (1) Section 3 of Schedule I to the said Act is repealed and the following substituted therefor:

"3. Devices, commonly or commercially known as lighters, that produce sparks, flame or heat whether or not in combination with other articles.....
.....ten cents per device."

1960-61, c. 47, s. 7(3).

(2) Paragraph (*c*) of section 5 of Schedule I to the said Act is repealed and the following substituted therefor:

"(*c*) electron tubes, not including cathode ray tubes, the duty paid value or the sale price of which, as the case may be, does not exceed five dollars per tube.....ten cents per tube."

8. Schedule III to the said Act is repealed and the following substituted therefor:

"SCHEDULE III.

PART I.

COVERINGS OR CONTAINERS.

1. Usual coverings or usual containers to be used exclusively for covering or containing goods not subject to the consumption or sales tax but not including coverings or containers designed for dispensing goods for sale or designed for repeated use other than

(*a*) barrels and boxes for fish; lobster crates; scallop bags;
(*b*) barrels, boxes, baskets, crates and bags for packaging fruits and vegetables;
(*c*) bottles, cans and plastic bags for milk and cream;
(*d*) boxes and crates for eggs;
(*e*) butter and cheese boxes;
(*f*) cans and insulated bags for ice cream;
(*g*) corrugated paper boxes for bread;
(*h*) drums and cans for honey;
(*i*) flour bags.

2. Materials for use exclusively in the manufacture of the tax-exempt goods mentioned in section 1 of this Part.

Clause 7: The amendments proposed by this section would implement paragraphs 17 and 16, respectively, of the Excise Tax Act Resolution. Those paragraphs read as follows:

"**17.** That effective March 30, 1966, the tax imposed under section 3 of Schedule I of the said Act on devices commonly known as lighters be changed from "ten per cent but not less than ten cents per device" to "ten cents per device.

16. That effective March 30, 1966, the tax imposed under section 5 of Schedule I of the said Act on electron tubes, not including cathode ray tubes, the duty-paid value or the sale price of which, as the case may be, does not exceed five dollars per tube, be changed from "fifteen per cent, but not less than ten cents per tube", to "ten cents per tube"."

Section 3 and paragraph (*c*) of section 5 of Schedule I to the said Act at present read as follows:

"**3.** Devices, commonly or commercially known as lighters, that produce sparks, flame or heat whether or not in combination with other articles on the separate or combined value, as the case may be.....ten per cent, but not less than ten cents per device."

"(*c*) electron tubes, not including cathode ray tubes, the duty paid value or the sale price of which, as the case may be, does not exceed five dollars per tube.....fifteen per cent, but not less than ten cents per tube."

Clause 8: This amendment would serve two purposes, namely:

(*a*) it would implement all paragraphs of the Excise Tax Act Resolution that propose new exemptions from sales tax; and

(*b*) it would regroup all sales tax exemptions in Schedule III, with minor changes in certain expressions used therein, in alphabetical order in numbered parts and sections to allow for easier reference.

Part II.

Diplomatic.

1. Articles for the use of the Governor General.

2. Articles imported for the personal or official use of the Heads of Diplomatic Missions, High Commissioners representing other of Her Majesty's Governments, Counsellors, Secretaries and Attachés at Embassies, Legations and Offices of High Commissioners in Canada, Trade Commissioners and Assistant Trade Commissioners representing other of Her Majesty's Governments, Consuls General, Consuls and Vice-Consuls of Foreign Nations, who are natives or citizens of the countries they represent and are not engaged in any other business or profession.

3. Automobiles, cigars, cigarettes, manufactured tobacco, ale, beer, stout, wines and spirits purchased in Canada by any of the persons mentioned in section 2 of this Part.

Part III.

Educational, Technical, Cultural, Religious and Literary.

1. Bibles, missals, prayer books, psalm and hymn books, religious tracts, Sunday School lesson pictures, books bound and unbound, pamphlets, booklets, leaflets, scripture, prayer, hymn and mass cards and religious mottoes and pictures unframed, for the promotion of religion, and materials to be used exclusively in the manufacture thereof, but not including forms, stationery or annual calendars.

2. Chalkboards, desks, tables and chairs, not including upholstered chairs, when sold to or imported by educational institutions for their own use and not for resale, and materials for use exclusively in the manufacture thereof.

3. College and school annuals; magazines and literary papers unbound regularly issued at stated intervals not less frequently than four times yearly; newspapers; sheet music; materials for use exclusively in the manufacture thereof.

4. Manuscript.

5. National manufacturing, industrial or mercantile trade directories, and materials for use exclusively in the manufacture thereof, but excluding all other directories, and excluding statistical, financial or biographical surveys, reports, year books or directories, and transportation, telephone, municipal or street directories, guides or rate books.

6. Phonograph records and audio tapes authorized by the Department of Education of any province in Canada for instruction in the English or the French language, and materials for use exclusively in the manufacture thereof.

7. Portrait photographs of individuals.

8. Printed books that contain no advertising and are solely for educational, technical, cultural or literary purposes, and materials for use exclusively in the manufacture thereof, but excluding albums, books for writing or drawing upon, catalogues, fashion books, periodic reports, price lists, rate books, timetables and any books similar to the foregoing exclusions.

9. Printing for school boards, schools and universities, for use by such institutions and not for resale.

The Minister shall be the sole judge as to whether any printed material comes within any of the classes mentioned in sections 1, 3, 5 and 8 of this Part.

Part IV.

Farm and Forest.

1. Alfalfa meal; beet pulp, dried; feeds for poultry, cattle and other stock, for fur-bearing or laboratory animals and for fish, supplements for addition to such feeds, and materials for use exclusively in the manufacture of such feeds or supplements; oil cake, oil cake meal; shorts.

2. Animals, living; poultry, living; bees.

3. Baling wire for baling farm produce, and articles and materials to be used or consumed exclusively in the manufacture thereof.

4. Boxes for farm wagons, and articles and materials for use exclusively in the manufacture thereof.

5. Casein.

6. Cut flowers; cut foliage; dormant flower bulbs, corms, roots and tubers; nursery stock; potted, flowering or bedding plants; vegetable plants.

7. Drain tile for agricultural purposes and materials for use exclusively in the manufacture thereof.

8. Farm produce produced and sold by the individual farmer.

9. Farm wagons, including four-wheeled farm wagons equipped to be tractor drawn and farm sleds; materials for use exclusively in the manufacture thereof.

Under Part IV, the following changes would be made:

(*a*) The words "settlers' effects" appearing in the present schedule under the heading "Farm and Forest" would be deleted. This exemption would not be withdrawn, but would be added to the exemptions under subsection (3) of section 32 which would be reenacted as subsection (4) of that section by clause 4.

(*b*) The underlined and sidelined words would be added thus implementing paragraphs 10 and 11 of the Excise Tax Act Resolution which read as follows:

"10. That effective March 30, 1966, the present exemption from sales tax for steel pens and complete parts thereof for farm animals be extended to include steel stalls and complete parts thereof for farm animals.

11. That effective March 30, 1966, tobacco dryers, not including buildings, for use on the farm for farm purposes only, parts therefor and articles and materials for use in the manufacture thereof be exempt from sales tax."

10. Fertilizer.

11. Forest products when produced and sold by the individual settler or farmer; logs and round unmanufactured timber; sawdust; wood shavings.

12. Friction disc sharpeners.

13. Furs, raw.

14. Grain or seed cleaning machines and complete parts therefor; materials for use exclusively in the manufacture thereof.

15. Grains and seeds in their natural state; hay; hops; straw.

16. Harness for horses and complete parts therefor, and articles and materials for use exclusively in the manufacture thereof; harness leather.

17. Hides, raw and salted.

18. Individual tree guards and tree protectors not exceeding thirty-six inches in height.

19. Peat moss when used for agricultural purposes, including poultry litter.

20. Preparations, chemicals or poisons (other than pharmaceuticals) for pest control purposes in agriculture or horticulture, and materials used in the manufacture thereof.

21. Rodent poisons, and materials for use exclusively in the manufacture thereof.

22. Sap spouts, sap buckets, and evaporators and complete parts therefor when for use exclusively in the production of maple syrup.

23. Self-propelled, self-unloading forage wagons for off-highway use for farm purposes and materials used in the manufacture thereof.

24. Steel pens, steel stalls and complete parts therefor for farm animals, and articles and materials for use exclusively in the manufacture thereof.

25. Tobacco dryers, not including buildings, for use on the farm for farm purposes only, parts therefor and articles and materials for use in the manufacture thereof.

26. Traction engines for farm purposes and accessories therefor (not including machines and tools for operation by such engines) and complete parts of the foregoing, and materials to be used exclusively in the manufacture thereof.

27. Wool not further prepared than washed; woollen rolls or wool yarn milled for a producer of wool for his own use from wool supplied by him.

Part V.

Foodstuffs.

1. Baking powder; baking soda; cream of tartar; yeast.

2. Bread; bakers' cakes and pies, including biscuits, cookies and similar articles but not including simulated chocolate bars or candy bars.

3. Cereal breakfast foods not including beverages.

4. Corn syrup; malt syrup, except when sold for beverage purposes; maple syrup; molasses; table syrups.

5. Dessert powders; pie fillings; edible gelatine; cocoanut.

6. Eggs; egg albumen; egg yolks.

7. Fish and edible products thereof; ingredients in canned fish.

8. Flour, including pastry, cake, biscuit and similar mixes.

9. Food flavouring extracts, emulsions and powders, not including those for beverages.

10. Foods prepared and sold exclusively for feeding infants.

11. Fruit, fresh, canned, frozen, preserved, dried or evaporated.

12. Fruit juices consisting of at least eighty-five per cent of the pure juice of the fruit and concentrates thereof; grape juice; prune juice; vegetable juices.

13. Grain grits and meals; barley; rice; split peas.

14. Honey; jams, jellies, marmalades; preserves.

15. Ice.

16. Lard; shortening; cooking and salad oils; mayonnaise; salad dressings.

17. Macaroni; spaghetti; vermicelli.

18. Meats and poultry, fresh, cooked, canned, frozen, smoked or dried.

19. Milk, including buttermilk, condensed milk, evaporated milk, and powdered milk; cream; prepared whipping cream; butter; cheese; ice cream; yogurt.

20. Oleomargarine and margarine for consumption in the Province of Newfoundland.

21. Peanut butter; sandwich spreads.

22. Pickles, relishes, catsups, sauces, olives, horse-radish, mustard, and similar goods, gravies; meat extracts.

23. Salt; spices, condiments, seasonings; meat tenderizers.

24. Soups.

25. Sugar; glucose; lactose.

Under Part V, the words in section 28 are added thus implementing paragraph 12 of the Excise Tax Act Resolution which reads as follows:

> "12. That effective March 30, 1966, vegetarian food products manufactured from vegetable and mineral ingredients to simulate meat products and materials for use in their manufacture be exempt from sales tax."

The words in section 20 are added as a result of a commitment given in the course of negotiating the Terms of Union of Newfoundland with Canada that the Canadian government would be prepared to submit to Parliament legislation designed to exempt oleomargarine sold in Newfoundland from the Federal sales tax. Until the present time, sales tax on oleomargarine and margarine consumed in Newfoundland has been remitted under the *Financial Administration Act.* This amendment would provide the exemption in the *Excise Tax Act* and carry out a recommendation of the Auditor General.

26. Tea, coffee and substitutes therefor; cocoa; drinks prepared from milk or eggs; bases or concentrates for making food beverages, but not including bases or concentrates for making soft drinks or alcoholic beverages.

27. Vegetables, fresh, canned, frozen or dehydrated.

28. Vegetarian food products manufactured from vegetable and mineral ingredients to simulate meat products.

29. Vinegar.

30. Materials for use exclusively in the manufacture or production of the tax-exempt goods mentioned in sections 1 to 29 of this Part.

Part VI.

Fuels and Electricity.

1. Additives for fuel oil for heating, and materials used in the manufacture thereof.

2. Diesel fuel oil when used in internal combustion engines engaged in logging operations and in the manufacture of rough lumber.

3. Electricity.

4. Fuel oil for use in the generation of electricity except where the electricity so generated is used primarily in the operation of a vehicle.

5. Fuel for lighting or heating, but not including fuel when for use in internal combustion engines; crude oil to be used in the production of fuel.

6. Gas manufactured from coal, calcium carbide or oil for illuminating or heating purposes.

7. Natural gas.

Part VII.

Goods enumerated in customs tariff items.

1. Goods enumerated in *Customs Tariff* items 17305–1, 17310–1, 17315–1, 17320–1, 17325–1, 17330–1, 20910–1, 35205–1, 35210–1, 36400–1, 40601–1, 40602–1, 40900–1, 40902–1, 40904–1, 40906–1, 40908–1, 40910–1, 40912–1, 40914–1, 40916–1, 40918–1, 40920–1, 40922–1, 40924–1, 40926–1, 40928–1, 40930–1, and complete parts thereof, 40932–1, 40934–1, 40948–1, 40950–1, 40956–1, 40958–1, 40960–1, 43600–1, 43700–1, 44037–1, 44040–1, 46000–1, 47600–1, 47605–1, 47610–1, 47805–1, 47810–1, 47815–1, 48000–1, 48005–1, 66310–1, 66600–1, 66700–1, 68200–1, 68205–1, 69005–1, 69200–1, 69205–1, 69210–1, 69305–1, 69310–1, 69315–1, 69505–1, 69510–1, 69515–1, 69520–1, 69605–1, 69610–1, 69615–1, 69700–1, 69800–1, 69900–1, 70000–1, 70100–1, 70200–1, 70405–1, 70410–1, 70800–1, 70815–1, 78600–1.

Under Part VI, the item that presently reads:

"Natural gas and gas manufactured from coal, calcium carbide or oil for illuminating purposes"

would be deleted and the sidelined items substituted therefor.

This change would implement paragraphs 6 and 5 of the Excise Tax Act Resolution which read as follows:

"6. That effective March 30, 1966, fuel oil for use in the generation of electricity be exempt from sales tax.

5. That effective March 30, 1966, natural gas be exempt from sales tax."

Under Part VII, the references to *Customs Tariff* items would be brought into line with the renumbering of the *Customs Tariff* effected by *Customs Tariff Renumbering Order, 1965–1*, P.C. 1965–1279, dated 14th July, 1965.

2. Articles and materials that enter into the cost of manufacture of the goods enumerated in *Customs Tariff* items 40900–1, 40902–1, 40904–1, 40906–1, 40908–1, 40910–1, 40912–1, 40914–1, 40916–1, 40918–1, 40920–1, 40922–1, 40924–1, 40926–1, 40928–1, 40932–1, 40934–1, 40944–1, and 43915–1, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in the foregoing tariff items under regulations prescribed by the Minister.

3. Articles and materials for use exclusively in the manufacture of goods enumerated in *Customs Tariff* items 17305–1, 17310–1, 17315–1, 17320–1, 17325–1, 17330–1, 40601–1, 40602–1, 40900–1, 40902–1, 40904–1, 40906–1, 40908–1, 40910–1, 40912–1, 40914–1, 40916–1, 40918–1, 40920–1, 40922–1, 40924–1, 40926–1, 40928–1, 40930–1, 40932–1, 40934–1, 40948–1, 40950–1, 40956–1, 40958–1, 40960–1, 41010–1, 41100–1, 41110–1, 43915–1, 44037–1, 44040–1, 47600–1, 47605–1, 48000–1, 48005–1, 66300–1, 66305–1, 66310–1, 66600–1, 66700–1, 69605–1, 69610–1.

4. Materials, not including plant equipment consumed in process of manufacture or production, that enter directly into the cost of goods enumerated in *Customs Tariff* items 40601–1, 40602–1, 40900–1, 40902–1, 40904–1, 40906–1, 40908–1, 40910–1, 40912–1, 40914–1, 40916–1, 40918–1, 40920–1, 40922–1, 40924–1, 40926–1, 40928–1, 40930–1, 40932–1, 40934–1, 40948–1, 40950–1, 41010–1, 41100–1, 41110–1, 43915–1, 44037–1, 44040–1, 47600–1, 47605–1, 48000–1, 48005–1, 66300–1, 66305–1, 66600–1, 66700–1, 69605–1, 69610–1.

Part VIII.

Health.

1. Adrenocorticotrophin (ACTH); cortisone; insulin; radium.

2. Articles and materials for the sole use of any *bona fide* public hospital certified to be such by the Department of National Health and Welfare, when purchased in good faith for use exclusively by the said hospital and not for resale.

3. Artificial eyes.

4. Artificial teeth and articles and materials for use in the manufacture thereof.

5. Hearing aids and parts therefor, including batteries specifically designed for use therewith.

6. Laryngeal speaking aids and parts therefor, including batteries specifically designed for use therewith.

Under Part VIII, the sidelined words would be added thus implementing paragraph 8 of the Excise Tax Act Resolution which reads as follows:

"8. That effective March 30, 1966, prepared surgical skin closure devices, plastic surgical drapes for use during surgical operations, artificial teeth and articles and materials for use in the manufacture of the foregoing be exempt from sales tax."

7. Liver extract for use exclusively in the treatment of anaemia.

8. Plastic surgical drapes for use during surgical operations and articles and materials for use in the manufacture thereof.

9. Prepared surgical skin closure devices and articles and materials for use in the manufacture thereof.

10. Prepared surgical sutures.

11. Vaccine for use in the prevention of poliomyelitis, and materials for use exclusively in the manufacture thereof.

Part IX.

Marine and Fisheries.

1. Boats *bona fide* purchased by fishermen for use in the fisheries, and articles and materials for use exclusively in the manufacture, equipment or repair thereof.

2. Carrageen or Irish moss.

3. Cotton duck and cotton sail twine for use exclusively in the manufacture of equipment for ships or vessels.

4. Lobster pots, lobster traps, crab or shrimp pots, crab or shrimp traps, and materials for use exclusively in the manufacture thereof.

5. Materials for use exclusively in the equipment and repair of ships for use exclusively for commercial purposes.

6. Preservatives for use exclusively for treating fishing nets, ropes and lines.

7. Rope and cordage of cotton, hemp, manila or other vegetable fibre, or nylon, for the fisheries, not including these articles for sportsmen's purposes, and materials for use exclusively in the manufacture thereof.

8. Ships licensed to engage in the Canadian coasting trade.

9. Sinkers and floats including trawl kegs when for use exclusively in the fisheries, not including these articles for sportsmen's purposes.

Part X.

Mines and Quarries.

1. Crushed stone; crushed gravel.

2. Gold and silver in bars, blocks, drops, ingots, plates or sheets not further manufactured.

3. Ores of all kinds.

4. Sand, gravel, rubble and field stone.

5. Vermiculite; perlite.

Under Part IX, the underlined words would be added thus implementing paragraph 9 of the Excise Tax Act Resolution which reads as follows:

"9. That effective March 30, 1966, the present exemption from sales tax for lobster pots, lobster traps and materials to be used in the manufacture thereof be extended to include crab or shrimp pots, crab or shrimp traps and materials to be used in the manufacture thereof."

Part XI.

Miscellaneous.

1. Articles and materials purchased or imported by a government of a country designated by the Governor in Council under *Customs Tariff* item 70800–1, or purchased or imported by a Canadian government agency on behalf of such a government, for the construction, maintenance or operation of military or defence establishments in Canada and not intended for resale, gift or other disposition except as may be authorized by the Minister of National Revenue.

2. Baler twine and materials for use exclusively in the manufacture thereof.

3. British and Canadian coins; foreign gold coin.

4. Donations of clothing and books for charitable purposes.

5. Fire brick, plastic refractories, high temperature cement, fire clay and other refractory materials and materials to be used or consumed exclusively in the manufacture thereof.

6. Identification tags or labels for designating the grades or quality of meat, poultry, fish, eggs, fruit and vegetables, and materials for use exclusively in the manufacture thereof.

7. Memorials or monuments erected in memory of members of the Armed Forces who lost their lives in the service of their country.

8. Stained glass windows of blown glass, technically called Antique glass, or of handmade slab glass, and materials for use exclusively in the manufacture of such windows.

9. Tanks for collecting milk and materials for use exclusively in the manufacture thereof, not including chassis or cabs.

10. Twenty-five per cent of the sale price if manufactured in Canada, or twenty-five per cent of the duty-paid value if imported, of trailers for use as homes.

11. War Veterans' badges.

Part XII.

Municipalities.

1. Certain goods sold to or imported by municipalities for their own use and not for resale, as follows:

(*a*) culverts,

(*b*) equipment, at a price in excess of five hundred dollars per unit, specially designed for use

Under Part XI, the following changes would be made:

(*a*) The reference to *Customs Tariff* item 708 would be brought up to date in accordance with the renumbering of the *Customs Tariff* items effected by *Customs Tariff Renumbering Order, 1965–1*, P.C. 1965–1279, dated 14th July 1965.

(*b*) The sidelined words would be added thus implementing paragraph 4 of the Excise Tax Act Resolution which reads as follows:

"4. That effective March 30, 1966, stained glass windows of handmade or hand rolled glass technically called antique glass and materials for use exclusively in the manufacture thereof be exempt from sales tax."

Under Part XII, the present item which reads "Diesel fuel oil for use in generating electricity;" would be deleted. This exemption is now dealt with by the new sales tax exemption for "Fuel oil for use in the generation of electricity except where the electricity so generated is used primarily in the operation of a vehicle."

directly for road making, road cleaning or fire fighting, but not including automobiles or ordinary motor trucks,

(*c*) fire hose including couplings and nozzles therefor,

(*d*) fire truck chassis for the permanent attachment thereon of fire fighting equipment for use directly in fire fighting,

(*e*) goods for use as part of sewerage and drainage systems, and, for the purposes of this exemption, any agency operating a sewerage or drainage system for or on behalf of a municipality may be declared by the Minister to be a municipality,

(*f*) laminated timber for bridges,

(*g*) precast concrete shapes for bridges in public highway systems,

(*h*) structural steel and aluminum for bridges.

2. Articles and materials for use exclusively in the manufacture of the tax-exempt goods mentioned in section 1 of this Part.

Part XIII.

Production Equipment and Processing Materials.

1. All of the following when for use by manufacturers or producers directly in the manufacture or production of goods:

(*a*) dies, jigs, fixtures and moulds;

(*b*) patterns for dies, jigs, fixtures and moulds; and

(*c*) tools for use in or attachment to production machinery that are for working materials by turning, milling, grinding, polishing, drilling, punching, boring, shaping, shearing, pressing or planing.

2. Materials (not including grease, lubricating oils or fuel for use in internal combustion engines) consumed or expended directly in the process of manufacture or production of goods.

3. Typesetting and composition, metal plates, cylinders, matrices, film, art work, designs, photographs, rubber material, plastic material and paper material, when impressed with or displaying or carrying an image for reproduction by printing, made or imported by or sold to a manufacturer or producer for use exclusively in the manufacture or production of printed matter."

Under Part XIII, the following changes would be made:

(*a*) The sidelined words would be added thus implementing paragraph 1 of the Excise Tax Act Resolution which provides that, effective March 30, 1966, the goods described in this section, when for use by manufacturers or producers directly in the manufacture of production of goods, are exempt from sales tax.

(*b*) The following item would be deleted:

"Diesel fuel oil when used in internal combustion engines at mines to generate electricity for use in mining operations and other purposes connected therewith."

This exemption is now dealt with by the new sales tax exemption for

"Fuel oil for use in the generation of electricity except where the electricity so generated is used primarily in the operation of a vehicle."

9. The said Act is further amended by adding thereto the following Schedule:

"SCHEDULE V.

The following articles:

(*a*) machinery and apparatus sold to or imported by manufacturers or producers for use by them directly in the manufacture or production of goods;

(*b*) equipment sold to or imported by manufacturers or producers for use by them for exhausting dust and noxious fumes produced by their manufacturing or producing operations;

(*c*) safety devices and equipment sold to or imported by manufacturers or producers for use by them in the prevention of accidents in the manufacture or production of goods;

(*d*) equipment sold to or imported by manufacturers or producers for use by them in carrying refuse or waste from machinery and apparatus used by them directly in the manufacture or production of goods;

(*e*) gasoline powered and diesel powered self-propelled trucks mounted on rubber-tired wheels for off-highway use exclusively at mines and quarries;

(*f*) internal combustion tractors, other than highway truck tractors, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump, or common or other carrier;

(*g*) logging wagons and logging sleds;

(*h*) machinery, logging cars, cranes, captive balloons having a volume of 150,000 cubic feet or more, blocks and tackle and wire rope; all the foregoing for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump, or common or other carrier;

(*i*) pipes or tubes commonly knows as "oil-country goods", being casing or tubing and fittings, couplings, thread protectors and nipples therefor; drill pipe; all of the foregoing for use in connection with natural gas or oil wells;

(*j*) machinery and apparatus, including drilling bits and seismic shot-hole casing, for use in exploration for or discovery or development of petroleum, natural gas or minerals;

Clause 9: This clause would provide a new Schedule V to the Act listing the goods enumerated in paragraph 2 of the Excise Tax Act Resolution. This clause, together with clause 4 and subclause (3) of clause 10, would implement paragraphs 2 and 3 of the Excise Tax Act Resolution.

Paragraph 2 of the Resolution is quoted in part in the explanatory note to clause 4. Paragraph 3 of the Resolution reads as follows:

"**3.** That effective March 30, 1966, the consumption or sales tax on goods described in paragraph 2 that are produced or manufactured in Canada shall be imposed, levied and collected at the rate of tax in effect at the time when the goods are delivered to the purchaser and shall be payable at the time or times provided in paragraph (*a*) of subsection (1) of section 30 of the said Act."

(*k*) repair and maintenance equipment sold to or imported by manufacturers or producers for use by them in servicing goods described in paragraphs (*a*) to (*j*) that are used by them;

(*l*) parts for goods described in paragraphs (*a*) to (*k*);

(*m*) drilling mud and additives therefor;

(*n*) geophysical surveying precision instruments and equipment for use exclusively in prospecting for, or in the exploration and development of, petroleum, natural gas, water wells and minerals, or for geophysical studies for engineering projects, including the following: magnetometers; gravity meters and other instruments designed to measure the elements, variations and distortions of the natural gravitational force; field potentiometers, meggers, nonpolarizing electrodes, and electrical equipment for making measurements in drill holes; instruments and equipment for seismic prospecting; geiger muller counters and other instruments for radioactive methods of geophysical prospecting; electrical and electronic amplifying devices and electrical thermostats designed to be used with any of the foregoing; repair parts, tripods and fitted carrying cases for any of the foregoing; and

(*o*) articles and materials for use in the manufacture of goods described in paragraphs (*a*) to (*n*)

but not including:

(*p*) goods for use by persons exempt from payment of consumption or sales tax under subsection (2) of section 34;

(*q*) office equipment; or

(*r*) motor vehicles except those described in paragraphs (*e*) and (*h*)."

Application and coming into force.

10. (1) Subject to subsection (2), sections 1 and 2 and sections 5 to 8 of this Act shall be deemed to have come into force on March 30, 1966, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day and to have applied to goods previously imported for which no entry for consumption was made before that day.

(2) Section 3 and section 47B of the *Excise Tax Act* as enacted by section 6 of this Act shall come into force on July 1, 1966.

(3) Subsection (3) of section 32 of the *Excise Tax Act* as enacted by section 4 of this Act applies to articles enumerated in Schedule V that are,

(*a*) in the case of goods manufactured in Canada, delivered to the purchaser, and

(*b*) in the case of goods imported into Canada, imported or taken out of warehouse for consumption,

after March 31, 1967.

C-199.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-199.

An Act to provide for the establishment of a Health Resources Fund to assist provinces in the acquisition, construction and renovation of health training facilities and research institutions.

First reading, June 14, 1966.

THE MINISTER OF NATIONAL HEALTH AND WELFARE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

24203

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-199.

An Act to provide for the establishment of a Health Resources Fund to assist provinces in the acquisition, construction and renovation of health training facilities and research institutions.

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

SHORT TITLE.

Short Title.

1. This Act may be cited as the *Health Resources Fund Act*.

INTERPRETATION.

Definitions.

2. In this Act,

"Advisory Committee."

(*a*) "Advisory Committee" means the Health Resources Advisory Committee established by section 8;

"Fund."

(*b*) "Fund" means the Health Resources Fund;

"Health training facility."

(*c*) "health training facility" means a school, hospital or other institution, or any portion thereof,

(i) for the training of persons in the health professions or in occupations associated with the health professions, or

(ii) for the conducting of research in the health fields,

but does not include residential accommodation; and

"Minister."

(*d*) "Minister" means the Minister of National Health and Welfare.

Health Resources Fund.

Fund established.

3. (1) There shall be established in the Consolidated Revenue Fund a special account to be known as the Health Resources Fund.

Appropriation to Fund.

(2) There is hereby appropriated for the purposes of this Act the sum of five hundred million dollars, to be credited to the Health Resources Fund in such amounts as from time to time are required.

Payment out of Consolidated Revenue Fund.

(3) All amounts to be paid under this Act, other than amounts required for the payment of travelling expenses of members of the Advisory Committee, shall be paid, upon the authorization of the Minister, by the Minister of Finance out of the Consolidated Revenue Fund and charged to the Health Resources Fund.

Period for payments.

(4) No payment shall be made under this Act in respect of any cost incurred in respect of a health training facility prior to January 1st, 1966 or after December 31st, 1980.

Contributions.

Contributions payable out of Fund.

4. (1) Upon application to the Minister by the government of a province, the Minister may, subject to this Act, authorize the payment to that province of

(*a*) a contribution towards the cost of planning or designing any health training facility in that province, not exceeding fifty per cent of the reasonable cost thereof as determined by the Minister; and

(*b*) a contribution towards the cost of acquiring, constructing or renovating any building for use as a health training facility in that province, not exceeding fifty per cent of the reasonable cost thereof as determined by the Minister.

Limitation.

(2) Payments made to any province pursuant to subsection (1) shall not exceed in the aggregate

(*a*) that proportion of three hundred million dollars that the population of that province, according to the census taken in the year 1966, is of the population of Canada according to that census; and

(*b*) such part of one hundred and seventy-five million dollars as may be allocated from time to time to that province by the Governor in Council.

Crediting of payments where costs shared by provinces.

(3) Where the cost of acquiring, constructing or renovating a building for use as a health training facility in a province is to be shared by two or more provinces, the

amount of any contribution towards the cost thereof authorized by the Minister pursuant to subsection (1) shall be charged to the Fund as a payment to each of those provinces in such proportion as is agreed upon by those provinces.

Additional contributions to certain provinces.

5. (1) Upon application to the Minister jointly by the governments of the provinces of Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland, the Minister may, subject to subsection (2), authorize the payment to any of those provinces of a contribution towards the reasonable cost, as determined by the Minister, of acquiring, constructing or renovating any building for use as a health training facility in any of those provinces, which contribution may be in addition to any contribution authorized pursuant to subsection (1) of section 4.

Limitation.

(2) Payments made pursuant to subsection (1) shall not exceed in the aggregate twenty-five million dollars.

Calculation of costs.

6. In calculating, for the purposes of sections 4 and 5, the cost of acquiring, constructing or renovating any building for use as a health training facility, there shall not be included

(*a*) the cost of any land;

(*b*) any amounts paid or payable as interest;

(*c*) any amounts paid or payable out of the Consolidated Revenue Fund, pursuant to any other Act, towards the cost of acquiring, constructing or renovating the building for use as a health training facility; or

(*d*) any amounts paid or payable by a province or municipality towards the cost of acquiring, constructing or renovating the building for use as a health training facility in fulfillment of any condition on which any amount described in paragraph (*c*) is or was paid or payable,

but there shall be included the cost of such equipment as is determined by the Minister to be basic equipment necessary for the operation of the health training facility.

Conditions.

7. No payment shall be authorized by the Minister pursuant to section 4 or 5 unless the government of the province making the application has

(*a*) submitted to the Minister, and the Advisory Committee has approved, a program for the development of health training facilities in that province for the next five years and the health training facility in respect of which a contribution is requested is included in that program;

(*b*) provided the Minister with such information respecting the health training facility in respect of which a contribution is requested as the Minister may require; and

(*c*) undertaken to make available to the Minister such records and information respecting the cost of acquiring, constructing or renovating any building for use as a health training facility in respect of which a contribution is requested as the Minister may from time to time require.

HEALTH RESOURCES ADVISORY COMMITTEE

Advisory Committee established.

8. There shall be a committee to be called the Health Resources Advisory Committee consisting of eleven members, including

(*a*) one member appointed by the Lieutenant-Governor in Council of each of the ten provinces; and

(*b*) the Deputy Minister of National Health, who shall serve as chairman of the Committee.

Expenses of member.

9. Members of the Committee shall serve without remuneration but each member is entitled to be paid reasonable travelling expenses incurred by him in the performance of his duties while absent from his ordinary place of residence.

Meetings.

10. (1) The Advisory Committee shall meet at such times and places as the chairman may fix.

Rules.

(2) The Advisory Committee may make such rules as it deems necessary

(*a*) for the regulation of its proceedings, including the establishment of special and standing committees of its members, the delegation to such committees of any of its duties and the fixing of quorums for meetings of the Advisory Committee or of its committees; and

(*b*) generally, for the conduct of its activities.

Duties of Advisory Committee.

11. The Advisory Committee shall

(*a*) advise the Minister on any program for the development of health training facilities submitted to the Minister by the Government of a province;

(*b*) advise the Minister, at his request or on its own initiative on matters relating to a health training facility in respect of which a province has requested a contribution under this Act, including the reasonable cost thereof; and

(*c*) give consideration to and advise the Minister on such matters relating to the operation of this Act as are referred to it by the Minister.

REGULATIONS.

Regulations.

12. The Governor in Council may make regulations

(*a*) prescribing the times and the manner of payment of contributions by the Minister of Finance under this Act; and

(*b*) generally, for carrying out the purposes and provisions of this Act.

ANNUAL REPORT.

Report to Parliament.

13. The Minister shall, as soon as possible after the termination of each fiscal year, submit a report to Parliament respecting operations under this Act for that year.

C-200.

First Session, Twenty-Seventh Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

BILL C-200.

An Act to amend the Customs Tariff.

First reading, June 15, 1966.

THE MINISTER OF FINANCE.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966

23981

1st Session, 27th Parliament, 14-15 Elizabeth II, 1966.

THE HOUSE OF COMMONS OF CANADA.

R.S. cc. 60, 316; 1952–53, c. 31; 1953–54, c. 53; 1955, c. 51; 1956, c. 36; 1957, c. 21; 1958, c. 27; 1959, c. 12; 1960, c. 27; 1960–61, c. 45; 1963, cc. 7, 18, 35; 1964–65, c. 7; 1965, c. 17.

BILL C-200.

An Act to amend the Customs Tariff.

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

Schedule A amended.

1. Schedule A to the *Customs Tariff* is amended by striking out tariff items 945–1, 7905–1, 20925–1, 21045–1, 23505–1, 23705–1, 24100–1, 26325–1, 41105–1, 42205–1, 44043–1, 44047–1, 44125–1, 70500–1, 70505–1 and 84805–1, and the enumerations of goods and the rates of duty set opposite each of those items, and by inserting therein the items, enumerations of goods and rates of duty specified in Schedule A to this Act.

Schedule B amended.

2. Schedule B to the said Act is amended by striking out item 97052–1 and the enumeration of goods and the rate of drawback of customs duty set opposite that item, and by inserting therein the item, enumeration of goods and rate of drawback of customs duty specified in Schedule B to this Act.

Schedule C amended.

3. Schedule C to the said Act is amended by striking out item 99219–1 and the enumeration of goods set opposite that item, and by inserting therein the item and enumeration of goods specified in Schedule C to this Act.

Commencement.

4. This Act and the Schedules to this Act shall be deemed to have come into force on the 30th day of March, 1966, and to have applied to all goods mentioned therein imported or taken out of warehouse for consumption on or after that day, and to have applied to goods previously imported for which no entry for consumption was made before that day.

Explanatory Note.

The purpose of this Bill is to implement the budget resolutions relating to the *Customs Tariff*.

SCHEDULE A.

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
945-1	Feeds for use exclusively in the feeding of trout	Free	Free	25 p.c.
	on and after July 1, 1968	15 p.c.	20 p.c.	25 p.c.
7905-1	Carnation cuttings in their first year of introduction	Free	Free	Free
20925-1	Potassium chloride (Applicable to December 31, 1967)	Free	Free	25 p.c.
21045-1	Sodium hypochlorite in solution (Applicable to December 31, 1967)	15 p.c.	20 p.c.	30 p.c.
23505-1	Liquorice *blocks, granules,* paste *or powder,* not sweetened	Free	12½ p.c.	17½ p.c.
23705-1	Deuterium oxide or heavy water; uranium in the form of pigs, ingots, billets or bars	Free	Free	25 p.c.
	on and after July 1, 1968	Free	15 p.c.	25 p.c.
24100-1	Litharge and mixtures or combinations of litharge with other materials, such mixtures or combinations to contain not less than 50 per cent by weight of litharge, for use exclusively in the manufacture of storage battery plates	Free	Free	Free
26325-1	Compounds of tetramethyl lead, in which tetramethyl lead is the preponderant constituent by weight (Applicable to December 31, 1967)	12½ p.c.	12½ p.c.	25 p.c.
41105-1	Machines, logging cars, cranes, *captive balloons having a volume of 150,000 cubic feet or more,* blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump, or common or other carrier	10 p.c.	12½ p.c.	20 p.c.
42205-1	Concrete road-paving machines, self-propelling, end loading type, with a capacity of 21 cubic feet of wet concrete or more; concrete and asphalt road finishing machines; form graders; sub-graders; combination excavating and transporting scraper units; concrete mixers, transit type; dump wagons or trailers, having a capacity of 10 cubic yards or over, not self-propelled; backfilling machines and equipment, mounted on self-propelling wheels or crawling traction, semi- or full-revolving boom and scraper type; steam or air driven pile hammers or extractors; truck turntables; all the foregoing of a class or kind not made in Canada, parts thereof	Free	7½ p.c.	12½ p.c.

SCHEDULE A—*Concluded*

Tariff Item	—	British Preferential Tariff	Most-Favoured-Nation Tariff	General Tariff
44043-1	Aircraft, not including engines, under such regulations as the Minister may prescribe:			
	When of types or sizes not made in Canada..	Free	Free	27½ p.c.
	on and after July 1, 1967	Free	15 p.c.	27½ p.c.
44047-1	Aircraft engines, when imported for use in the equipment of aircraft:			
	When of types or sizes not made in Canada..	Free	Free	27½ p.c.
	on and after July 1, 1967	Free	15 p.c.	27½ p.c.
44125-1	Guns and rifles of a class or kind not made in Canada; parts thereof.....	Free	7½ p.c.	30 p.c.
44725-1	Well points, well screens, well strainers, *pitless well heads*; all the foregoing of a class or kind not made in Canada, parts thereof.	Free	7½ p.c.	12½ p.c.
57210-1	*Oriental rugs or carpets with pile hooked or knotted by hand*.....	15 p.c.	15 p.c.	40 p.c.
	and, per square foot		5 cts.	20 cts.
70505-1	*Goods, as defined by regulations made by the Minister, imported by a settler for his household or personal use, if actually owned by the settler and in his possession and use before his removal to Canada, under such regulations as the Minister may prescribe*.....	Free	Free	Free
	Any goods imported under this tariff item which are sold or otherwise disposed of within twelve months after importation are subject to the duties and taxes otherwise prescribed.			
84805-1	Machines and apparatus and parts thereof (including motive power) of a class or kind not made in Canada and drilling mud, for use in the exploration, discovery, development and operation of potash and rock salt mines or for use in the production of crushed and screened rock salt.....	Free	Free	Free

SCHEDULE B.

Item No.	Goods	When Subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Payable as Drawback
97052–1	Machines; precision instruments and apparatus for heat treating, welding, sorting, testing, inspecting or correcting; control panels for use with the aforementioned machines and precision instruments and apparatus; all of the foregoing of a class or kind not made in Canada; accessories and attachments for use with the aforementioned machines and precision instruments and apparatus; parts of all the foregoing, not including consumable tools.	When used in the plants of manufacturers of automobiles and motor vehicles or of automobile or motor vehicle parts for the manufacture of automobiles and motor vehicles or of automobile or motor vehicle parts; *or when used for the manufacture of dies, jigs, fixtures or moulds which are used in the production of automobile or motor vehicle parts*.....	99 p.c.

SCHEDULE C.

99219–1	Used or second-hand mattresses or materials therefrom: This item does not affect in any manner: (*a*) mattresses imported under tariff items 70405–1, 70410–1, *70505–1*, 70600–1, 70700–1, 70800–1, or under tourists' or travellers' vehicle permits; (*b*) materials from used or second-hand mattresses, when imported after having been cleaned and fumigated, under such regulations as the Minister may prescribe, accompanied by such certificates as he may designate.	