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C-75.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-75.

An Act to amend the Railway Act and to repeal the Motor Vehicle Transport Act.

First reading, June 9, 1960.

Mr. CHOWN.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22853-6

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-75.

An Act to amend the Railway Act and to repeal the Motor Vehicle Transport Act.

R.S., c. 234; 1955, cc. 41, 55, s. 2; 1958, c. 40. 1953-54, c. 59.

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

R.S., c. 234.

1. The *Railway Act* is amended by inserting therein immediately after section 42 thereof the following section:

Jurisdiction of Board over tolls on highways.

"**42A.** The Board has jurisdiction and control over tolls and tariffs to be charged within Canada by any motor carrier engaged in the business of carrying passengers and goods for hire or compensation over highways from the United States to any point in Canada, or, from any point in Canada to the United States and from any point in one province to any point in another province, and all provisions of this Act relating to tolls and tariffs apply *mutatis mutandis*."

1953-54, c. 59. Act repealed.

2. The *Motor Vehicle Transport Act* is repealed.

Coming into force.

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

Explanatory Notes.

The purpose of this Bill is to give jurisdiction to the Board of Transport Commissioners for Canada over the tolls and tariffs of motor carriers engaged in the business of carrying passengers and goods extra-provincially.

The repeal of the *Motor Vehicle Transport Act* is consequential and subject to the adoption of section 1.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-76.

An Act to amend the Public Service Superannuation Act.

First reading, June 20, 1960.

THE MINISTER OF FINANCE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

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3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-76.

An Act to amend the Public Service Superannuation Act.

1952-53, c.47; 1953-54, c.64; 1955, c.16; 1956, c.44.

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

1. (1) Section 2 of the *Public Service Superannuation Act* is amended by adding thereto, immediately after paragraph (*d*) thereof, the following paragraph:

"Force."

"(*da*) "Force" means the Royal Canadian Mounted Police;"

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

"Regular forces."

"(*ja*) "regular forces" means the regular forces of the Canadian Forces, and includes the forces known before the coming into force of Part II of the *National Defence Act* as the Royal Canadian Navy, the Canadian Army Active Force, the Permanent Active Militia, the Permanent Militia Corps, the permanent staff of the Militia, the Royal Canadian Air Force (Regular) and the Permanent Active Air Force;"

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

"Salary."

"(*l*) "salary", as applied to the Public Service, means the compensation received by the person in respect of whom the expression is being applied for the performance of the regular duties of a position or office, and, as applied to the regular forces or the Force, means the pay or pay and allowances, as the case may be, applicable in the case of that person, as determined

Explanatory Notes.

Clause 1: These new definitions and expressions are required as a result of the new *Canadian Forces Superannuation Act* and *Royal Canadian Mounted Police Superannuation Act*, and as a result of the amendment to section 25 of the Act contained in clause 17 of this Bill.

Paragraph (*l*) of section 2 at present reads as follows:

"(*l*) "salary" means the compensation received for the performance of the regular duties of a position or office;"

under the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act;*"

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

References to *C.F. Superannuation Act* or *R.C.M.P. Superannuation Act.*

"(2) A reference in this Act to the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act* shall be construed as including a reference to any other enactment of the Parliament of Canada in force either before or after the coming into force of this subsection providing for the payment of pensions to members of the regular forces or members of the Force, as the case may be, based on length of service."

2. (1) Subsection (1) of section 4 of the said Act is amended by adding thereto, immediately after paragraph (*d*) thereof, the following paragraphs:

"(*da*) an employee on leave of absence from employment outside the Public Service who, in respect of his current service, continues to contribute to or under any superannuation or pension fund or plan established for the benefit of employees of the person from whose employment he is absent,

(*db*) an employee whose compensation for the performance of the regular duties of his position or office consists of fees of office,"

1955, c. 16, s. 2 (2).

(2) Paragraph (*f*) of subsection (1) of section 4 of the said Act is repealed and the following substituted therefor:

"(*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,"

(3) Paragraph (*g*) of subsection (1) of section 4 of the said Act is repealed and the following substituted therefor:

"(*g*) six and one-half per cent of his salary, in the case of a male contributor, and"

(4) Paragraph (*d*) of subsection (2) of section 4 of the said Act is repealed and the following substituted therefor:

"(*d*) no person shall contribute to the Superannuation Account in respect of any amount received as salary at a rate in excess of fifteen thousand dollars a year, except in respect of any period of service of that person after the coming into force of this paragraph."

Clause 2: (1) and (2) These new paragraphs limit the compulsory contribution provisions of the Act, subject, in the case of paragraph (*f*), to designation by the Governor in Council in certain special circumstances.

(3) The new paragraph (*g*) increases the contribution rate for male contributors in conjunction with improved superannuation benefits provided for in other clauses of the Bill.

(4) The effect of this amendment is to require a contributor to make contributions in future on the basis of his full salary in any case where his salary exceeds $15,000 per annum.

The paragraph being repealed reads as follows:

"(*d*) no person shall contribute to the Superannuation Account in respect of any amount received as salary at a rate in excess of fifteen thousand dollars a year."

(5) A person who, upon the coming into force of this subsection, ceases to be required to contribute to the Superannuation Account by virtue of paragraph (*da*) of subsection (1) of section 4 of the said Act as enacted by this section shall be deemed, for the purposes of Part I of the said Act, to have ceased to be employed in the Public Service at that time, under such circumstances that he is not entitled to any benefit under Part I of the said Act except a return of contributions.

(6) A reference in clause (CC) of subparagraph (iii) of paragraph (*a*) of subsection (1) of section 5 of the said Act as enacted by section 3 of this Act to "the rates set forth in subsection (1) of section 4" shall, in respect of any part of the period specified in that clause that is before the coming into force of subsection (3) of this section, be construed as a reference to the rates in effect under the said Act or Part I of the *Superannuation Act* during that part of that period for current service in the case of a contributor thereunder, and a reference in any other provision of the said Act to "the rates set forth in subsection (1) of section 4" shall, in respect of any election made before the coming into force of subsection (3) of this section to pay for any period of service described in section 5 of the said Act or any election made after that time to pay for a period of service (other than a period of service described in clause (F) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act) for which an election might have been made under the said Act immediately before that time, be similarly construed.

(7) Subsection (3) of this section and section 18 shall come into force on a day to be fixed by proclamation of the Governor in Council.

3. (1) Subparagraph (iii) of paragraph (*a*) of subsection (1) of section 5 of the said Act is amended by striking out the word "and" at the end of clause (C) thereof and adding thereto, immediately after clause (C) thereof, the following clause:

"(CC) any period of service in the Public Service before becoming a contributor under this Act during which he contributed to the Superannuation Account in the manner and at the rates set forth in subsection (1) of section 4, if that service is service for which he might have elected, under this Act or Part I of the *Superannuation Act* upon subsequently becoming a contributor thereunder, to pay, but for which he failed so to elect within the time prescribed therefor, and"

(5) This subclause permits a return of contributions to a person who ceases to be a contributor under the Act by virtue of the new paragraph (*da*) added by subclause (1) above.

(6) This subclause continues the contribution rates formerly in effect in the case of an election for prior service that was made before the coming into force of subclause (3) above or that could have been made immediately before that time at the rates formerly in effect.

Clause 3: (1) The new clause (CC) recognizes as pensionable service the service of a person during which contributions were deducted before the time he became a contributor, in any case where he could have elected to count the service in question at the time he became a contributor.

(2) Clause (A) of subparagraph (ii) of paragraph (*b*) of subsection (1) of section 5 of the said Act is repealed.

(3) Subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act is amended by adding thereto, immediately after clause (A) thereof, the following clauses:

"(AA) any period of service before becoming a contributor under this Act (except any such period described in clause (B) of subparagraph (ii) of paragraph (*a*)) during which he was employed in the Public Service and was in receipt of salary, if he elects, within one year of becoming a contributor under this Act, to pay for that service,

(AB) any continuous period of full-time service of six months or more in the naval, army or air forces of Her Majesty raised by Canada (except any such period described in clause (A) or (C) of this subparagraph), if he elects, within one year of becoming a contributor under this Act, to pay for that period,"

1955, c. 16, s. 3.

(4) Clause (C) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act is repealed and the following substituted therefor:

"(C) any period of service that may be counted by him as pensionable service pursuant to subsection (8) of section 21 or subsection (1) of section 25,"

(5) Clause (F) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act is repealed and the following substituted therefor:

"(F) any period of service described in this paragraph for which he might have elected, under this Act, Part I of the *Superannuation Act*, the *Canadian Forces Superannuation Act*, the *Royal Canadian Mounted Police Superannuation Act* or any Order in Council made under *The Canadian Forces Act, 1950* as amended by the *Canadian Forces Act, 1954*, to pay, but for which he failed so to elect within the time prescribed therefor, if he elects, at any time before he ceases to be employed in the Public Service, to pay for that service."

(2) and (3) These subclauses provide an opportunity to elect to count certain additional service in the Public Service not previously countable.

(4) This amendment is consequential upon the amendment to section 25 of the Act contained in clause 17.

(5) The new clause (F) has been changed to correspond to similar clauses contained in the *Canadian Forces Superannuation Act* and the *Royal Canadian Mounted Police Superannuation Act*.

(6) In its application to any person who, before the coming into force of this section, was a contributor under Part I of the said Act but was not, by virtue of paragraph (*b*) of subsection (1) of section 5 of the said Act as it was before being amended by this section, entitled to elect to pay for any period of service described in clause (AA) or (AB) of subparagraph (iii) of that paragraph as enacted by this section, clause (AA) or (AB), as the case may be, 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".

4. (1) Paragraph (*c*) of subsection (1) of section 6 of the said Act is repealed.

(2) Paragraphs (*f*) to (*i*) of subsection (1) of section 6 of the said Act are repealed and the following substituted therefor:

"(*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;

(*g*) in respect of any period specified in clause (C) of subparagraph (iii) of the said paragraph (*b*), such amount as is required by subsection (8) of section 21 or subsection (1) of section 25 to be paid by him therefor;

(*h*) in respect of any period specified in clause (D) of subparagraph (iii) of the said paragraph (*b*), an amount as specified in paragraph (*ea*);

(*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

(6) The purpose of this subclause is to provide an equal opportunity to all contributors to elect to contribute for the service described therein.

Clause 4: (1) The repeal of paragraph (*c*) is consequential upon the amendment effected by subclause (2) of clause 3.

The paragraph being repealed reads as follows:

> "(*c*) in respect of any period specified in clause (A) 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 a salary equal to the salary authorized to be paid to him during that period, together with interest;"

(2) These paragraphs specify the amount required to be paid in the case of an election to pay for any service described therein.

(*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"

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

"Interest" defined.

"(2) In this section, unless otherwise specified, "interest" means simple interest at four per cent per annum from the middle of the fiscal year in which the contributions would have been made, had the contributor been required to make those contributions during the period for which he elects to pay, until the first day of the month in which the election is made."

(4) This section is applicable in respect of any election made after the coming into force of this section.

5. (1) Subsection (1) of section 7 of the said Act is repealed and the following substituted therefor:

Manner of making elections.

"**7.** (1) Every election made by a contributor under this Act shall be made by him while employed in the Public Service and shall be evidenced in writing, in the form prescribed by the Minister, and signed by the person making the election, and the original thereof shall be forwarded to the Minister in the manner prescribed by the regulations within the time prescribed by this Act for the making of the election or, in the case of an election that may be made by the contributor at any time before he ceases to be employed in the Public Service, within one month from the time of making the election."

(2) Subsection (2) of section 7 of the said Act is amended by striking out the word "or" at the end of paragraph (*a*) thereof and by adding thereto immediately after paragraph (*b*) thereof the following paragraphs:

(3) The new subsection (2) is intended to simplify the calculation of interest under section 6 of the Act.

Subsection (2) at present reads as follows:

"(2) In this section, unless otherwise specified, "interest" means simple interest at four per cent per annum from the middle of the fiscal year in which the contributions would have been made, had the contributor been required to make those contributions during the period for which he elects to pay, until the time of making the election."

Clause 5: The purpose of this amendment is to clarify certain provisions of the Act relating to the making of elections and to simplify the administration of the Act in relation thereto.

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

"**7.** (1) Every election made by a contributor under this Act shall be made by him while employed in the Public Service and shall be evidenced in writing, in the form prescribed by the Minister, and witnessed, and the original thereof shall be forwarded to the Minister by registered mail within the time prescribed by this Act for the making of the election or, in the case of an election that may be made by the contributor at any time before he ceases to be employed in the Public Service, within one month from the time of making the election.

(2) An election under this Act is void, in so far as it is an election to pay for

(*a*) any period of service on active service in the forces during World War I or World War II or any period of service in the Public Service or in pensionable employment that the elector is entitled to count for the purpose of any superannuation or pension benefit of a kind specified in the regulations, otherwise than under the provisions of this Act, or

(*b*) any period of service in the Public Service as a part-time employee unless it is service that may be counted under clause (B) of subparagraph (i) of paragraph (*b*) of subsection (1) of section 5."

"(*c*) any period of service in the Public Service as an employee whose compensation for the performance of the regular duties of his position or office consisted of fees of office, or

(*d*) any period of service of less than ninety days as defined by the regulations."

(3) Paragraph (*d*) of subsection (2) of section 7 of the said Act as enacted by this section is applicable in respect of any election made after the coming into force of this section.

6. (1) Paragraph (*d*) of subsection (1) of section 8 of the said Act is amended by substituting for the word "or" the word "and" immediately after subparagraph (ii) thereof and by repealing all that portion of the said paragraph (*d*) immediately following subparagraph (ii) thereof.

(2) Subsection (2) of section 8 of the said Act is repealed and the following substituted therefor:

Duration of payment, etc.

"(2) Where an annuity or annual allowance becomes payable under this Act it shall, subject to the regulations, 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 during which he dies, and any amount in arrears thereof that remains unpaid at any time after his death shall, in the case of an annuity or annual allowance payable to a contributor who died leaving a widow or a child less than eighteen years of age, be paid in a lump sum as though that amount were a return of contributions to which his widow and children are jointly entitled under this Act, and shall, in any other case, be paid to the recipient's estate or, if less than five hundred dollars, as the Treasury Board may direct."

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

Options.

"(4) Where, under section 10 or 11, a contributor is entitled to a benefit therein specified at his option,

(*a*) if he fails to exercise the option within one year from the time he became so entitled he shall be deemed to have exercised it in favour of a benefit other than a lump sum payment as described in paragraphs (*d*) and (*e*) of subsection (1);

Clause 6: (1) This amendment is consequential upon the amendment effected by subclause (4) of clause 2. The portion of paragraph (*d*) being repealed reads as follows:

> "but if at such time the rate of salary authorized to be paid to the contributor exceeded fifteen thousand dollars a year, the annual rate deemed to have been so authorized at that time shall be fifteen thousand dollars; and"

(2) and (3) The amendments to subsections (2) and (4) are intended to facilitate the payment of benefits in the circumstances described therein and to prescribe the procedure to be followed where an option is available.

Subsections (2) and (4) at present read as follows:

> "(2) Where an annuity or annual allowance becomes payable under this Act it shall, subject to the regulations, 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 during which he dies."

> "(4) Where, by section 10 or 11, a contributor is entitled to a benefit therein specified at his option, if the contributor fails to exercise that option within one year from the time when he became so entitled he shall be deemed to have exercised it in favour of a benefit other than a lump sum payment as described in paragraphs (*d*) and (*e*) of subsection (1)."

(*b*) if, without having exercised or been deemed to have exercised the option, he becomes a contributor under the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, he shall be deemed to have exercised the option, immediately before becoming a contributor under that Act, in favour of a benefit other than a lump sum payment as described in paragraphs (*d*) and (*e*) of subsection (1); and

(*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 that service."

(4) Subsection (1) is applicable in respect of any contributor who ceases to be employed in the Public Service after the coming into force of this section.

7. (1) Paragraphs (*b*) and (*c*) of subsection (1) of section 9 of the said Act are repealed and the following substituted therefor:

"(*b*) the average annual salary received by the contributor during any six-year period of pensionable service selected by or on behalf of the contributor, or during any period so selected consisting of consecutive periods of pensionable service totalling six years, or

(*c*) in the case of a contributor who has to his credit less than six years of pensionable service, the average annual salary received by him during the period of pensionable service to his credit."

(2) Paragraph (*f*) of subsection (2) of section 9 of the said Act is repealed and the following substituted therefor:

"(*f*) where the rate of salary authorized to be paid to a person at any time before the coming into force of this paragraph exceeded fifteen thousand dollars a year, the annual rate deemed to have been so authorized at that time shall be fifteen thousand dollars."

Clause 7: (1) This amendment changes the basic formula for calculating annuities and permits the use of the "six-year average" in place of the present ten-year average.

Subsection (1) of section 9 at present reads as follows:

"**9.** (1) The amount of any annuity to which a contributor may become entitled under this Act is an amount equal to

(*a*) the number of years of pensionable service to the credit of the contributor, not exceeding thirty-five, divided by fifty,

multiplied by

(*b*) the average annual salary received by the contributor during any *ten* year period of pensionable service selected by or on behalf of the contributor, or during any period so selected consisting of consecutive periods of pensionable service totalling *ten* years, or

(*c*) in the case of a contributor who has to his credit less than *ten* years of pensionable service, the average annual salary received by him during the period of pensionable service to his credit."

(2) This amendment is consequential upon the amendment effected by subclause (4) of clause 2.

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

"(*f*) where the rate of salary authorized to be paid to a person at any time exceeds fifteen thousand dollars a year, the annual rate deemed to have been so authorized at that time shall be fifteen thousand dollars."

(3) Subsection (1) is applicable in respect of any annuity or annual allowance to which any recipient becomes entitled under Part I of the said Act after the coming into force of this section.

8. (1) Subsection (3) of section 10 of the said Act is repealed and the following substituted therefor:

Allowance to widow and children.

"(3) Upon the death of a contributor who, at the time of his death, was entitled under subsection (1) to an immediate annuity or a deferred annuity, the widow and children of the contributor are entitled to the following allowances, computed on the basis of the product obtained by multiplying the average annual salary of the contributor during the period applicable, as specified in subsection (1) of section 9 or elsewhere in this Act for the purposes of that subsection, by the number of years of pensionable service to his credit, one one-hundredth of the product so obtained being hereinafter referred to as the "basic allowance":

(*a*) in the case of the widow, an immediate annual allowance equal to the basic allowance; and

(*b*) in the case of each child, until the child reaches eighteen years of age, an immediate annual allowance equal to one-fifth of the basic allowance or, if the contributor died without leaving a widow or the widow is dead, two-fifths of the basic allowance;

but the total amount of the allowances paid under paragraph (*b*) shall not exceed four-fifths of the basic allowance or, if the contributor died without leaving a widow or the widow is dead, eight-fifths of the basic allowance."

(2) Subsection (5) of section 10 of the said Act is repealed and the following substituted therefor:

Lump sum payment to widow and children.

"(5) Upon the death of a contributor who, not having been a contributor under Part I of the *Superannuation Act* immediately before the coming into force of this Act, or, having been a contributor thereunder at that time but not 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, in any case where the contributor died leaving a widow or a child less than eighteen years of age, are entitled, jointly, to a return of contributions."

Clause 8: This amendment clarifies the right of the widow and children of a contributor to an allowance or other benefit following the contributor's death.

Subsections (3) and (5) at present read as follows:

"(3) Upon the death of a contributor who, at the time of his death, was entitled under subsection (1) to an immediate annuity or a deferred annuity, the widow and children of the contributor are entitled to the following annual allowances, computed on the basis of the product obtained by multiplying the average annual salary of the contributor during the period applicable, as specified in subsection (1) of section 9 or elsewhere herein for the purposes of that subsection, by the number of years of pensionable service to the credit of the contributor at the time when he became so entitled, one one-hundredth of the product so obtained being referred to herein as the "basic allowance":

(*a*) in the case of the widow, an immediate annual allowance equal to the basic allowance; and

(*b*) in the case of each child, until the child reaches eighteen years of age, an immediate annual allowance equal to one-fifth of the basic allowance or, if there is no living widow of the contributor, two-fifths of the basic allowance;

but the total amount of the allowances paid under paragraph (*b*) shall not exceed four-fifths of the basic allowance or, if there is no living widow, eight-fifths of the basic allowance."

"(5) Upon the death of 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 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, jointly, to a return of his contributions."

9. Section 11 of the said Act is amended by adding thereto the following subsection:

Voluntary retirement of contributor.

"(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."

10. (1) Subsection (1) of section 12 of the said Act is repealed and the following substituted therefor:

Lump sum payments.

"**12.** (1) Where, in this Act, it is provided that the widow and children of a contributor are entitled jointly to a return of contributions, the total amount thereof shall be paid to the widow of the contributor except that

(*a*) if at the time of the death of the contributor all of the children were eighteen years of age or over and at the time the payment is to be made the widow is dead or cannot be found, the total amount shall be paid to the children in equal shares;

(*b*) if at the time of the death of the contributor any of the children were less than eighteen years of age, and the contributor died without leaving a widow or at the time the payment is to be made the widow is dead or cannot be found, the total amount shall be paid to the children in such shares as the Treasury Board considers equitable and proper under the circumstances, or to any of them, as the Treasury Board may direct;

(*c*) if any of the children who were less than eighteen years of age at the time of the death of the contributor are living apart from the widow at the time the payment is to be made, the total amount shall be paid to the widow and the children so living apart from her in such shares as the Treasury Board considers equitable and proper under the circumstances, or to the widow or any of the children so living apart from her, as the Treasury Board may direct; and

(*d*) if the contributor died without leaving any children and at the time the payment is to be made the widow is dead or cannot be found, or if the contributor died without leaving a widow and at the time the payment is to be made all of the children are dead or cannot be found, the total amount shall be paid to the estate of the contributor or, if less than five hundred dollars, as the Treasury Board may direct."

Clause 9: The purpose of this new subsection is to ensure that except in the case of compulsory retirement, advantage cannot be taken of the Act by a person who is employed in the Public Service for only a brief period.

Clause 10: The purpose of this amendment is to simplify the administration of the provisions of the Act relating to the payment of lump sum benefits to widows and children.

Subsections (1) and (3) at present read as follows:

"**12.** (1) Where in this Act it is provided that the widow and children of a contributor are entitled jointly to a return of contributions or to any other lump sum payment, the total amount thereof shall be paid to the widow of the contributor, except that

(*a*) if the contributor died without a wife, or if his wife or widow is dead or cannot be found at the time when the payment is to be made, the amount thereof shall be paid to the person having the guardianship of the children;

(*b*) if the children, or any of them, are living apart from the widow, the amount thereof shall be paid to the widow and to the person having the guardianship of those children, in such shares as the Treasury Board considers equitable and proper under the circumstances;

(*c*) if the contributor died without a wife or children, or if both the wife or widow and the children are dead or cannot be found at the time when the payment is to be made, the amount thereof shall be paid to the contributor's estate or, if less than five hundred dollars, as authorized by the Treasury Board;

but any amount that is expressed in paragraph (*a*) or (*b*) to be payable to the person having the guardianship of the children shall, if all the children have reached eighteen years of age at the time the payment is to be made, be divided among them equally, and shall, if some but not all of the children have reached eighteen years of age at that time, be divided among them in such manner and in such shares as the Treasury Board considers equitable and proper under the circumstances."

(2) Subsection (3) of section 12 of the said Act is repealed and the following substituted therefor:

Allowances paid to children.

"(3) Where a child of a contributor is entitled to an annual allowance or other amount under this Act, payment thereof shall, if the child is less than eighteen years of age, be made to the person having the custody and control of such child, or, where there is no person having the custody and control of such child, to such person as the Treasury Board may direct, and for the purposes of this subsection the widow of the contributor, except where the child is living apart from the widow, shall be presumed, *prima facie*, to be the person having the custody and control of such child."

11. (1) 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 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;"

(2) A reference in paragraph (*a*) of section 16 of the said Act as enacted by this section to any "period of three months" commencing on a day specified therein shall, in the case of a person who became re-employed in the Public Service before the coming into force of this section, be construed as including a reference to the period of three months commencing on the 1st day of the quarterly period in which this section came into force.

12. (1) Subsection (2) of section 18 of the said Act is repealed and the following substituted therefor:

Failure to pass medical examination.

"(2) Notwithstanding anything in this Act, where a contributor to whom subsection (1) applies has been medically examined, as prescribed by the regulations, and has failed to pass the examination, neither the contributor nor

"(3) Where by this Act a child of the contributor is entitled to an annual allowance herein specified, payment of the allowance shall be made to the person having the guardianship of the child, which person is presumed, *prima facie*, to be the widow of the contributor."

Clause 11: This amendment introduces a less restrictive provision dealing with the suspension or reduction of an annuity upon re-employment 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 employed, 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 in the Public Service prior to becoming re-employed, but if it does not exceed the rate so computed such suspension shall not apply in respect of any right or claim that he may have to payment as aforesaid to the extent that the rate so computed exceeds the rate authorized to be paid to him during the period of his re-employment;"

Clause 12: (1) This amendment removes an anomaly in section 18 of the Act under which a person could be disqualified from receiving an annuity based on service unrelated to the election for which he was required to pass a medical examination.

Subsection (2) at present reads as follows:

"(2) Notwithstanding anything in this Act, where a contributor to whom subsection (1) applies has been medically examined, as prescribed in the regulations, and has failed to pass the examination, neither the contributor nor his widow or children shall become entitled to any benefit under this Act other than a return of contributions unless the contributor continues to be employed in the Public Service for a further period of not less than five years from the time of that examination."

his widow or children shall, in respect of any service of the contributor to which the election referred to in subsection (1) relates, become entitled to any benefit under this Act other than a return of contributions unless the contributor continues to be employed in the Public Service for a further period of not less than five years from the time of the examination or is again medically examined, as prescribed by the regulations, and passes the examination."

(2) This section shall be deemed to have come into force on the 1st day of January, 1954, except that where a contributor who ceased to be employed in the Public Service after 1953 and before the coming into force of this section was entitled under Part I of the said Act to a return of contributions, and, by virtue of this section, is entitled to a benefit other than a return of contributions, he is entitled to that other benefit only if, within ninety days after the coming into force of this section, he pays into the Superannuation Account an amount equal to that return of contributions.

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

Payments to dependants of recipient.

"(2) Where any court in Canada of competent jurisdiction has made an order requiring a recipient to pay an amount to his spouse, former spouse, child or other dependant and the court has issued to the Minister a notice, in the form prescribed by the regulations, requesting him on behalf of the recipient to pay to the person named in the order an amount specified in the notice, the amount so specified or any lesser amount specified by the Minister shall, if the Minister so directs, be deducted either in a lump sum or in instalments from any amount that is or is about to become payable to the recipient under this Act, and shall be paid to the person named in the order."

14. The said Act is further amended by adding thereto, immediately after section 19 thereof, the following section:

Presumption of death of contributor or other person.

"**19A.** Where a contributor or a person to whom any benefit has become payable under this Act, including any amount payable under section 26 or 27, has disappeared under circumstances that, in the opinion of the Minister, raise beyond a reasonable doubt a presumption that he is dead, the Minister 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 upon the issue of the certificate such person shall be deemed, for all purposes of this Act, to have died on the date so stated in the certificate."

(2) This subclause extends the relief afforded by the amendment effected by subclause (1) to persons who have retired since December 31, 1953.

Clause 13: Subsection (2) has been revised to correspond to similar provisions contained in the *Canadian Forces Superannuation Act* and the *Royal Canadian Mounted Police Superannuation Act.*

Subsection (2) at present reads as follows:

"(2) Where any court in Canada of competent jurisdiction, has made an order requiring a recipient to pay an amount to his spouse, former spouse, child or other dependant and the court has issued to the Minister a notice, in the form prescribed in the regulations, requesting him on behalf of the recipient to pay to the person named in the order an amount therein specified, the Minister may, in accordance with the notice, deduct such amount, either in a lump sum or in instalments, from any amount that is or becomes payable to the recipient under this Act, and may pay the amount so deducted to the person named in the order."

Clause 14: This new section deals with cases where a contributor or other person has disappeared under certain circumstances. The new section is similar to a provision contained in the *National Defence Act.*

15. Paragraph (*c*) of subsection (1) of section 21 of the said Act is amended by deleting the word "or" at the end of subparagraph (i) thereof and by adding thereto, immediately after subparagraph (i) thereof, the following subparagraph:

"(ia) an employee of the Newfoundland Fisheries Board, or"

16. (1) Section 24 of the said Act is amended by adding thereto the following subsection:

Application of ss(2).

"(5) Subsection (2) does not apply to or in respect of any person who, at any time after 1952, ceased to be employed in the Public Service or died, if, applying the provisions of the *Superannuation Act* as though that Act had continued in force at the time he ceased to be so employed or died, the average salary for the purpose of computing his superannuation allowance under that Act would not have been based upon the salary received by him during the last five years of his service."

(2) This section shall be deemed to have come into force on the 1st day of January, 1954.

1952-53, c. 47; 1955, c. 16, s. 11.

17. (1) Section 25 of the said Act is repealed and the following substituted therefor:

Service that may be counted.

"**25.** (1) Any person who becomes a contributor under this Act, having been a member of the regular forces but not having become entitled to an annuity, annual allowance or pension under the *Canadian Forces Superannuation Act*, or having been a member of the Force but not having become entitled to an annuity or annual allowance under the *Royal Canadian Mounted Police Superannuation Act*, is entitled to count as pensionable service for the purposes of this Act, any period of service that, under the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, he was entitled to count for pension purposes, if he elects, within one year of becoming a contributor under this Act, to pay for that service, in which case the amount required by this Act to be paid by him for that service is,

(*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, any amount by which

(i) the total amount required by that Act to be paid by him for that service,

exceeds

Clause 15: The purpose of this clause is to ensure that former employees of the Newfoundland Fisheries Board will be treated for superannuation purposes in the same manner as other transferred pensionable Newfoundland employees.

Clause 16: This clause ensures the continuation of certain long standing provisions respecting the basic formula for calculating annuities in the case of persons to whom Parts II to IV of the *Superannuation Act* applied.

Clause 17: Section 25 has been revised to correspond to similar sections contained in the *Canadian Forces Superannuation Act* and the *Royal Canadian Mounted Police Superannuation Act*.

Section 25 at present reads as follows:

"**25.** (1) In this section,

(*a*) "Force" means the Royal Canadian Mounted Police Force;

(*b*) "member of the Force" means an officer, non-commissioned officer, man or woman of the Force;

(*c*) "forces" means the regular forces, and includes the forces known, prior to the coming into force of Part II of *The National Defence Act*, as the Royal Canadian Navy, the Canadian Army Active Force, the Permanent Active Militia, the Permanent Militia Corps, the permanent staff of the Militia, the Royal Canadian Air Force (Regular) and the Permanent Active Air Force; and

(*d*) "member of the forces" means an officer or a man or woman of the forces.

(2) Any person who becomes a contributor under this Act, having been a member of the Force but not having become entitled to a pension under the *Royal Canadian Mounted Police Act*, or having been a member of the forces but not having become entitled to a pension under *The Defence Services Pension Act*, is entitled to count as pensionable service for the purposes of subsection (1) of section 5 any period of service that, under the *Royal Canadian Mounted Police Act* or *The Defence Services Pension Act* as the case may be, he was entitled to count for pension purposes, if he elects, within one year of becoming a contributor under this Act, to pay for that service, in which case the amount required by this Act to be paid by him for that service is,

(*a*) in the case of service for which, by the *Royal Canadian Mounted Police Act* or *The Defence Services Pension Act* as the case may be, he was required to pay, any amount by which

(i) the total amount required by that Act to be paid by him for that service

exceeds

(ii) the total amount actually paid by him for that service, minus any amount paid to him under that Act at any time before the making of the election;

together with simple interest at four per cent per annum on any amount paid to him under that Act at any time before the making of the election, from the time when the payment was made until the first day of the month in which the election was made; and

(*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 in the manner and at the rates set forth in subsection (1) of section 4, in respect of a salary at a rate equal to the rate of salary authorized to be paid to him during that period, together with interest, as defined in subsection (2) of section 6.

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*) or (*b*) 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*) in subsection (1), or

(*b*) by this Act, in the case of service of the kind described in paragraph (*b*) of subsection (1),

was determined.

Surrender of benefits upon election.

(3) Notwithstanding anything in the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, upon the making of any election under subsection (1), the person so electing and any person to whom any benefit might otherwise have become payable under the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, in respect of that person, cease to be entitled to any benefit under that Act in respect of any service of that person to which that election relates.

(ii) the total amount actually paid by him for that service, less any amount paid to him under that Act at any time prior to the making of the election;

together with simple interest at four per cent per annum on any amount paid to him under that Act at any time prior to the making of the election, from the time when the payment was made until the date of the election; and

(*b*) in the case of service for which, by the *Royal Canadian Mounted Police Act* or *The Defence Services Pension 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 or pay and allowances at a rate equal to the rate of pay or pay and allowances authorized for pension purposes to have been paid to him during that period, together with interest, as defined in subsection (2) of section 6.

(3) For the purposes of this Act, the salary deemed to have been received by a person to whom subsection (2) applies, during any period of service of a kind described in paragraph (*a*) or (*b*) of subsection (2), is a salary at a rate equal to the rate of pay, or pay and allowances, on the basis of which the amount required to be paid for that period of service

(*a*) by the *Royal Canadian Mounted Police Act* or *The Defence Services Pension Act* as the case may be, in the case of service of a kind described in paragraph (*a*) of subsection (2), or

(*b*) by this Act, in the case of service of a kind described in paragraph (*b*) of subsection (2),

was determined.

(3a) Notwithstanding anything in the *Royal Canadian Mounted Police Act* or *The Defence Services Pension Act*, upon the making of any election under subsection (2) by a person to whom that subsection applies, the person so electing ceases to be entitled to any benefit under the *Royal Canadian Mounted Police Act* or *The Defence Services Pension Act*, as the case may be, in respect of any service to which that election relates.

Right to retain pension.

(4) Any person who becomes a contributor under this Act, having been a member of the regular forces and having become entitled to an annuity, annual allowance or pension under the *Canadian Forces Superannuation Act*, or having been a member of the Force and having become entitled to an annuity or annual allowance under the *Royal Canadian Mounted Police Superannuation Act*, is entitled, for the purposes of this Act, to retain that annuity, annual allowance or pension, but the period of service upon which that annuity, annual allowance or pension was based may not be counted by that person for the purposes of any benefit to which he may become entitled under this Act by reason of having become a contributor hereunder.

Election to surrender benefits.

(5) Notwithstanding subsection (4), any person to whom that subsection applies may elect, within one year of becoming a contributor under this Act, to surrender the annuity, annual allowance or pension therein referred to, in which case notwithstanding anything in the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, the person so electing and any person to whom any benefit might otherwise have become payable under the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, in respect of that person, cease to be entitled to any benefit under that Act in respect of any service of that person described in subsection (1), and the person so electing shall be subject to the provisions of subsection (1) in all respects as though he had not become entitled to an annuity, annual allowance or pension under that Act but had elected under subsection (1) to pay for the whole of that service.

Amount to be credited to Superannuation Account.

(6) Upon the making of any election under this section whereby the person so electing is required by this Act to pay for any period of service of the kind described in paragraph (*a*) 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 determined under subparagraph (ii) of paragraph (*a*) of subsection (1), and for the purposes of the *Canadian Forces Superannuation Act* or the *Royal Canadian Mounted Police Superannuation Act*, as the case may be, the amount of any return of contributions or other lump sum payment that is or may become payable under that Act to or in respect of

(4) Any person who becomes a contributor under this Act, having been a member of the Force and having become entitled to a pension under the *Royal Canadian Mounted Police Act*, or having been a member of the forces and having become entitled to a pension under *The Defence Services Pension Act*, is entitled, for the purposes of this Act, to retain that pension, but the period of service upon which that pension was based may not be counted by that person for the purpose of any benefit to which he may become entitled under this Act by reason of having become a contributor hereunder.

(5) Notwithstanding subsection (4), any person to whom that subsection applies may elect, within one year of becoming a contributor under this Act, to surrender the pension therein referred to, whereupon he shall cease to be entitled to that pension, notwithstanding anything in the *Royal Canadian Mounted Police Act* or *The Defence Services Pension Act*, and shall be subject to the provisions of subsection (2) in all respects as though he had not become entitled to a pension thereunder but had elected under subsection (2) to pay for the period of service upon which that pension was based.

(6) The Minister shall credit to the Superannuation Account, in the case of an election to pay for any period of service of a kind described in paragraph (*a*) of subsection (2), an amount equal to twice the total amount referred to in subparagraph (i) of paragraph (*a*) of subsection (2) less the amount specified in paragraph (*a*) of subsection (2) to be paid by the person by whom the election is made, and, in the case of an election to pay for any period of service of a kind described in paragraph (*b*) of subsection (2), an amount equal to the amount specified in paragraph (*b*) of subsection (2) to be paid by the person by whom the election is made.

(7) Notwithstanding anything in this Act or the *Royal Canadian Mounted Police Act*, upon the transfer to the Royal Canadian Mounted Police Pension Account in the Consolidated Revenue Fund, pursuant to any regulation made under paragraph (*e*) of section 104 of that Act, of any amount credited in respect of contributions of a contributor under Part V of that Act made under this Act, the contributor ceases to be entitled to any benefit under this Act to the extent that any service of the contributor upon which those contributions were based may be counted by him under subsection (1) of section 99 of that Act for the purpose of computing any pension, allowance or gratuity under Part V thereof."

that person shall be deemed to be the amount otherwise determined therein minus the amount required by this subsection to be credited to the Superannuation Account upon the making of the election."

(2) This section is applicable in respect of any election made after the coming into force of this section.

18. Paragraphs (*a*) and (*b*) of subsection (2) of section 27 of the said Act are repealed and the following substituted therefor:

"(*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."

19. Subsection (1) of section 28 of the said Act is repealed and the following substituted therefor:

"Public service employer" defined.

"**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."

20. (1) Paragraph (*o*) of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

"(*o*) respecting the determination, for the purposes of this Act, of the effective date upon which a person shall be deemed to have become or to have ceased to be employed in the Public Service;

(*oa*) prescribing the nature of the evidence required to establish proof of age or marital status for the purposes of this Act, the time within which such evidence shall be provided and the consequences of any failure to provide such evidence within that time;"

1956, c. 44, s. 6(3).

(2) Paragraph (*aa*) of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

"(*aa*) defining, for the purposes of this Act, the expressions "employee engaged locally outside Canada",

Clause 18: The purpose of this clause is to bring contributions to the Retirement Fund in line with contributions to the Superannuation Account. Paragraphs (*a*) and (*b*) at present read as follows:

"(*a*) five per cent of his salary, in the case of a person who is not an insured person within the meaning of *The Unemployment Insurance Act, 1940*, and

(*b*) four per cent of his salary, in the case of a person who is an insured person within the meaning of that Act."

Clause 19: This amendment, which adds the underlined words, extends the definition of a public service employer with whom the Minister may enter into a reciprocal transfer agreement under section 28 of the Act.

Clause 20: This clause extends the authority of the Governor in Council to make regulations for the purposes of the Act in relation to the matters dealt with in subclauses (1) to (4).

Paragraphs (*o*), (*aa*) and (*ac*) at present read as follows:

"(*o*) respecting the determination, for the purposes of this Act, of the effective date upon which a person becomes or ceases to be employed in the Public Service;"

"(*aa*) defining, for the purposes of this Act, the expressions "prevailing rate employee", "seasonal employee" and "sessional employee";"

"(*ac*) providing for payment out of the Superannuation Account, upon the death of a contributor and upon application to the Minister by or on behalf of any successor thereunder to whom any allowance becomes payable under this Act, of the whole or any part of such portion of the succession duties payable by that successor as is determined in accordance with the regulations to be attribuable to the said allowance, and prescribing the amounts by which and the manner in which any such allowance and any amount payable under section 14 in any such case shall be reduced;"

"prevailing rate employee", "seasonal employee", "sessional employee", "part-time employee" and the expression "full-time" as applied to any employee;"

(3) Paragraph (*ac*) of subsection (1) of section 30 of the said Act is repealed and the following substituted therefor:

"(*ac*) providing for payment out of the Superannuation Account, upon the death of a contributor and upon application to the Minister by or on behalf of any successor thereunder to whom any annual allowance becomes payable under this Act, of the whole or any part of such portion of any estate, legacy, succession or inheritance duties or taxes that are payable by the successor as is determined in accordance with the regulations to be attributable to that allowance, and prescribing the amounts by which and the manner in which any such allowance and any amount payable under section 14 in any such case shall be reduced;"

(4) The Governor in Council may make regulations prescribing, in the case of a contributor who in the opinion of the Minister was one of a class of persons who, pursuant to erroneous advice received by one or more persons of that class, from a person in the Public Service whose ordinary duties included the giving of advice as to contributions for service under the *Civil Service Superannuation Act*, that a period of service of such a person before the time he became a contributor under the *Civil Service Superannuation Act* could be counted by him under that Act without contribution by him therefor, failed to elect under that Act within the time prescribed therefor to pay for that service, the circumstances under which and the manner and time in which the contributor may elect to pay for that service, and the circumstances under which and the terms and conditions (including conditions as to interest) upon which any such election made by him to pay for that service, or any election made by him under paragraph (*b*) of subsection (1) of section 5 of the *Public Service Superannuation Act* to pay for that service as a period of service described in clause (F) of subparagraph (iii) of that paragraph, shall be deemed to have been made by him under the *Civil Service Superannuation Act* within the time prescribed therefor by that Act.

1953-54, c. 64, s. 2.

21. (1) All that portion of paragraph (*a*) of subsection (1) of section 39 of the said Act following subparagraph (ii) thereof is repealed and the following substituted therefor:

"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;"

(2) Paragraph (*e*) of subsection (1) of section 39 of the said Act is amended by striking out the word "and" at the end of subparagraph (iii) thereof, by adding the word "and" at the end of subparagraph (iv) thereof and by adding thereto, immediately after subparagraph (iv) thereof, the following:

"(v) a person not coming within subparagraph (i), (ii), (iii) or (iv) who has made an election under section 40 or 41 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,"

1956, c. 44, s. 7.

22. (1) 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 or an annual allowance payable immediately, 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 21: This clause would provide a paid-up death benefit to participants under Part II of the Act who have attained sixty-five years of age and have five or more years of substantially continuous service in the Public Service.

Clauses 22 to 24: These clauses provide for the automatic continuation of certain persons as elective participants after retirement with five or more years of service, with a right to cease to pay further contributions upon request. Paragraph (*b*) of subsection (2) of section 40 at present reads as follows:

"(*b*) may, within that period of thirty days, elect to continue to be a participant under this Part after that time."

Paragraph (*b*) of subsection (2) of section 41 at present reads as follows:

"(*b*) may, within that period of thirty days, elect to continue to be a participant under this Part after that time."

(2) This section and section 23 are applicable in respect of any person who ceases to be employed in the Public Service or to be a member of the regular forces after the coming into force of this section.

1956, c. 44, s. 7.

23. Paragraph (*b*) of subsection (2) of section 41 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 a member of the regular forces he is entitled under the *Canadian Forces Superannuation Act* to an 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."

24. The said Act is further amended by adding thereto, immediately after section 41 thereof, the following section:

Election to reduce basic benefit.

"**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.

Idem.

(2) An election made under this section is irrevocable."

1953-54, c. 64, s. 2.

25. Section 42 of the said Act is repealed and the following substituted therefor:

Amount of contribution.

"**42.** Every participant shall contribute to the Consolidated Revenue Fund at the rate of ten cents per month for every two hundred and fifty dollars in the amount of his basic benefit (reduced, if the participant has attained the age of sixty-five years and is employed in the Public Service, having been so employed substantially without interruption for five years or more or having been a participant under this Part without interruption for five years or more, by twenty cents per month, commencing as of such time as the regulations prescribe, being the contribution otherwise payable under this Part for the basic benefit in the amount of five hundred dollars referred to in paragraph (*a*) of subsection (1) of section 39) or, in the case of elective participants and participants who are absent from duty, such contributions as the regulations prescribe."

Clause 25: This amendment, which adds the underlined words, is consequential upon the provision by clause 21 of a paid-up death benefit.

1953-54, c. 64, s. 2.

26. (1) Paragraphs (*a*) and (*b*) of subsection (1) of section 44 of the said Act are repealed and the following substituted therefor:

"(*a*) in the case of a deceased male participant survived by a spouse, to the spouse; and

(*b*) in the case of any other deceased participant, to the estate of the participant."

(2) This section is applicable in respect of any participant whose death occurred after the coming into force of this section.

1953-54, c. 64, s. 2.

27. (1) Paragraphs (*c*) and (*d*) of subsection (1) of section 45 of the said Act are repealed and the following substituted therefor:

"(*c*) one-sixth of the benefit paid in respect of each participant who, at the time of death, was employed in the Public Service, for which benefit contributions under this Part were payable by him at that time;

(*d*) one-sixth of the benefit paid in respect of each elective public service 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, for which benefit contributions under this Part were payable by him at the time of death;

(*da*) the amount of the single premium determined under Schedule B in respect of each public service 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 39 applies without contribution under this Part by him therefor; and"

(2) Paragraphs (*b*) and (*c*) of subsection (2) of section 45 of the said Act are repealed and the following substituted therefor:

"(*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;

(*c*) one-sixth of the benefit paid in respect of each elective regular forces participant who upon ceasing to be a member of the regular forces was entitled under the *Canadian Forces Superannuation Act* to an annuity, for which benefit contributions under this Part were payable by him at the time of death;

Clause 26: This amendment would change the disposition of the supplementary death benefit in the case of a deceased female participant.

Subsection (1) of section 44 at present reads as follows:

"**44.** (1) Benefits shall be paid as follows:

(*a*) if the participant died leaving a spouse, to the spouse; or

(*b*) if the participant died leaving no spouse, to the estate of the participant."

Clause 27: This amendment is consequential upon the provision by clause 21 of a paid-up death benefit, and provides for the contribution to be made out of the Consolidated Revenue Fund of the amount required to provide the benefit.

Paragraphs (*c*) and (*d*) of subsection (1) of section 45 at present read as follows:

"(*c*) one-sixth of the benefits paid in respect of participants who, at the time of death, were employed in the Public Service;

(*d*) one-sixth of the benefits paid in respect of elective public service participants to whom an immediate annuity was payable under Part I upon their ceasing to be employed in the Public Service; and"

Paragraphs (*b*) and (*c*) of subsection (2) of section 45 at present read as follows:

"(*b*) one-sixth of the benefits paid in respect of participants who, at the time of death, were members of the regular forces;

(*c*) one-sixth of the benefits paid in respect of elective regular forces participants to whom a pension was payable under the *Defence Services Pension Act* upon their retirement from the regular forces; and"

(*ca*) the amount of the single premium determined under Schedule B in respect of each regular forces 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 39 applies without contributions under this Part by him therefor; and"

1953-54, c. 64, s. 2.

28. (1) Paragraph (*e*) of subsection (1) of section 50 of the said Act is repealed and the following substituted therefor:

"(*e*) respecting the manner and time of making elections under this Part;"

(2) Paragraph (*f*) of subsection (1) of section 50 of the said Act is repealed and the following substituted therefor:

"(*f*) authorizing payment, with the approval of the Treasury Board, out of any benefit payable to the spouse or estate of a deceased participant, of reasonable expenses incurred for the maintenance, medical care or burial of the participant;"

(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*), (*m*), (*n*), (*o*), (*oa*) and (*p*) of subsection (1) of section 30 are, *mutatis mutandis*, applicable to this Part."

(4) Subsection (2) is applicable in respect of any participant whose death occurred after the coming into force of this section.

29. (1) Part II of Schedule A to the said Act is amended by adding thereto the following:

"A person designated by the Governor in Council to act as a Court for the purposes of the *Canadian Citizenship Act*"

(2) Part III of Schedule A to the said Act is amended by adding thereto the following:

"Ottawa Branch of the Royal Mint"

(3) Clause (1) of Part IV of Schedule A to the said Act is repealed and the following substituted therefor:

"(1) Service of a person with a corporation included in this Part is service in the Public Service only if that person

Clause 28: (1) The new paragraph (*e*) relating to the manner and time of making elections under Part II of the Act replaces the present paragraph (*e*) which reads as follows:

"(*e*) respecting the manner and time of proof of age and of death;"

The repeal of the present paragraph (*e*) is consequential upon the amendment effected by subclause (3) of this clause.

(2) Paragraph (*f*) at present reads as follows:

"(*f*) authorizing payment, with the approval of the Treasury Board, out of any benefit payable to the estate of a deceased participant, of expenses incurred for the maintenance, medical care or burial of the participant;"

(3) The purpose of this amendment is to make applicable to Part II of the Act certain additional provisions of Part I for the purpose of facilitating the administration of the provisions of the Act relating to the payment of supplementary death benefits.

Clause 29: (1) This amendment adds to the portions of the public service of Canada declared by Part II of Schedule A to be part of the Public Service the persons referred to therein.

(2) This amendment adds to the portions of the public service of Canada deemed by Part III of Schedule A to have formed part of the Public Service the portion referred to therein.

(3) to (5) These subclauses would permit a contributor to elect to count as pensionable service any service as an employee of a corporation listed in Part IV of Schedule A.

Clauses 1 and 3 of Part IV of Schedule A at present read as follows:

"(1) Employment of a person with a corporation included in this Part is employment in the Public Service only if that person is not by this Part precluded from contributing to the Superannuation Account in respect of that employment."

"(3) No person may elect under this Act to pay for service with a corporation included in this Part if he became employed in the Public Service after the coming into force of this Act."

is not precluded by this Part from contributing to the Superannuation Account in respect of that service or from electing to pay for that service otherwise than as service in pensionable employment immediately before becoming employed in the Public Service."

(4) Clause (3) of Part IV of Schedule A to the said Act is repealed and the following substituted therefor:

"(3) No person who became employed in the Public Service after the 31st day of December, 1953 may elect to pay for service with a corporation included in this Part otherwise than as service in pensionable employment immediately before becoming employed in the Public Service."

(5) In its application to any person who, before the coming into force of this section, was a contributor under Part I of the said Act but was not, by virtue of Part IV of Schedule A to the said Act as it was before being amended by this section, entitled to elect to pay for any period of service with a corporation included in Part IV of the said Schedule, clause (B) of subparagraph (iii) of paragraph (*b*) of subsection (1) of section 5 of the said Act 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 an Act of the Parliament of Canada passed in 1960 entitled *An Act to amend the Public Service Superannuation Act*".

30. The said Act is further amended by adding thereto the following Schedule:

"SCHEDULE B.

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"

Clause 30: The new Schedule sets forth the amount of the contribution to be made out of the Consolidated Revenue Fund in respect of the new paid-up death benefit provided by clause 21.

C-77.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-77.

An Act respecting the Civil Service of Canada.

First reading, June 20, 1960.

THE MINISTER OF FINANCE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23254-6

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-77.

An Act respecting the Civil 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 *Civil Service Act*.

INTERPRETATION.

Definitions "Allowance."

2. (1) In this Act,

(*a*) "allowance" means compensation payable

(i) in respect of a position, or in respect of some of the positions in a class, by reason of duties of a special nature, or

(ii) for duties that an employee is required to perform in addition to the duties of his position;

"Civil service."

(*b*) "civil service" means the positions in the public service for the appointment to which there is no authority in or under any Act of Parliament (other than this Act) except

(i) the offices of commissioner;

(ii) prevailing rates positions;

(iii) persons engaged locally outside Canada;

(iv) positions in or in connection with government railways or ships; and

(v) postmasters of any revenue post office the revenue of which does not exceed three thousand dollars per annum;

"Classify."

(*c*) "classify" in relation to a position means to assign a class and grade to a position;

"Closed competition."

(*d*) "closed competition" means a competition that is open only to persons employed in the public service;

"Commission."

(*e*) "Commission" means the Civil Service Commission;

"Commissioner."
(*f*) "commissioner" means a member of the Commission, and includes the Chairman;

"Department."
(*g*) "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."
(*h*) "deputy head" in relation to a department named in Schedule A to the *Financial Administration Act* means the deputy minister of the department, and in relation to any division or branch of the public service designated under paragraph (*g*) as a department, such person as the Governor in Council may designate as the deputy head for the purposes of this Act;

"Employee."
(*i*) "employee" means a person employed in the civil service;

"Establishment."
(*j*) "establishment" means the positions in a department to which appointments may be made, as approved by the Governor in Council;

"Government railways or ships."
(*k*) "government railways or ships" means
(i) any railway owned or controlled by Her Majesty, and
(ii) any vessel, however propelled, used in navigation or in the improvement of navigation that is the property of or chartered or employed by Her Majesty, or the cost of which, or any portion of the cost of which, has been defrayed out of the Consolidated Revenue Fund;

"Lay-off."
(*l*) "lay-off" means a person who has been laid off pursuant to subsection (1) of section 54 and who in the opinion of the Commission is suitable for continued employment in the civil service;

"Local office."
(*m*) "local office" means an office established to serve an area comprising a part but not the whole of Canada;

"Minister."
(*n*) "Minister" includes the Solicitor General and any member of the Queen's Privy Council for Canada holding the office of a Minister of the Crown;

"Misconduct."
(*o*) "misconduct" means misconduct, incompetence or negligence of an employee in the performance of his duties, and includes bringing the civil service into disrepute;

"Open competition."
(*p*) "open competition" means a competition that is open to persons who are not employed in the public service as well as to persons who are so employed;

"Prevailing rates positions."
(*q*) "prevailing rates positions" means positions not being professional, semi-professional, managerial or clerical in character, declared by the Governor in

Council, after the Commission has had an opportunity of considering the matter and after considering any recommendation made by the Commission, to be prevailing rates positions;

"Public service."

(*r*) "public service" means the Public Service as defined in the *Public Service Superannuation Act;* and

"Remuneration."

(*s*) "remuneration" means pay and allowances.

Members of R.C.M.P. and Canadian Forces.

(2) For the purposes of paragraphs (*d*) and (*p*) of subsection (1) of this section and subsection (1) of section 35, members of the Royal Canadian Mounted Police or the Canadian Forces shall be deemed to be persons employed in the public service.

Lower and higher positions defined.

(3) Where in any of the provisions of this Act a comparison is made between a position in one grade and a position in another grade, for the purposes of such comparison the position in the grade having the higher maximum rate of pay shall be known as the higher position and the other position shall be known as the lower position.

References.

(4) Unless the context otherwise requires

(*a*) a reference in any of the provisions of this Act to a deputy head in relation to an employee shall be construed as a reference to the deputy head of the department in which the employee is employed; and

(*b*) a reference in any of the provisions of this Act to a deputy head in relation to a department shall be construed as a reference to the deputy head of that department.

Acting deputy head.

3. (1) In the absence of the deputy head or if there is no deputy head, the assistant deputy head or, in the absence of the assistant deputy head or if there is no assistant deputy head, the person designated by the person who under the *Financial Administration Act* is the appropriate Minister with respect to the department, or such other person as may be designated by the Governor in Council, has and may exercise the powers, duties and functions of the deputy head.

Delegation by deputy head.

(2) The deputy head may authorize any person employed in his department to exercise any of the powers, functions or duties of the deputy head under this Act.

PART I.

Civil Service Commission.

Commission Established.

Commission established.

4. (1) There shall be a Commission to be called the Civil Service Commission, consisting of a Chairman and two additional members to be appointed by the Governor in Council.

Tenure.

(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.

Re-appointment.

(3) A commissioner is on the expiration of his first or a subsequent term of office 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 as may be fixed by the Governor in Council.

Other employment prohibited.

(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 entering upon the duties of his office, take and subscribe before the Clerk of the Privy Council, the oath in Schedule A.

Chairman.

5. (1) The Chairman is the chief executive officer of the Commission and has supervision over and direction of the work and staff 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.

6. The Commission shall

(*a*) appoint qualified persons to the civil service in accordance with the provisions and principles of this Act;

(*b*) 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, at the request of the Governor in Council, on any matter pertaining to organization and employment in the public service;

(*c*) at the request of a deputy head, report upon any matter pertaining to organization and employment in the department;

(*d*) obtain the assistance of competent persons to assist the Commission in the performance of its duties;

(*e*) operate and assist departments in operating staff development training programmes; and

(*f*) perform such other duties and functions with reference to the public service as are assigned to it by the Governor in Council.

Consultation with Staff Organizations.

Consultation with staff organizations.

7. The Commission, and such members of the public service as the Minister of Finance may designate, shall from time to time consult with representatives of appropriate organizations and associations of employees with respect to pay and other terms and conditions of employment whenever in the opinion of the Commission or the Minister of Finance, as the case may be, such consultation is necessary or desirable in the interests of the civil service or the Government.

Records and Inquiries.

Access to records, assistance, etc.

8. (1) Deputy heads and employees shall give the Commission such access to their respective departments and 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 or any commissioner 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.

Organization of the Civil Service.

Classification.

Classes.

9. (1) The Commission shall divide the civil service into classes of employment and shall classify each position therein.

Grades.

(2) The Commission may subdivide each class into two or more grades, but where a class is not so subdivided it shall for the purposes of this section constitute a grade.

Standards.

(3) The Commission shall define each grade by reference to standards of duties, responsibilities and qualifications, and shall give it an appropriate title.

Content of grade.

(4) Each grade shall embrace all positions in a class having similar duties and responsibilities and requiring similar qualifications of persons appointed to a position in the grade.

Amendments.

(5) The Commission may divide, combine, alter or abolish any classes or grades, but no alteration in the establishment of a department shall be effected by anything done under this subsection without the approval of the Governor in Council.

Classification titles, when to be used.

(6) The title of each grade shall be observed in all records of the Commission, the Auditor General and the Treasury Board, and in all departmental estimates and parliamentary returns and appropriations, but need not be used for other purposes.

Pay and Allowances.

Recommendations on pay rates.

10. (1) The Commission shall keep under review the rates of remuneration to employees and shall whenever it considers it desirable or whenever requested by the Governor in Council make recommendations with regard thereto to the Governor in Council.

Considerations.

(2) The Commission in making recommendations on remuneration shall consider the requirements of the civil service, and shall also take into account the rates of pay and other terms and conditions of employment prevailing in Canada for similar work outside the civil service, the relationship of the duties of the various classes within the civil service and any other considerations that the Commission considers to be in the public interest.

Governor in Council to fix.

11. The Governor in Council, after the Commission has had an opportunity of considering the matter and after considering any recommendations made by the Commission, shall

(*a*) establish rates of pay for each grade; and

(*b*) establish the allowances that may be paid in addition to pay.

Form of rates.

12. The rates of pay for each grade shall consist of a minimum rate, a maximum rate and one or more intermediate rates, or such other rate as may in any special case be appropriate.

Acting pay.

13. Where an employee is required to perform for a temporary period the duties of a higher position than the one held by him, the Commission may in accordance with the regulations authorize the payment to him of acting pay during such temporary period; and during the time that the employee is being paid acting pay he has and may exercise the power and authority of the person holding the higher position.

No extra remuneration.

14. (1) Unless authorized by or under this Act or any other Act of Parliament, no payment additional to the remuneration authorized by law shall be made to any employee in respect of any service rendered by him.

Exceptions.

(2) Nothing in this section shall be construed to prohibit

(*a*) payment to an employee of remuneration in respect of each of two or more positions, if the remuneration in respect of one position is not sufficient to compensate him for his whole time and the total remuneration of the employee does not in the opinion of the Commission exceed reasonable remuneration for the duties performed; or

(*b*) payment to an employee who is on leave of absence and is performing duties in the office of a Minister, of such amount or at such rate as the Governor in Council may fix.

Leader of the Opposition.

(3) Paragraph (*b*) of subsection (2) applies to an employee performing duties in the office of the person holding the recognized position of Leader of the Opposition in the House of Commons as it applies to an employee performing duties in the office of a Minister.

Establishments.

Organization of departments.

15. When a department or a branch or division of a department is constituted, the deputy head shall prepare a statement showing

(*a*) the number of employees required for the proper conduct of the business of the department;

(*b*) the duties and responsibilities of each employee and the qualifications desired; and

(*c*) a plan of organization showing the proposed branches or divisions of the department and the relationship between the persons to be employed therein.

Classification.

16. (1) The deputy head shall refer the statement prepared under section 15 to the Commission and the Commission shall classify the position of each proposed employee.

Establishments.

(2) The deputy head shall prepare a list of proposed positions showing the class and grade of each position and the title of each grade and, when approved by the Governor in Council, the positions constitute the establishment for the department.

Pay.

(3) The rate of pay applicable to a position as described on an establishment is the rate established by the Governor in Council for the class and grade within which the position is included.

Classification of new positions.

17. (1) When a deputy head is of the opinion that the proper functioning of the department requires the addition of a position to the establishment of the department, he may submit to the Commission a description of the proposed position setting forth

(*a*) the duties to be performed,

(*b*) the responsibilities to be assumed, and

(*c*) the qualifications desired,

and the Commission shall classify the position.

Addition of position by deputy head.

(2) Subject to any limitation or direction of a special or general character imposed by the Governor in Council, the deputy head may issue a certificate in a form prescribed by the Governor in Council setting forth the classification of a position by the Commission pursuant to subsection (1) and the day on which the position is added to the establishment of the department, and thereupon the establishment shall be deemed to be amended accordingly.

By Governor in Council.

(3) Notwithstanding anything in this section, the Governor in Council may add to the establishment of a department a position classified by the Commission under subsection (1).

Abolition of position.

(4) A deputy head may by the issue of a certificate in a form prescribed by the Governor in Council abolish any vacant position on the establishment of the department.

Report to Treasury Board.

18. The deputy head shall forthwith send to the Treasury Board and the Commission a copy of every certificate issued by him under section 17.

Establishment review.

19. (1) The Governor in Council may from time to time review the establishments of departments and may, after considering the recommendations or representations of the deputy head, delete positions from or add positions to the establishment of the department.

Plan of organization.

(2) For the purposes of this section, the deputy head shall submit to the Governor in Council a plan of organization and such further information or material as the Governor in Council may require.

PART III.

APPOINTMENT.

Authority to Appoint.

Exclusive right to appoint.

20. (1) Except as otherwise provided in this Act or the regulations, the Commission has the exclusive right and authority to appoint persons to positions in the civil service.

Appointments to fill vacancies.

(2) When a position on the establishment of a department is vacant, the Commission shall, at the request of the deputy head, fill the position by an appointment

(*a*) to that position,

(*b*) to a lower position in the same class, or

(*c*) to an alternate position as provided in subsection (4).

To lower position.

(3) Where a vacant position is filled by the appointment to a lower position in the same class, the lower position shall be deemed to be substituted for the vacant position on the establishment during the time that there is an incumbent in the lower position.

To alternate position.

(4) Where there is a vacant position on the establishment of a department and it is desired to make an appointment to an alternate position not on the establishment

(*a*) the deputy head may, without abolishing the vacant position, add the alternate position to the establishment in accordance with the provisions of section 17 if the alternate position is not higher than the vacant position; and

(*b*) the Commission may make an appointment to the alternate position, but there shall not be incumbents of both positions at the same time.

Appointments to be by competition within public service.

21. Whenever in the opinion of the Commission it is possible to do so and it is in the best interests of the civil service, appointments shall be made from within the public service by competition.

Appointments from within public service.

22. Where, in the opinion of the Commission, after considering any recommendations of the deputy head, it is impractical or not in the best interests of the civil service to make an appointment from within the public service by competition, the Commission may, without competition, appoint the person from within the public service who in the opinion of the Commission is best qualified.

When appointments from outside public service authorized.

23. Where, in the opinion of the Commission, a suitable appointment cannot be made from within the public service the appointment may be made in accordance with this Act from outside the public service.

Appointment by deputy.

24. (1) Where by reason of any emergency the immediate appointment of an employee is necessary, the deputy head or some person authorized by him may, notwithstanding anything in this Act and whether or not there is a vacant position on the establishment, make the appointment for one period not exceeding two months if the duties are required to be performed in Canada and for one period not exceeding three months if the duties are required to be performed outside Canada.

Report.

(2) The deputy head shall forthwith notify the Commission and the Treasury Board of any appointment made by him under this section.

Remuneration.

(3) The remuneration that may be paid to persons appointed under the authority of subsection (1) shall be the remuneration established by the Governor in Council for the class and grade within which a position having comparable duties and responsibilities is included or such higher rate as may be fixed by the Governor in Council, or, where there is no such position, the remuneration established by the Governor in Council.

Persons having special skill.

25. Where, because of the urgent need for the appointment or because of the limited availability of suitable candidates a competition is not in the opinion of the Commission practical or in the public interest, the Commission may without competition appoint persons having special skill or knowledge whose services are required for duties of an exceptional character.

Probation.

26. (1) Where an appointment is made from within the public service the probation period specified by section 48 shall be reduced to six months and the deputy head may, if he considers it appropriate in any case, further reduce or waive the probationary period.

Notice.

(2) If the deputy head reduces or waives the probationary period in any case he shall forthwith give notice thereof to the employee and to the Commission.

Transfers and promotions.

27. Where an employee is about to be transferred or promoted to another position in the civil service,

(*a*) if the selection of the employee for transfer or promotion was made by competition, the unsuccessful candidates, and

(*b*) if the selection of the employee for transfer or promotion was made without competition, the persons whose opportunity for promotion has thereby been prejudicially affected, as prescribed by the regulations,

shall, before the transfer or promotion becomes effective, be given an opportunity of appealing to the Commission, and the Commission shall reconsider the matter and shall confirm or rescind the transfer or promotion as it sees fit.

Appointments within public service but outside civil service.

28. Notwithstanding anything in this Act, a person who is employed in the public service but not in the civil service shall not be appointed to a position in the civil service without competition unless

(*a*) he is appointed under section 24 or 25; or

(*b*) he has been employed in the public service for at least three years.

Diplomatic appointments.

29. 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.

Eligible Lists.

Appointments to be from eligible lists.

30. Where an appointment by the Commission is to be made to a position by competition the appointment shall be made from an eligible list established for that position or for the class or grade in which that position is included.

Establishment of eligible lists.

31. (1) The Commission may establish an eligible list

(*a*) in order to make an appointment to a particular position that is vacant or is about to become vacant; or

(*b*) in order to make appointments to positions of a grade or class as they become vacant.

Designation of lists.

(2) A list described in paragraph (*a*) of subsection (1) shall be known as a special eligible list, and a list described in paragraph (*b*) of that subsection shall be known as a general eligible list.

Established after competition.

32. An eligible list may be established only after a competition has been conducted by the Commission.

Qualifications.

33. The Commission may in relation to any position or any class or grade prescribe qualifications as to 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.

Area of competition.

34. Before conducting a competition the Commission shall

(*a*) in the case of a closed competition, determine the division or branch of the public service, and the class or grade of position, if any, in which prospective candidates must be employed in order to be eligible for appointment; and

(*b*) in the case of an open competition, determine the area in which applicants must reside in order to be eligible for appointment.

Appointments to local office.

35. Where the duties of a position are to be performed in a local office the Commission in making an appointment to that position from outside the public service shall, whenever it is practical and in the best interests of the civil 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.

Notice.

36. 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.

37. Applications shall be in such form and shall be made and verified in such manner as the Commission determines.

Consideration of applications.

38. (1) The Commission shall examine and consider all applications received within the time prescribed by it for the receipt of application 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, and shall place them in order of merit.

Option as to language.

(2) An examination, test or interview under this section shall be conducted in the English or French language at the option of the candidate.

Veterans, etc.

(3) Where in the opinion of the Commission there are sufficient qualified applicants coming within paragraphs (*a*) and (*b*) of section 40 to enable the Commission to prepare an eligible list in accordance with section 42, the Commission may confine its selection of qualified candidates under subsection (1) to those applicants.

Delegation to deputy head.

39. The Commission may authorize a deputy head to exercise and perform any of the powers or functions of the Commission under this Act in relation to the selection of candidates for a position.

Order of preferences.

40. (1) In the case of an open competition the Commission shall, after complying with section 38 and after making such further investigations as it considers necessary, prepare a list of candidates in accordance with the following principles:

(*a*) those who are in receipt of a pension

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

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

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

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

(*c*) Canadian citizens not coming within paragraph (*a*) or (*b*) shall be placed in order of merit after any candidates coming within either of those paragraphs; and

(*d*) persons not coming within paragraph (*a*), (*b*) or (*c*) shall be placed in order of merit after any candidates coming within any of those paragraphs.

Application of age limits, etc. to veterans, etc.

(2) The provisions of any statute or regulations prescribing the age limit and physical requirements with respect to any appointment in the civil service do not apply to a person mentioned in paragraph (*a*) or (*b*) of subsection (1), 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.

References in former Act.

(3) A reference in any 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 section.

Revenue postmasters.

(4) This section applies to the selection and appointment of any person mentioned in subparagraph (v) of paragraph (*b*) of subsection (1) of section 2.

Definitions.

41. (1) For the purposes of section 40 and this section

"Member of the Women's Royal Naval Services."

(*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;

"Veteran."

(*b*) "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 programme 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;

"Western Hemisphere."

(*c*) "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;

"Widow of a veteran."

(*d*) "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;

"World War I."

(*e*) "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;

"World War II."

(*f*) "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.

Termination dates.

(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.

Eligible lists.

42. From the list of qualified candidates the Commission shall prepare a list, to be known as the eligible list, which shall include the highest ranking candidates and shall, wherever possible, include a number of names sufficient in the opinion of the Commission

(*a*) in the case of a special eligible list, to provide for the filling of the position; and

(*b*) in the case of a general eligible list, to provide for the filling for a period of one year of the positions that are likely to become vacant in the grade or class in relation to which the list was established.

Publication.

43. (1) The Commission shall publish each eligible list in the *Canada Gazette* within thirty days after the list is established.

Duration.

(2) An eligible list is valid for a period of one year from the effective date thereof as established by the Commission.

Extension.

(3) The Commission may extend the period of validity of an eligible list by one or more extensions, but the total extensions shall not exceed one year in the aggregate.

Deletion of names.

44. The Commission may delete the name of a candidate from an eligible list if he has indicated to the satisfaction of the Commission that he is unwilling or unable to accept the appointment.

Appointments.

Appointments from list.

45. (1) Where a special eligible list has been established the person standing highest on the list who is willing to accept the appointment shall be appointed to the position.

Idem.

(2) Where a general eligible list has been established the person standing highest on the list who is willing to accept the appointment shall be appointed to the first position in the class or grade for which the list was established that becomes vacant after the list was established or after the previous appointment from that list, except that where in the opinion of the Commission any special qualifications are required for the vacant position not applicable to all the positions in the class or grade, the persons on the list not possessing those qualifications are not eligible to be appointed to that position.

Where list exhausted.

46. Where a general eligible list established for a grade is exhausted, an appointment to a position in that grade may be made from an eligible list established for a higher grade of the same class.

Language.

47. The number of employees appointed to serve in any department or in any local office of a department who are qualified in the knowledge and use of the English or French language or both shall, in the opinion of the Commission, be sufficient to enable the department or local office to perform its functions adequately and to give effective service to the public.

Probationary period.

48. (1) An employee shall be considered to be on probation for a period of one year after his appointment, or such longer period as the Commission may establish for any class or grade of position.

Extension.

(2) The Commission may, on the recommendation of the deputy head, extend the probationary period of an employee, but the period of the extension shall not exceed the period specified in or established in relation to that position under subsection (1).

Rejection.

49. (1) The deputy head may at any time during the probationary period reject the employee for cause, and if the deputy head rejects an employee he shall furnish to the Commission his reasons therefor.

Effect of rejection.

(2) An employee who has been rejected under this section ceases to be an employee.

PART IV.

Terms and Conditions of Employment.

Tenure.

Tenure of office.

50. (1) 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.

Saving.

(2) Nothing in this Act shall be construed to limit or affect the right or power of the Governor in Council to remove or dismiss any employee.

Term appointments.

51. An employee who is appointed to a position in the civil service for a specified period ceases to be an employee at the expiration of that period.

Resignation.

52. (1) An employee may resign his position in the civil service by giving to the deputy head two weeks' notice in writing of his intention to resign his position.

Acceptance and withdrawal.

(2) A resignation is completed when it is accepted in writing by the deputy head, but it may, by an appropriate notice in writing and with the approval of the deputy head, be withdrawn at any time before the effective date thereof, if no person has been appointed or selected for appointment to the position to be vacated by the resignation.

Abandonment.

53. An employee who is absent from duty without leave for a period of one week or such longer period as may be prescribed by the regulations may by an appropriate instrument in writing be declared by the deputy head to have abandoned his position, and thereupon the position becomes vacant and the employee ceases to be an employee.

Lay-Offs.

Laying off employees.

54. (1) Where the duties of a position held by an employee are no longer required to be performed, the deputy head may lay off the employee and he thereupon ceases to be an employee.

Re-appointment.

(2) The Commission may without competition appoint a lay-off to any position in the civil service for which he is qualified having the same or lower maximum rates of pay as the position held by him at the time he was laid off.

Competitions.

(3) A lay-off is entitled for a period of twelve months after he was laid off to enter any competition for which he would have been eligible had he not been laid off.

To be considered for appointment.

(4) Notwithstanding anything in this Act, a lay-off shall be considered for appointment to a position for which he is qualified, having the same or lower maximum rates of pay as the position held by him at the time he was laid off, in priority to all other qualified persons and in priority to all other persons who became lay-offs at a later time.

Termination of lay-off status.

(5) A person ceases to be a lay-off if he is appointed to or declines an appointment to a position in the public service with the same or higher maximum rates of pay.

Order of laying off.

55. (1) Where two or more persons employed in positions of the same grade in any unit of a department are to be laid off, or where one person is to be laid off and there are other persons holding positions of the same grade in the same unit of the department, the Commission shall, after considering such material and conducting such examinations, tests, interviews and investigations as it considers necessary, list the persons holding positions of the same grade in order of merit as in subsection (1) of section 38 and such persons shall be laid off in order beginning with the person lowest on the list.

"Unit of a department" defined.

(2) For the purposes of this section the expression "unit of a department" means the department or some branch or division thereof as prescribed by the Commission.

Demotion and Suspension.

Misconduct.

56. (1) Where an employee, in the opinion of the deputy head, has been guilty of misconduct, the deputy head

(*a*) may recommend to the Commission that the employee be demoted

(i) by reduction in his pay, but not lower than the minimum pay for his position,

(ii) by appointment to a position in a lower grade in the class of his position, or

(iii) by appointment to another position with a lower maximum rate of pay, and

(*b*) may by an appropriate notice in writing suspend the employee for a period not exceeding six months.

Notice.

(2) The deputy head shall give an employee notice in writing of a decision to recommend that the employee be demoted.

Right to appeal.

(3) Within the two weeks after receiving a notice under subsection (2), or within two weeks after receiving notice of a suspension under this section, the employee may appeal to the Commission against the decision of the deputy head.

If no appeal.

(4) If no appeal is taken to the Commission against a decision to recommend demotion, the Commission shall demote in accordance with the recommendation of the deputy head.

If appeal.

(5) If an appeal is taken to the Commission under this section, the Commission shall

(*a*) if the appeal is against a recommendation to demote, take such action with regard to the recommendation as it sees fit, and

(*b*) if the appeal is against a suspension,

(i) confirm the suspension,

(ii) reduce the period of the suspension, or

(iii) revoke the suspension as of the day it was imposed,

as it sees fit.

Demotion.

(6) A demotion under this section may be for a fixed period.

Re-instatement.

(7) The Commission may at any time, on the recommendation of the deputy head, re-instate a demoted employee.

Suspension.

57. In any case where

(*a*) it is alleged that an employee has been guilty of misconduct and the deputy head considers it desirable to investigate the allegation, or

(*b*) criminal proceedings against an employee are pending,

the deputy head may by an appropriate notice in writing suspend the employee for a period not exceeding six months.

Notice of suspension.

58. (1) If a deputy head suspends an employee he shall forthwith give notice thereof to the Commission.

No remuneration during suspension.

(2) An employee is not entitled to any remuneration in respect of any period during which he is under suspension.

Termination.

(3) The deputy head may at any time terminate a suspension.

Suspension pending inquiry.

59. (1) This section applies when an employee is suspended under section 57.

Extension.

(2) The Commission may on the application of the deputy head extend the suspension, but not for more than six additional months at any one time.

Proceedings upon completion of inquiry.

(3) Upon completion of the investigation or proceedings, as the case may be, the deputy head shall

(*a*) if as the result of the investigation or proceedings he is satisfied that the employee has been guilty of misconduct

(i) recommend the dismissal or demotion of the employee, or

(ii) suspend the employee for a further period not exceeding six months; or

(*b*) if as the result of the investigation or proceedings he is not satisfied that the employee has been guilty of misconduct, rescind the suspension retroactively to the time it was first imposed.

Application of ss 56 and 60.

(4) Where under this section the deputy head suspends an employee or decides to recommend demotion, the provisions of section 56 apply, and where under this section the deputy head decides to recommend dismissal, the provisions of section 60 apply.

Dismissals.

Notice of dismissal recommendation.

60. (1) Where the deputy head has decided to recommend that an employee be dismissed, he shall give the employee notice in writing of his decision.

Right to appeal.

(2) Within two weeks after receiving a notice under subsection (1) the employee may appeal to the Commission against the decision of the deputy head.

If no appeal.

(3) If no appeal is taken to the Commission against a decision to recommend dismissal, the deputy head may so recommend.

If appeal.

(4) If an appeal is taken to the Commission under this section, the Commission shall make a full report of the matter to the deputy head, and if the deputy head recommends dismissal he shall transmit with his recommendation the report and recommendation of the Commission.

Dismissal.

(5) The Governor in Council may dismiss an employee pursuant to a recommendation under this section.

Political Partisanship.

Partisan work prohibited.

61. (1) No deputy head or employee shall

(*a*) engage in partisan work in connection with any election for the election of 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 political party.

Violation.

(2) Every person who violates subsection (1) is liable to be dismissed.

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 at which that person has been given an opportunity of being heard.

Holidays.

Holidays.

62. The following days are holidays for the civil service:

(*a*) Sundays;
(*b*) New Year's Day;
(*c*) Good Friday;
(*d*) Easter Monday;
(*e*) the day fixed by proclamation of the Governor in Council for the celebration of the birthday of the Sovereign;
(*f*) Dominion Day;
(*g*) Labour Day;
(*h*) Remembrance Day;
(*i*) Christmas Day; and
(*j*) the day fixed by proclamation of the Governor in Council as a general day of thanksgiving;

and any other day fixed by proclamation of the Governor in Council as a holiday for all or any part of the civil service is a holiday for the civil service or for that part of the civil service, as the case may be.

Leave of Absence.

Annual leave.

63. (1) Subject to this section, every employee is entitled to annual vacation leave, that is to say, leave of absence with pay for a period of three weeks in respect of each fiscal year.

In respect of first year.

(2) The vacation leave to which an employee is entitled in respect of the fiscal year in which he was appointed is such period as may be prescribed by the regulations.

Minimum service.

(3) No employee shall be granted vacation leave unless he has been employed in the civil service for at least six months.

Times for taking leave.

(4) Annual vacation leave shall be taken at such times as the deputy head may specify and, subject to the regulations, shall be granted during the fiscal year in respect of which it was earned or during the next following fiscal year.

Re-appointment during extended leave.

64. (1) Where an employee has been granted leave of absence for a period in excess of two months, the Commission may appoint another person to that employee's position and, in that event, the employee ceases to be the incumbent of

that position but during the remaining period for which he was granted leave of absence he shall, subject to this section, be deemed to be the incumbent of an equivalent position on the establishment.

Remuneration.

(2) An employee who by subsection (1) is deemed to be the incumbent of an equivalent position is not entitled to any remuneration in respect of that position unless he was, in accordance with the regulations, granted leave of absence with pay.

Appointment to another position.

(3) Where an employee is on leave of absence and another person is appointed to his position under subsection (1), the Commission may, during or after the expiration of the period of leave, appoint the employee without competition to another position in the civil service for which he is qualified.

Pay.

Rate of pay on appointment.

65. (1) Subject to this section, the rate of pay of an employee appointed to a position shall be the minimum rate for the grade of that position.

Idem.

(2) Where a person holding a position in the public service is appointed to a position in the civil service his rate of pay upon appointment shall be the minimum rate or other rate as prescribed by the regulations.

Appointments at higher than minimum rate.

(3) The Commission may, with the approval of the Governor in Council, make an appointment to a position or to positions in a class at a rate of pay higher than the minimum rate applicable to that position or class.

Right to remuneration.

(4) Subject to this Act, an employee is entitled to be paid the remuneration applicable to the position held by him.

Oath of office and allegiance.

66. (1) Every deputy head and employee shall, before any salary is paid him, take and subscribe the oath of allegiance and the oath set out in Schedule B.

Before whom taken.

(2) Where a person is required to take and subscribe the oaths prescribed by this section he shall take and subscribe the oaths before the Clerk of the Privy Council or a person authorized by the Governor in Council to administer the oaths prescribed by this section, and the oaths in writing so subscribed shall thereupon be forwarded to the Clerk of the Privy Council.

Oath of Clerk of Privy Council.

(3) Notwithstanding anything in this section, the Clerk of the Privy Council shall take and subscribe the oaths prescribed by this section before the Governor General or a person authorized by the Governor in Council to administer the oaths to the Clerk of the Privy Council.

Register of oaths.

(4) The Clerk of the Privy Council shall provide for the keeping of a register of the oaths taken and subscribed in accordance with the provisions of this section.

Increases.

Increases.

67. (1) Subject to this section, an employee holding a position for which there is a minimum and a maximum rate of pay shall be granted increases in pay until he reaches the maximum rate for the position.

Due date.

(2) Increases become due on such days as are specified in the regulations.

Amount of increase.

(3) An increase shall be to the rate in the scale of rates established for the position next higher than the rate at which the employee is being paid.

Denial of increase.

(4) An increase shall not be granted to an employee if the deputy head, before the due date, certifies to the Commission that the employee is not performing the duties of his position satisfactorily.

Employees on leave.

(5) This section applies to an employee who is on leave of absence with pay.

Notice of denial; right to appeal.

(6) If a deputy head intends to issue a certificate as described in subsection (4) with respect to an employee he shall, at least two weeks and not more than six weeks before the due date for the increase to the employee, give the employee notice of his intention to do so and the employee may within two weeks of receiving the notice appeal to the Commission.

Disposition of appeal.

(7) Where an appeal is made to the Commission under this section, the Commission shall direct that the increase be granted or denied, as it sees fit.

Where employee absent without pay

(8) This section does not apply to an employee who is on leave of absence without pay except in circumstances and under conditions prescribed by the regulations.

PART V.

GENERAL.

Regulations.

Regulations.

68. (1) The Governor in Council may, on the recommendation of the Commission, make regulations for carrying the purposes and provisions of this Act into effect, and without restricting the generality of the foregoing, may make regulations

(*a*) providing for the grant of vacation leave in excess of three weeks in respect of any fiscal year in special circumstances, prescribing the vacation leave to which an employee is entitled in respect of the fiscal year in which he was appointed, and providing for the grant of vacation leave with the consent of the employee at a time other than as prescribed in section 63;

(*b*) providing for the grant to an employee of retiring leave, that is to say, leave of absence with pay terminating with his retirement from the civil service, or the payment of a gratuity in lieu thereof;

(*c*) providing for the grant of leave of absence, other than vacation leave or retiring leave, with or without pay;

(*d*) for requiring any employee by reason of special circumstances, or any class of employees by reason of the nature of their duties, to perform the duties of their positions on any holiday, but any employee who is so required to perform the duties of his position on a holiday shall be granted a holiday on some other day, or shall be paid compensation for overtime in lieu thereof;

(*e*) for regulating hours of work, attendance and other matters pertaining to the performance of duties;

(*f*) for authorizing the grant of leave of absence with pay for overtime, or the payment of compensation in lieu thereof to the employee or his personal representative;

(*g*) prescribing due dates of pay increases and the manner in which alterations in rates of pay shall be implemented;

(*h*) prescribing the circumstances and conditions under which pay increases may be granted to employees who are on leave of absence without pay;

(*i*) prescribing the rate of pay upon appointment where a person holding a position in the public service is appointed to a position in the civil service;

(*j*) prescribing the period of absence from duty after which the employee may be declared to have abandoned his position;

(*k*) prescribing the effective date of an appointment to the civil service and prescribing what shall constitute a resignation by an employee;

(*l*) prescribing how positions or employees wholly or partly excluded under section 74 shall be dealt with;

(*m*) providing for the payment of acting pay where an employee is required to perform for a temporary period the duties of a higher position and prescribing the amount of such acting pay and the circumstances and conditions under which it may be paid;

(*n*) providing for the selection, appointment, conditions of employment and remuneration of casual, part-time and seasonal employees, notwithstanding anything in this Act;

(o) prescribing for the purposes of this Act what shall constitute a transfer or a promotion and the persons whose opportunity for promotion has been prejudicially affected thereby;

(p) prescribing what shall constitute continuity of employment for the purposes of this Act;

(q) for regulating the holding of offices or positions outside the public service by persons employed in the public service;

(r) prescribing procedure on appeals;

(s) authorizing the Commission to revoke an appointment where it finds any irregularity in the appointment or in the competition in which the appointment was made; and

(t) for any purpose for which regulations are by this Act authorized or required to be made.

Limitation.

(2) Nothing in subsection (1) shall be construed to authorize the making of regulations with respect to any of the matters set forth in section 69.

Regulations by Governor in Council.

69. The Governor in Council may make regulations

(a) applying all or any of the provisions of this Act to the positions set forth in subparagraphs (ii) to (v) of paragraph (b) of subsection (1) of section 2;

(b) imposing limitations and directions for the purposes of subsection (2) of section 17 and prescribing forms for the purposes of that section; and

(c) for ensuring and providing safe and suitable working conditions for employees.

Appeals.

Appeals.

70. (1) This section applies whenever under this Act or the regulations an appeal may be made to the Commission.

Appeal Boards.

(2) Where an appeal is made to the Commission, the Commission shall establish a Board consisting of three persons nominated by the Commission.

Board to inquire.

(3) The Board shall conduct an inquiry into the subject-matter of the appeal and shall give the employee who is appealing and the deputy head an opportunity of being heard, either personally or through a representative.

Powers.

(4) The Governor in Council may authorize a Board established under this section to exercise the powers of commissioners under Part II of the *Inquiries Act* and, if so authorized, the Board shall, for the purposes of that Part, be deemed to be commissioners appointed under that Part.

Report.

(5) After conducting an inquiry under this section the Board shall make a report to the Commission and shall make a recommendation to the Commission on the disposition of the appeal.

(*o*) prescribing for the purposes of this Act what shall constitute a transfer or a promotion and the persons whose opportunity for promotion has been prejudicially affected thereby;

(*p*) prescribing what shall constitute continuity of employment for the purposes of this Act;

(*q*) for regulating the holding of offices or positions outside the public service by persons employed in the public service;

(*r*) prescribing procedure on appeals;

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Report.

(5) After conducting an inquiry under this section the Board shall make a report to the Commission and shall make a recommendation to the Commission on the disposition of the appeal.

Ministers' Staffs.

Ministerial staffs.

71. (1) A Minister may appoint his Executive Assistant and his Private Secretary, and other persons employed in the office of a Minister shall be appointed by the Governor in Council.

Application of Act.

(2) The provisions of this Act, other than this section, are not applicable to persons employed in the office of a Minister, except such as are declared by the Governor in Council to be so applicable.

Rights on termination of employment.

(3) A person who is employed in the office of a Minister ceases to be so employed when the person holding the office of Minister ceases to be Minister, but

(*a*) a person holding the position of Executive Assistant or the position of Private Secretary to a Minister is, if he has held such position for at least three years, entitled to be appointed to a position in the civil service for which he is qualified, not being lower than the position of head clerk;

(*b*) a person who was an employee immediately before he became employed in the office of a Minister shall be deemed to be a lay-off, and for the purposes of section 54 his position at the time he so ceased to be employed in the office of a Minister shall be deemed to be the position held by him immediately before he became employed in the office of a Minister and his rate of pay shall be deemed to be the rate of pay that would have been applicable to him if he had not been appointed to a position in the office of a Minister; and

(*c*) a person who, during the time that he was employed in the office of a Minister, qualified for some other position in the civil service not in the office of a Minister, shall be deemed to be a lay-off, and for the purposes of section 54 his position at the time he so ceased to be employed in the office of a Minister shall be deemed to be such other position in the civil service and his rate of pay shall be deemed to be the minimum rate of pay for that other position at the time he qualified for it.

Prior service.

(4) The time during which a person acted as Private Secretary or Executive Assistant to a Minister before the coming into force of this Act shall, for the purposes of paragraph (*a*) of subsection (3), be deemed to be time during which such person held the position of Private Secretary or Executive Assistant, as the case may be, to a Minister.

Leader of the Opposition.

(5) 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.

Parliamentary Staff.

Parliamentary staff.

72. (1) Subject to this section, this Act applies to the officers, clerks and employees of both Houses of Parliament and of the Library of Parliament holding continuing positions.

Action in relation to Senate or House of Commons.

(2) Any action authorized or directed to be taken by the Governor in Council with respect to the officers, clerks and employees of the Senate or the House of Commons, shall be taken by the Senate or the House of Commons, as the case may be, by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the Senate or the House of Commons, as the case may be, at the next ensuing session.

Library of Parliament.

(3) Any action authorized or directed to be taken by the Governor in Council with respect to the officers, clerks and employees of the Library of Parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by both Houses of Parliament at the next ensuing session.

Work during recess.

(4) Nothing in this Act shall be construed to curtail the privileges enjoyed by the officers, clerks and employees of the Senate, House of Commons or Library of Parliament with respect to rank and precedence, attendance, office hours or leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary or remuneration.

Other Public Officials.

Clerk of the Privy Council and Governor-General's Secretary.

73. (1) The Governor in Council may appoint and fix the remuneration of the Clerk of the Privy Council and the Secretary to the Governor General, who shall be deputy heads for the purposes of this Act.

Assistant Auditor General.

(2) There shall be in the office of the Auditor General an assistant auditor general who shall act for the Auditor General in his absence.

Exclusions.

Exclusion of persons and positions.

74. In any case where the Commission decides that it is not practicable nor in the public interest to apply this Act or any provision thereof to any position or employee, the Commission may, with the approval of the Governor in Council, exclude such position or employee in whole or in

Parliamentary Staff.

Parliamentary staff.

72. (1) Subject to this section, this Act applies to the officers, clerks and employees of both House of Parliament and of the Library of Parliament holding continuing positions.

Action in relation to Senate or House of Commons.

(2) Any action authorized or directed to be taken by the Governor in Council with respect to the officers, clerks and employees of the Senate or the House of Commons, shall be taken by the Senate or the House of Commons, as the case may be, by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the Senate or the House of Commons, as the case may be, at the next ensuing session.

Library of Parliament.

(3) Any action authorized or directed to be taken by the Governor in Council with respect to the officers, clerks and employees of the Library of Parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by both Houses of Parliament at the next ensuing session.

Work during recess.

(4) Nothing in this Act shall be construed to curtail the privileges enjoyed by the officers, clerks and employees of the Senate, House of Commons or Library of Parliament with respect to rank and precedence, attendance, office hours or leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary or remuneration.

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Clerk of the Privy Council and Governor General's Secretary.

73. (1) The Governor in Council may appoint and fix the remuneration of the Clerk of the Privy Council and the Secretary to the Governor General, who shall be deputy heads for the purposes of this Act.

Assistant Auditor General.

(2) There shall be in the office of the Auditor General an assistant auditor general who shall act for the Auditor General in his absence.

Exclusions.

Exclusion of persons and positions.

74. In any case where the Commission decides that it is not practicable nor in the public interest to apply this Act or any provision thereof to any position or employee, the Commission may, with the approval of the Governor in Council, exclude such position or employee 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 employee so excluded.

Oaths.

Authority to administer oaths.

75. 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.

76. (1) The Commission shall, within five months after the 31st day of December in each year, transmit to the member of the Queen's Privy Council for Canada designated by the Governor in Council for the purpose, a report and statement of the transactions and affairs of the Commission during that year, and the member so designated shall cause the 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.

Additional information to be included.

(2) The Commission shall transmit with its annual report to Parliament a report of the positions and persons excluded under section 74 in whole or in part from the operation of the Act and the reasons therefor, and the appointments made under section 25 during the year for which the report is made and the reasons therefor.

Irregularities and Fraudulent Practices.

Fraudulent practices at examination.

77. 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 C, 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.

78. Where a person whose name is on an eligible list is proved upon any 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.

Personation.

79. Every person who, at any examination held under this Act, personates any candidate or employé, induces or allows any person to personate him or connives or assists at any personation, is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding five hundred dollars.

Illegally obtaining examination papers.

80. Every person who surreptitiously procures from any printer or other person, and every person who, without authority, furnishes to any other person any examination question paper or any other paper relating to an examination held under this Act, is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding five hundred dollars.

Application.

Application.

81. (1) This Act applies to all employees whether appointed before or after the coming into force of this Act.

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.

Transitional.

Establishments continued.

82. (1) The establishment of a department as it existed immediately before the coming into force of this Act is the establishment of the department for the purposes of this Act, subject to alteration as provided in this Act.

Classification of civil service continued.

(2) The classification of the civil service at the coming into force of this Act shall continue to be the classification of the civil service for the purposes of this Act, subject to alteration as provided in this Act.

Employees continued in office.

(3) Every person who held a position in the civil service at the time this Act comes into force continues to hold that position after that time, subject to the provisions of this Act.

Prevailing rates employees.

(4) The persons to whom the Prevailing Rate Employees General Regulations, 1960 are applicable at the coming into force of this Act shall be deemed to be employed in prevailing rates positions, subject to the provisions of this Act relating to prevailing rates positions.

Definition of "old Act."

83. (1) In this section "old Act" means the Civil Service Act, chapter 48 of the Revised Statutes of Canada, 1952.

Personation.

79. 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 and liable, on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding five hundred dollars.

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Employees continued in office.

(3) Every person who held a position in the civil service at the time this Act comes into force continues to hold that position after that time, subject to the provisions of this Act.

Prevailing rates employees.

(4) The persons to whom the *Prevailing Rate Employees General Regulations, 1960* are applicable at the coming into force of this Act shall be deemed to be employed in prevailing rates positions, subject to the provisions of this Act relating to prevailing rates positions.

Definition of "old Act."

83. (1) In this section "old Act" means the *Civil Service Act*, chapter 48 of the Revised Statutes of Canada, 1952.

Commissioners continued.

(2) The persons who at the coming into force of this Act held office under the old 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 to which they were appointed under the old Act.

Temporaries.

(3) Every person who at the coming into force of this Act is certified as a temporary employee under the old Act shall be deemed to be so certified for a period of six months after the coming into force of this Act, and if before the expiration of that period the deputy head certifies to the Commission that his work is satisfactory and he is suitable for continuing employment, he shall be deemed to have been appointed under this Act to the position occupied by him at the coming into force of this Act for an indeterminate period.

Gratuity on death.

(4) When an employee who is not a participant within the meaning of Part II of the *Public Service Superannuation Act* dies, after having been an employee for at least two years, an amount equal to his salary for two months shall be paid to his widow or to such person as the Treasury Board determines.

Repeal.

Repeal.

84. The *Civil Service Act*, chapter 48 of the Revised Statutes of Canada, 1952, is repealed.

Coming into Force.

Commencement.

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

SCHEDULE A.

Oath of Office of Commissioner.

I, ... do solemnly and sincerely swear 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 Civil Service Commission. So help me God.

SCHEDULE B.

Oath of Office and Secrecy.

I, (A.B.) solemnly and sincerely swear 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. So help me God.

SCHEDULE C.

Civil Service Commission of Canada.

To

You are hereby required to appear before the Civil Service Commission at ..... on the ..... day of ..... at ..... o'clock in the ..... noon to testify the truth according to your knowledge in a certain enquiry pending before the Civil 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.....

Civil Service Commissioner.

C-78.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-78.

An Act to amend the Judges Act.

First reading, June 21, 1960.

THE MINISTER OF JUSTICE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22345-3

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-78.

An Act to amend the Judges Act.

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.

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

1959, c. 28, s. 1.

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

"(*e*) Fifty-five puisne judges of the Superior Court, each.....16,900.00"

1955, c. 48, s. 4.

2. (1) Subsections (1) and (2) of section 21 of the said Act are repealed and the following substituted therefor:

Travelling allowances.

"**21.** (1) Subject as in this section provided, a judge of a superior or county court or a District Judge in Admiralty of the Exchequer Court who attends as such judge in court or chambers at any place other than that at which or in the immediate vicinity of which he is by law obliged to reside is entitled to be paid, as a travelling allowance,

(*a*) his moving or transportation expenses, and

(*b*) reasonable travelling and other expenses incurred by him in so attending."

(2) Subsection (6) of section 21 of the said Act is repealed.

(3) Subsection (12) of section 21 of the said Act is repealed and the following substituted therefor:

Certificate of judge.

"(12) Every application for payment of travelling allowance shall be accompanied by a certificate of the judge applying for it showing the number of days for which travelling allowance is claimed and the amount of the actual expenses incurred."

Explanatory Notes.

The purposes of this Bill are

(1) To authorize salaries for four additional judges of the Quebec Superior Court.

(2) To provide for the grant of an annuity to judges of provincial courts who, in accordance with the proposed amendment to the *British North America Act*, will cease to hold office upon attaining the age of seventy-five years.

(3) To remove anomalies in the present law relating to the grant of annuities to judges and their widows.

(4) To alter the method of payment of travelling allowances to judges.

1. The present paragraph (*e*) reads as follows:

"(*e*) Fifty-*one* puisne judges of the Superior Court, each.....16,900.00"

The proposed amendment authorizes salaries for four additional judges of the Superior Court of Quebec.

2. (1) The present subsections (1) and (2) of section 21 read as follows:

"**21.** (1) Subject as in this section provided, a judge of a superior or county court or a District Judge in Admiralty of the Exchequer Court who attends as such judge in court or chambers at any place other than that at which or in the immediate vicinity of which he is by law obliged to reside is entitled to be paid as a travelling allowance,

(*a*) his moving or transportation expenses, and

(*b*) for each necessary day of travel going and returning and each day during which he so attends

(i) if that place is a city, twelve dollars, or fifteen dollars in special circumstances prescribed by the Treasury Board, or

(ii) if that place is not a city, eight dollars, or twelve dollars in special circumstances prescribed by the Treasury Board.

(2) For the purposes of this section a place having a population of less than five thousand according to the latest census taken pursuant to the *Statistics Act* shall be deemed not to be a city."

It is impossible to set a *per diem* rate that will be satisfactory throughout Canada. The only equitable basis is reimbursement for actual expenses.

(2) The present subsection (6) of section 21 reads as follows:

"(6) In the Province of Quebec no travelling allowance shall be paid to a judge unless the Chief Justice or the judge performing the duties of Chief Justice in the district where the court is held certifies that the attendance was, in his opinion, necessary."

Accounts are certified by the judge under subsection (12) of section 21. The additional certificate required by subsection (6) is not considered necessary.

(3) The present subsection (12) of section 21 reads as follows:

"(12) Every application for payment of travelling allowance shall be accompanied by a certificate of the judge applying for it showing the number of days for which travelling allowance is claimed."

The proposed amendment is consequential.

1955, c. 48, s. 5.

3. Sections 23 to 25 of the said Act are repealed and the following substituted therefor:

Grant of annuities.

"**23.** (1) The Governor in Council may grant to

(*a*) a judge who has continued in judicial office for at least fifteen years and has attained the age of seventy years, if he resigns his office,

(*b*) a judge who has continued in judicial office for at least fifteen years, if he resigns his office and in the opinion of the Governor in Council the resignation is conducive to the better administration of justice or is in the national interest,

(*c*) a judge who has become afflicted with some permanent infirmity disabling him from the due execution of his office, if he resigns his office or by reason of such infirmity is removed from office, or

(*d*) a judge who ceases to hold office by reason of his having attained the age of seventy-five years, if he has held judicial office for at least ten years or if he held judicial office on the day this section came into force,

an annuity not exceeding two-thirds of the salary annexed to the office held by him at the time of his resignation, removal or ceasing to hold office, as the case may be.

Duration of annuities.

(2) An annuity granted to a judge under this section shall commence on the day of his resignation, removal or ceasing to hold office and shall continue during his natural life.

Definition of "judicial office."

(3) In this section "judicial office" means the office of a judge of a superior or county court, and includes the office of a judge of the Supreme Court of Newfoundland prior to the 1st day of April, 1949, and a District Judge in Admiralty of the Exchequer Court of Canada".

Repeal.

4. (1) Section 26 of the said Act is repealed.

Commencement.

(2) This section shall come into force on a day to be fixed by proclamation of the Governor in Council.

3. The sections to be repealed read as follows:

"**23.** (1) The Governor in Council may grant to a judge of a superior court who has continued in office as such for at least fifteen years or is afflicted with some permanent infirmity disabling him from the due execution of his office, if he resigns his office, an annuity not exceeding two-thirds of the salary annexed to the office held by him at the time of his resignation, to commence immediately after his resignation and to continue thenceforth during his natural life.

(2) Local judges in Admiralty of the Exchequer Court shall be deemed to be judges of a superior court, within the meaning of subsection (1).

"**24.** (1) The Governor in Council may grant to a person who has continued in office as a judge of

(*a*) a federal court for at least ten years, or

(*b*) a federal court and a superior court in a province in the aggregate of at least ten years,

and who ceases to hold office as a judge of a federal court by reason of his having attained the age of seventy-five years, an annuity not exceeding two-thirds of the salary annexed to the office held by him at the time he so ceases to hold office, to commence at that time and to continue thenceforth during his natural life.

(2) In this section "federal court" means the Supreme Court of Canada, the Exchequer Court of Canada, the Territorial Court of the Yukon Territory and the Territorial Court of the Northwest Territories.

"**25.** The Governor in Council may grant to

(*a*) a judge of a county court or the Circuit Court of the District of Montreal who has continued in office as such for at least twenty-five years or is afflicted with some permanent infirmity disabling him from the due execution of his office, if he resigns his office, or

(*b*) a judge of a county court who is compulsorily retired pursuant to subsection (1) of section 26,

an annuity not exceeding two-thirds of the salary annexed to the office held by him at the time of his resignation or retirement, to commence immediately after his resignation or retirement and to continue thenceforth during his natural life."

Paragraph (*a*) of the proposed subsection (1) of section 23 is a new provision.

Paragraphs (*b*) and (*c*) correspond to the present sections 23 and 25 as modified by the present section 30 (to be repealed by clause 4 of this Bill).

Paragraph (*d*) corresponds to section 24, but is extended to all judges.

4. Section 26 reads as follows:

"**26.** (1) A judge of a county court or the Circuit Court of the District of Montreal who has attained the age of seventy-five years shall be compulsorily retired.

(2) The Governor in Council may grant to a judge of the Circuit Court of the District of Montreal

(*a*) who is compulsorily retired pursuant to subsection (1), or

(*b*) who has continued in office as such for at least thirty years, if he resigns his office,

an annuity not exceeding the salary annexed to the office held by him at the time of his retirement or resignation, to commence immediately after his retirement or resignation and to continue thenceforth during his natural life."

This section will be obsolete when the proposed amendment to the *British North America Act* becomes effective. Provision is therefore made for the issue of a proclamation bringing the section into force at such time.

Repeal.

5. Section 30 of the said Act is repealed.

Repeal.

6. (1) Section 8 of *An Act to amend the Judges Act, and the Judicature provisions of the Yukon Act and the Northwest Territories Act*, chapter 48 of the statutes of 1955, is repealed.

Restoration of annuities.

(2) Where a person is, at the coming into force of this section, in receipt of an annuity that was granted on or after the 11th day of July, 1955 under the *Judges Act*, the annuity shall be increased as of the day this section comes into force so that it equals the amount of the annuity that might have been granted to that person under the *Judges Act* if section 8 of the Act mentioned in subsection (1) of this section had not been enacted.

5. The section to be repealed reads as follows:

"**30.** (1) No annuity shall be granted under subsection (1) of section 23 or under section 25 unless the Governor in Council is of opinion that it is in the public interest that such judge should resign his office.

(2) For the purposes of sections 23 to 27, section 29 and subsection (1) of this section, the period during which a judge of the Supreme Court of the Province of Newfoundland held office as a judge of the Supreme Court of Newfoundland prior to the 1st day of April, 1949, shall be included in calculating the period during which he continued in office as a judge of a superior court."

6. Section 8 of chapter 48 of the statutes of 1955 reads as follows:

"**8.** For the purposes of sections 23, 24, 25, 27 and 28 of the said Act, the salary annexed to the office of a judge at the time of his resignation, retirement or death, or at the time he ceases to hold office, shall be deemed to be the salary annexed to that or the like office immediately before the coming into force of this Act."

Judicial salaries were increased in 1955 but annuities to judges and their widows continued to be based on previous salaries. The repeal of this provision will remove this restriction so that henceforth annuities will be based on actual salaries.

The purpose of subsection (2) is to increase annuities granted since the 1955 amendments to the amount that would have been payable if the restriction had not been imposed.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-79.

An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms.

First reading, June 27, 1960

THE PRIME MINISTER.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22070-7

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-79.

An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms.

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

PART I

Bill of Rights.

Short title.

1. This Part may be cited as the *Canadian Bill of Rights*.

Recognition and declaration of rights and freedoms.

2. It is hereby recognized and declared that in Canada there have always existed and shall continue to exist the following human rights and fundamental freedoms, namely,

(*a*) 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;

(*b*) the right of the individual to protection of the law without discrimination by reason of race, national origin, colour, religion or sex;

(*c*) freedom of religion;

(*d*) freedom of speech;

(*e*) freedom of assembly and association; and

(*f*) freedom of the press.

Construction of law.

3. All the Acts of the Parliament of Canada enacted before or after the commencement of this Part, all orders, rules and regulations thereunder, and all laws in force in

Explanatory Notes.

Part I provides for the establishment of a Bill of Rights for Canada. Part II provides for the continuation in modified form of authority to deal effectively with war, invasion or insurrection.

Canada or in any part of Canada at the commencement of this Part that are subject to be repealed, abolished or altered by the Parliament of Canada, shall, unless it is otherwise expressly stated in any Act of the Parliament of Canada hereafter enacted, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgement or infringement of any of the rights or freedoms recognized by this Part, and, without limiting the generality of the foregoing, no such Act, order, rule, regulation or law shall be construed or applied so as to

(*a*) authorize or effect the arbitrary detention, imprisonment or exile of any person;

(*b*) impose or authorize the imposition of torture, or cruel, inhuman or degrading treatment or punishment;

(*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;

(*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; or

(*f*) deprive a person of the right to a fair and public hearing by an independent and impartial tribunal for the determination of any criminal charge against him.

Duties of Minister of Justice.

4. The Minister of Justice shall, in accordance with such regulations as may be prescribed by the Governor in Council, examine every proposed regulation submitted in draft form to the Clerk of the Privy Council pursuant to the *Regulations Act* and every Bill introduced in the House of Commons, in order to ascertain whether any of the provisions thereof are inconsistent with the purposes and provisions of this Part.

PART II

Savings.

5. Nothing in Part I shall be construed to abrogate or abridge any human right or fundamental freedom not enumerated therein that may have existed in Canada at the commencement of this Act.

War Measures Act, R.S., c. 288.

6. Section 6 of the *War Measures Act* is repealed and the following substituted therefor:

Coming into force by proclamation.

"**6.** (1) Sections 3, 4 and 5 shall come into force only upon the issue of a proclamation of the Governor in Council declaring that war, invasion or insurrection, real or apprehended, exists.

Proclamation to be submitted to Parliament.

(2) A proclamation declaring that war, invasion or insurrection, real or apprehended, exists shall be laid before Parliament forthwith after its issue, or, if Parliament is then not sitting, within the first fifteen days next thereafter that Parliament is sitting.

Opportunity for debate.

(3) Where a proclamation has been laid before Parliament pursuant to subsection (2), a notice of motion in either House signed by ten members thereof and made in accordance with the rules of that House within ten days of the day the proclamation was laid before Parliament, praying that the proclamation be revoked, shall be debated in that House at the first convenient opportunity within the four sitting days next after the day the motion in that House was made.

Revocation of proclamation by resolution.

(4) If both Houses of Parliament resolve that the proclamation be revoked, it shall cease to have effect, and sections 3, 4 and 5 shall cease to be in force until those sections are again brought into force by a further proclamation but without prejudice to the previous operation of those sections or anything duly done or suffered thereunder or any offence committed or any penalty or forfeiture or punishment incurred.

Canadian Bill of Rights.

(5) Any act or thing done or authorized or any order or regulation made under the authority of this Act, shall be deemed not to be an abrogation, abridgement or infringement of any right or freedom recognized by the *Canadian Bill of Rights*."

6. Section 6 of the *War Measures Act* now reads as follows:

"**6.** The provisions of the three sections last preceding shall only be in force during war, invasion, or insurrection, real or apprehended."

C-79.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-79.

An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms.

Reprinted as Amended and Reported by the Special Committee.

THE PRIME MINISTER.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22070-7

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-79.

An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms.

Preamble.

The Parliament of Canada, affirming that the Canadian Nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions;

Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;

And being desirous of enshrining these principles and the human rights and fundamental freedoms derived from them, in a Bill of Rights which shall reflect the respect of Parliament for the provisions of its constitutional authority and which shall ensure the protection of these rights and freedoms in Canada:

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

PART I

Bill of Rights.

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 or sex, the following human rights and fundamental freedoms, namely,

Explanatory Notes.

Part I provides for the establishment of a Bill of Rights for Canada. Part II provides for the continuation in modified form of authority to deal effectively with war, invasion or insurrection.

(*a*) 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;

(*b*) the right of the individual to equality before the law and the protection of the law;

(*c*) freedom of religion;

(*d*) freedom of speech;

(*e*) freedom of assembly and association; and

(*f*) freedom of the press.

Construction of law.

2. Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the Bill of Rights, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgment or infringement of any of the rights or freedoms herein recognized and declared, and in particular, no law of Canada shall be construed or applied so as 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

(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; or

(*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.

Duties of Minister of Justice.

3. The Minister of Justice shall, in accordance with such regulations as may be prescribed by the Governor in Council, examine every proposed regulation submitted in draft form to the Clerk of the Privy Council pursuant to the *Regulations Act* and every Bill introduced in or presented to the House of Commons, in order to ascertain whether any of the provisions thereof are inconsistent with the purposes and provisions of this Part and he shall report any such inconsistency to the House of Commons at the first convenient opportunity.

Short title.

4. The provisions of this Part shall be known as the *Canadian Bill of Rights*.

PART II

Savings.

5. (1) Nothing in Part I shall be construed to abrogate or abridge any human right or fundamental freedom not enumerated therein that may have existed in Canada at the commencement of this Act.

"Law of Canada" defined.

(2) The expression "law of Canada" in Part I means an Act of the Parliament of Canada enacted before or after the coming into force of this Act, any order, rule or regulation thereunder, and any law in force in Canada or in any part of Canada at the commencement of this Act that is subject to be repealed, abolished or altered by the Parliament of Canada.

War Measures Act, R.S., c. 288.

6. Section 6 of the *War Measures Act* is repealed and the following substituted therefor:

Coming into force by proclamation.

"**6.** (1) Sections 3, 4 and 5 shall come into force only upon the issue of a proclamation of the Governor in Council declaring that war, invasion or insurrection, real or apprehended, exists.

Proclamation to be submitted to Parliament.

(2) A proclamation declaring that war, invasion or insurrection, real or apprehended, exists shall be laid before Parliament forthwith after its issue, or, if Parliament is then not sitting, within the first fifteen days next thereafter that Parliament is sitting.

Opportunity for debate.

(3) Where a proclamation has been laid before Parliament pursuant to subsection (2), a notice of motion in either House signed by ten members thereof and made in accordance with the rules of that House within ten days of the day the proclamation was laid before Parliament, praying that the proclamation be revoked, shall be debated in that House at the first convenient opportunity within the four sitting days next after the day the motion in that House was made.

6. Section 6 of the *War Measures Act* now reads as follows:

"**6.** The provisions of the three sections last preceding shall only be in force during war, invasion, or insurrection, real or apprehended."

Revocation of proclamation by resolution.

(4) If both Houses of Parliament resolve that the proclamation be revoked, it shall cease to have effect, and sections 3, 4 and 5 shall cease to be in force until those sections are again brought into force by a further proclamation but without prejudice to the previous operation of those sections or anything duly done or suffered thereunder or any offence committed or any penalty or forfeiture or punishment incurred.

Canadian Bill of Rights.

(5) Any act or thing done or authorized or any order or regulation made under the authority of this Act, shall be deemed not to be an abrogation, abridgement or infringement of any right or freedom recognized by the *Canadian Bill of Rights.*"

C-80.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-80.

An Act to amend the Canada Shipping Act.

First reading, June 27, 1960.

The MINISTER OF TRANSPORT.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23258-7

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-80.

An Act to amend the Canada Shipping Act.

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

1. The *Canada Shipping Act* is amended by adding thereto, immediately after section 356 thereof, the following section:

Pilots licensed in United States exempted.

"**356A.** Subsection (3) of section 354 does not apply to

(*a*) a person acting as a pilot in those waters of a pilotage district forming part of the Great Lakes Basin as defined in paragraph (*b*) of subsection (1) of section 375A and for which he is registered by the Secretary of Commerce of the United States of America as a pilot; or

(*b*) a master of a ship employing as a pilot a person described in paragraph (*a*)."

2. The said Act is further amended by adding thereto, immediately after section 375 thereof, the following heading and Part:

"PART VIA

GREAT LAKES PILOTAGE.

Definitions. "Designated waters."

375A. In this Part,

(*a*) "designated waters" means those portions of the waters of the Great Lakes Basin designated by the Governor in Council pursuant to paragraph (*a*) of section 375C;

EXPLANATORY NOTES.

Clause 1: Subsection (3) of section 354 prohibits a person acting as the pilot of a ship in a pilotage district other than a pilotage district for which he is a licensed pilot and prohibits a master of a ship employing as a pilot in a pilotage district any person who is not a licensed pilot for that district.

The purpose of this amendment is to provide that this prohibition does not apply in respect of American pilots while in those waters of a pilotage district forming part of the Great Lakes Basin and for which they are registered as pilots by the Secretary of Commerce of the United States.

Clause 2: New.

The purpose of this amendment is to make uniform the laws respecting pilotage on the Great Lakes and the St. Lawrence Seaway. It is understood that the United States is enacting legislation similar to that embodied in this amendment. Part VIA will be brought into force when the United States legislation has been passed and brought into force.

"Great Lakes Basin."

(*b*) "Great Lakes Basin" means the Canadian waters of the Great Lakes, their connecting and tributary waters, and the St. Lawrence River as far east as St. Regis in the Province of Quebec; and

"Registered pilot."

(*c*) "registered pilot" means a person not belonging to a ship who has the conduct thereof and who is registered as a pilot

(i) by the Secretary of Commerce of the United States of America, or

(ii) pursuant to regulations made by the Governor in Council

to navigate all or any of the waters of the Great Lakes Basin.

Registered pilots and qualified officers to be employed in Great Lakes Basin.

375B. (1) Notwithstanding anything in Part VI, no owner or master of a vessel of two hundred and fifty gross tons or over shall operate his vessel

(*a*) in designated waters of the Great Lakes Basin, unless the vessel is piloted by a registered pilot; or

(*b*) in waters of the Great Lakes Basin other than designated waters, unless the vessel has on board

(i) a registered pilot,

(ii) an officer having the qualifications prescribed by the Governor in Council, or

(iii) a person holding a pilot's licence to navigate those waters issued by the Government of the United States.

Exceptions by Minister.

(2) The Minister may, upon such terms and conditions as he deems advisable, exempt any owner or master from the requirements of subsection (1).

Occasions in which non-qualified persons may act in Great Lakes Basin.

(3) Notwithstanding subsection (1), a vessel of two hundred and fifty gross tons or over may be navigated in the Great Lakes Basin without a registered pilot or an officer having the qualifications prescribed by the Governor in Council where

(*a*) the master has been informed by the Deputy Minister of Transport that a registered pilot is not available; or

(*b*) the vessel is in distress or in circumstances making it necessary for the master to avail himself of the best assistance that can be found at the time.

Regulations by Governor in Council.

375C. (1) The Governor in Council may make regulations

(*a*) designating portions of the waters of the Great Lakes Basin as designated waters;

(*b*) prescribing the qualifications for, and providing for the registration of, Canadian registered pilots;

(*c*) prescribing the qualifications for officers other than registered pilots required to be on board vessels of two hundred and fifty gross tons or over in waters of the Great Lakes Basin other than designated waters;

(*d*) prescribing the fees to be charged for examinations required under this Part; and

(*e*) prescribing the fees to be charged in respect of services rendered by a Canadian registered pilot.

Minister may fix number of Canadian registered pilots.

(2) The Minister may fix the number of Canadian pilots that may be registered under this Part.

Penalties.

375D. (1) Every owner who violates section 375B or any of the regulations made under section 375C is liable to a fine not exceeding five hundred dollars for each day of the violation, and every master who violates section 375B or any of the regulations made under section 375C is liable to a fine not exceeding two hundred and fifty dollars for each day of the violation.

Idem.

(2) Except as provided in section 375B, every person not a registered pilot who acts as a registered pilot in the Great Lakes Basin is liable to a fine not exceeding two hundred and fifty dollars for each day of the violation."

Commencement.

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

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-81.

An Act to amend the Freight Rates Reduction Act.

First reading, June 28, 1960.

THE MINISTER OF TRANSPORT.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23306-4

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-81.

An Act to amend the Freight Rates Reduction Act.

1959, c. 27.

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

Extension of time.

1. The Board of Transport Commissioners for Canada may extend, but not beyond the 30th day of April, 1961, the period specified in any order, made by the Board under subsection (1) of section 3 of the *Freight Rates Reduction Act*, during which the revised rates set forth in the order shall be applicable.

2. Subsection (2) of section 4 of the *Freight Rates Reduction Act* is repealed and the following substituted therefor:

Limit.

"(2) The aggregate of all payments under this section shall not exceed thirty-five million dollars."

Explanatory Note.

The purpose of this Bill is to extend for not more than nine months the period during which the revised freight rates under the *Freight Rates Reduction Act* shall be applicable.

The present subsection (2) reads as follows:

"(2) The aggregate of all payments under this section shall not exceed *twenty* million dollars."

The proposed amendment will increase the authorized expenditure under the Act by an additional fifteen million dollars.

C-82.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-82.

An Act respecting the Department of Forestry.

First reading, June 28, 1960.

THE PRIME MINISTER.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23414-6

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS CANADA.

BILL C-82.

An Act respecting the Department of Forestry.

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 *Department of Forestry Act.*

Definitions. "Department." "Minister."

2. In this Act,

(*a*) "Department" means the Department of Forestry; and

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

PART I

Department Constituted.

Department established.

3. (1) There shall be a department of the Government of Canada called the Department of Forestry, over which the Minister of Forestry appointed by commission under the Great Seal of Canada shall preside.

Management.

(2) The Minister has the management and direction of the Department and holds office during pleasure.

Deputy Minister.

4. (1) The Governor in Council may appoint an officer called the Deputy Minister of Forestry, to be the deputy head of the Department and to hold office during pleasure.

Other officers, clerks and employees.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department shall be appointed or employed in the manner authorized by law.

Explanatory Note.

The purpose of this Bill is to constitute a Department of Forestry. The Bill also incorporates the *Canada Forestry Act*, with minor changes.

Part I provides for management and direction of the Department by a Minister of Forestry, for the appointment of a Deputy Minister and the employment of other officials, for the transfer of staffs from the Departments of Agriculture and Northern Affairs and National Resources and states the duties, powers and functions of the Minister. The duties of the Minister are substantially the same as those hitherto performed in the field of forestry by the Ministers of Agriculture and Northern Affairs and National Resources.

Transfer of members of staff.

(3) Notwithstanding subsection (2), the Governor in Council may by order designate persons who, before the coming into force of this Act, were members of the staff of the Department of Northern Affairs and National Resources or the Department of Agriculture, to be members of the staff of the Department, and upon being so designated such persons shall be deemed to have been transferred to the Department on the coming into force of this Act.

DUTIES, POWERS AND FUNCTIONS.

Duties, powers and functions of Minister.

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.

Further duties.

6. (1) The Minister

(*a*) shall provide for the conduct of research relating to the protection, management and utilization of the forest resources of Canada and the better utilization of forest products, and may establish and maintain laboratories and other necessary facilities for such purposes;

(*b*) may undertake, promote or recommend measures for the encouragement of public co-operation in the protection and wise use of the forest resources of Canada;

(*c*) with the approval of the Governor in Council, may enter into agreements with the government of any province or with any person for forest protection and management or forest utilization, for the conduct of research related thereto, or for forestry publicity or education;

(*d*) may provide for the making of forestry surveys and provide advice relating to the protection and management of forests on lands administered by any department or agency of the Government of Canada or belonging to Her Majesty in right of Canada; and

(*e*) at the request of any department or agency of the Government of Canada, may assume responsibility for the protection and management, including the disposal of timber and other forest products, of any forest on lands administered by such department or agency.

Consultation and conferences.

(2) In carrying out his duties and functions under this Act, the Minister may consult with and inaugurate conferences of provincial or municipal authorities, universities, representatives of industry or other interested persons.

PART II

Forest Experimental Areas.

Forest Experimental Areas.

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.

Construction of works.

8. Subject to this Act, the Minister may within any Forest Experimental Area do such acts and construct such works as he deems necessary for forest protection and management, including the disposal of timber and other forest products, and for forest research.

Regulations.

9. The Governor in Council may make regulations for the protection, care and management of Forest Experimental Areas, and, without restricting the generality of the foregoing, may make regulations respecting

(*a*) the cutting, removal and disposal of timber, the establishment and use of reservoirs, waterpower sites, power transmission lines, telegraph and telephone lines, and any other use not inconsistent with the purposes of this Act, and the granting of leases and permits therefor;

(*b*) the protection of the flora;

(*c*) the prevention and extinguishment of fires in or threatening a Forest Experimental Area;

(*d*) the regulation and prohibition of traffic and the carrying on of businesses and other activities in Forest Experimental Areas, and the abatement and prevention of nuisances therein;

(*e*) the removal and exclusion of trespassers and of persons failing to comply with the regulations; and

(*f*) the prevention of trespass, mutilation or destruction of trees and destruction or damaging of buildings, materials or notices used in connection with the administration or management of any Forest Experimental Area.

Offence and punishment.

10. Every person who violates any regulation made under section 9 is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

Seizure of articles.

11. (1) An officer employed in the administration of this Act or a peace officer as defined in the *Criminal Code* may seize any article by means of or in relation to which he reasonably believes an offence under this Act has been committed.

Part II provides for the establishment of Forest Experimental Areas on lands belonging to Her Majesty in right of Canada and for the making of regulations affecting such Areas.

Detention.

(2) An article seized pursuant to subsection (1) may be detained for a period of one month following the day of seizure unless during that period proceedings under this Act in respect of the article are undertaken, in which case the article may be further detained until the proceedings are finally concluded.

Forfeiture.

(3) Where a person is convicted of an offence under this Act, the convicting court, judge or magistrate may, in addition to any other penalty that may be imposed, order that any article by means of or in relation to which the offence was committed be forfeited, and thereupon the article is forfeited to Her Majesty and may be disposed of in such manner and at such time and place as the Minister may direct, but no article shall be disposed of pending an appeal against the conviction or before the time within which the appeal may be taken has expired.

PART III

General.

Annual report.

12. The Minister 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 for that fiscal year.

Appropriations based on 1960-61 Estimates.

13. The provisions made by any *Appropriation Act* for the fiscal year ending the 31st day of March, 1961 based on Estimates 1960–61, to defray expenses of the public service of Canada within the Department of Northern Affairs and National Resources and the Department of Agriculture shall apply to such classifications of the public service within the Department of Forestry as the Governor in Council may determine.

References to Department, Minister and Deputy Minister substituted.

14. (1) Where in any Act of the Parliament of Canada or any order or regulation thereunder, or in any contract, lease or other document, the Department of Northern Affairs and National Resources or the Department of Agriculture, the Minister of Northern Affairs and National Resources or the Minister of Agriculture, or the Deputy Minister of Northern Affairs and National Resources or the Deputy Minister of Agriculture is mentioned or referred to, in respect of any matter in relation to which the duties, powers and functions of the Minister under this Act extend there shall in each case be substituted the Department of Forestry, the Minister of Forestry and the Deputy Minister of Forestry, respectively.

Part III provides for the annual report of the Minister, for a consequential amendment to the *Salaries Act* to provide for the Minister's salary, for the repeal of the *Canada Forestry Act*, and for various technical and transitional matters.

Powers under contracts, etc.

(2) Where under any contract, lease or other document any power, authority or function is vested in or exercisable by any officer of the Department of Northern Affairs and National Resources or the Department of Agriculture, other than the Deputy Minister thereof, in respect of any matter in relation to which the duties, powers and functions of the Minister under this Act extend, the power, authority or function is, after the coming into force of this Act, vested in and may be exercised by the appropriate officer of the Department of Forestry or by such other officer thereof as the Governor in Council may designate.

1953-54, c. 21.

15. Section 4 of the *Salaries Act* is amended by adding thereto the following:

"The Minister of Forestry.....15,000"

R.S., c. 116.

16. Schedule A to the *Financial Administration Act* is amended by adding thereto the following:

"Department of Forestry."

R.S., c. 24.

17. The *Canada Forestry Act* is repealed.

Coming into force.

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

C-83.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-83.

An Act respecting the Franchise of Electors and the Election of Members of the House of Commons.

AS PASSED BY THE HOUSE OF COMMONS, 14th JULY, 1960.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23396-5

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-83.

An Act respecting the Franchise of Electors and the Election of Members of the House of Commons.

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 *Canada Elections Act.*

INTERPRETATION.

Definitions.

2. In this Act,

"Advance poll."

(1) "advance poll" means a poll held as provided by sections 92 to 95, inclusive;

"By-election."

(2) "by-election" means an election other than a general election;

"Candidate" or "candidate at an election."

(3) "candidate" or "candidate at an election" means any person who is officially nominated as a candidate at an election, or who, after the day of the issue of the writ for an election, or after the dissolution of Parliament or the occurrence of a vacancy in consequence of which a writ for an election is eventually issued, is declared by himself or by others with his consent to be a candidate;

"During an election" or "at an election" or "throughout an election."

(4) "during an election" or "at an election" or "throughout an election" includes the period after the issue of the writ for an election, or after the dissolution of Parliament or the occurrence of a vacancy in consequence of which a writ for an election is eventually issued, until the candidate obtaining the highest number of votes is returned as elected;

"Election."

(5) "election" means an election of a member or members to serve in the House of Commons of Canada;

"Election documents" or "election papers."

(6) "election documents" or "election papers" mean the papers directed in this Act to be transmitted to the Chief Electoral Officer, after an election, by the returning

officer, namely: the writ with the return of the election endorsed thereon; the nomination papers filed by the candidates; the reserve supply of undistributed blank ballot papers; the enumerators' record books used in urban polling divisions; the index books prepared by enumerators in rural polling divisions; the revising officers' record sheets and other papers relating to the revision of the lists of electors in urban polling divisions; the statements of the polls from which the official addition of the votes was made; and the other returns from the various polling stations enclosed in sealed envelopes, as prescribed in section 50, and containing

(*a*) the poll book used at the poll,

(*b*) a packet of stubs and unused ballot papers,

(*c*) packets of ballot papers cast for the various candidates,

(*d*) packet of spoiled ballot papers,

(*e*) packet of rejected ballot papers, and

(*f*) packet containing the official list of electors used at the poll, the written appointments of candidates' agents and the used transfer certificates, if any;

"Election officer."

(7) "election officer" includes the Chief Electoral Officer, the Assistant Chief Electoral Officer and every returning officer, election clerk, deputy returning officer, poll clerk, enumerator, revising officer, revising agent or other person having any duty to perform pursuant to this Act, to the faithful performance of which duty he may be sworn;

"Election petition."

(8) "election petition" means a petition presented in pursuance of the *Dominion Controverted Elections Act;*

"Elector."

(9) "elector" means any person qualified to vote at an election, whether his name is or is not on any list of electors;

"Electoral district."

(10) "electoral district" means any place or territorial area entitled to return a member or members to serve in the House of Commons of Canada;

"Form."

(11) "form" means a form as in Schedule I or any other form relating to the administration of an election under this Act, prescribed by the Chief Electoral Officer;

"Hours of the day."

(12) "hours of the day" and all other references to time appearing in this Act relate to standard time;

"Judge" or "the judge."

(13) "judge" or "the judge" when used to define the judicial officer upon whom is conferred specific powers means,

(*a*) in relation to any place or territory within the judicial districts of Quebec or Montreal in the Province of Quebec, the judge from time to time performing the duties of Chief Justice of the Superior Court, or the Acting Chief Justice, as the case may be, each acting for the district in which he resides, or such other judge as may be assigned by the said

Chief Justice or Acting Chief Justice to perform the duties in this Act required to be performed by the judge;

(*b*) in relation to any place or territory within a judicial district, other than the judicial district of Quebec or Montreal, in the Province of Quebec for which a judge of the Superior Court has been appointed, the judge so appointed, or where there is more than one such judge, the senior of them;

(*c*) in relation to any other place or territory in the Province of Quebec, the judge indicated by the Chief Justice or Acting Chief Justice as being the judge exercising from time to time the jurisdiction of the Superior Court Judge of the judicial district within which such place or territory lies, and if there is more than one judge exercising such jurisdiction, the senior of them;

(*d*) in relation to the electoral districts of Yukon and Mackenzie River, the person exercising from time to time the jurisdiction of the judge of the Territorial court of the Yukon Territory;

(*e*) in relation to any other place or territory in Canada, the judge exercising from time to time the jurisdiction of the judge of the county court of the county, or the judge of the district court of the judicial district, as the case may be, within which such place or territory lies, and if there is more than one such judge the senior of them; and

(*f*) in relation to any place or territory in Canada where there is no judge as defined in paragraphs (*a*) to (*e*) or a vacancy exists or arises in the office of any such judge or where such judge is unable to act by reason of illness or absence from his judicial district, the judge exercising the jurisdiction of such judge, and if there is more than one judge exercising such jurisdiction, the senior of them; and if no judge is exercising such jurisdiction, any judge designated for the purpose by the Minister of Justice;

"Judicial district."

(14) "judicial district" means a territory, county or district in respect of which a judge has been appointed to exercise judicial functions;

"List of electors."

(15) "list of electors" means either the preliminary list of electors or the official list of electors as herein defined, and as the context requires;

"Member."

(16) "member" means a member of the House of Commons of Canada;

"Nomination day" or "the day of nominations."

(17) "nomination day" or "the day of nominations" means the day upon which nominations close as in this Act provided;

"Official agent."

(18) "official agent" means the agent appointed by a candidate and specially charged with the paying of all legal expenses on account of the management or conduct of the election, whose name and address have been declared in writing to the returning officer on or before nomination day or as by this Act required;

"Oath."

(19) "oath" includes affirmation and statutory declaration;

"Official list of electors."

(20) "official list of electors" means

(*a*) in an urban polling division, any copy of the printed preliminary list prepared by the enumerators pursuant to Rules (1) to (16) of Schedule A to section 17 taken together with a copy of the statement of changes and additions certified by the revising officer pursuant to Rule (44) of the said Schedule A, or the appropriate portion of the preliminary list that has been divided by the returning officer for the taking of the votes taken together with the special statement of changes and additions certified by the returning officer pursuant to subsection (7) of section 33, and

(*b*) in a rural polling division, any copy of the printed (or, where it has been found impossible to print, the written or typewritten) preliminary list of electors prepared by the enumerator pursuant to Rules (1) to (11) of Schedule B to section 17, taken together with a copy of the statement of changes and additions in Form No. 26, certified by the enumerator pursuant to Rule (19) of the said Schedule B to section 17, or the appropriate portion of the preliminary list of electors that has been divided by the returning officer for the taking of the vote taken together with the special statement of changes and additions, certified by the returning officer pursuant to subsection (7) of section 33;

"Official nomination" or "officially nominated."

(21) "official nomination" or "officially nominated" means the filing of a nomination paper and deposit by a candidate with the returning officer at any time between the date of the proclamation and the hour fixed for the close of nominations on nomination day;

"Person."

(22) "person" includes elector, voter and candidate;

"Personal expenses."

(23) "personal expenses" as used herein with respect to the expenditure of any candidate in relation to the election at which he is a candidate, includes the reasonable travelling expenses of such candidate and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such election, and all other expenses that, except as restrained by this Act, he may in person lawfully incur and pay;

"Poll book." (24) "poll book" means the book in Form No. 40 in which the name and other particulars of every person applying to vote are consecutively entered by the poll clerk as soon as the applicant's right to vote at the polling station has been ascertained and before any such applicant is allowed to vote;

"Polling day", "day of polling" or "ordinary polling day." (25) "polling day", "day of polling" or "ordinary polling day" means the day provided by section 21 for holding the poll at an election;

"Polling division." (26) "polling division" means any division, subdivision, district, subdistrict or other territorial area fixed by the returning officer, for which a list of electors shall be prepared and for which one or more polling stations shall be established for the taking of the vote on polling day;

"Polling station." (27) "polling station" means suitable premises secured by the returning officer for the taking of the vote of the electors on polling day and to which the whole or a portion of the official list of electors for a polling division is allotted;

"Preliminary lists of electors." (28) "preliminary lists of electors" means the lists of electors prepared by enumerators pursuant to Rules (1) to (16) of Schedule A to section 17 and Rules (1) to (11) of Schedule B to section 17;

"Province." (29) "province" means any province of Canada and includes the electoral districts of Yukon and Mackenzie River;

"Recount." (30) "recount" includes

(*a*) adding again the votes given for each candidate as recorded in the statements of the polls returned by the several deputy returning officers, and

(*b*) examining and counting the used and counted, the unused, the rejected and the spoiled ballot papers as prescribed in subsection (7) of section 54;

"Rejected ballot paper." (31) "rejected ballot paper" means a ballot paper that has been handed by the deputy returning officer to an elector to cast his vote, but, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted;

"Revising agent." (32) "revising agent" means a person appointed by the returning officer pursuant to Rule (46) of Schedule A to section 17;

"Revising officer." (33) "revising officer" includes *ex officio* revising officer and substitute revising officer;

"Rural polling division." (34) "rural polling division" means a polling division whereof no part is contained either within an incorporated city or town having a population of five thousand or more, or whereof no part is contained within any other area directed by the Chief Electoral Officer to be or to be treated as an urban polling division, pursuant to the provisions of section 12;

"Spoiled ballot paper."

(35) "spoiled ballot paper" means a ballot paper that, on polling day, has not been deposited in the ballot box but has been found by the deputy returning officer to be soiled or improperly printed, or that has been handed by the deputy returning officer to an elector to cast his vote, and

(*a*) has been spoiled in marking by the elector, and

(*b*) has been handed back to the deputy returning officer and exchanged for another;

"Stereotype block."

(36) "stereotype block" means the printer's block supplied by the Chief Electoral Officer to the returning officer, and of which an impression is printed on the back of each ballot paper by the printer thereof;

"Urban polling division."

(37) "urban polling division" means a polling division that is wholly contained within an incorporated city or town having a population of five thousand or more, or within any other area directed by the Chief Electoral Officer to be or to be treated as an urban polling division, pursuant to the provisions of section 12;

"Voter."

(38) "voter" means any person who votes at an election; and

"Writ."

(39) "writ" means the writ for an election.

The Chief Electoral Officer and his Staff.

Chief Electoral Officer.

3. The Chief Electoral Officer shall exercise and perform all the powers and duties specified in this Act as exercisable and performable by him.

Rank, powers, salary and tenure of office of Chief Electoral Officer.

4. (1) The Chief Electoral Officer shall rank as and have all the powers of a deputy head of a department, communicate with the Governor in Council through the Secretary of State of Canada, devote himself exclusively to the performance of the duties of his office and be paid a salary of seventeen thousand dollars per annum; he is eligible as a contributor under and entitled to all the benefits of the *Public Service Superannuation Act* but, until he has attained the age of sixty-five years when he shall be compulsorily retired, he shall be removable only for cause in the same manner as a Judge of the Supreme Court of Canada.

Vacancy in office of Chief Electoral Officer.

(2) In the event of a vacancy in the office of Chief Electoral Officer it shall be filled by resolution of the House of Commons.

Appointment of substitute.

(3) In the event of the death of the Chief Electoral Officer while Parliament is not sitting, or of his inability or neglect to perform the duties of his office, a substitute shall, upon the application of the Secretary of State, be appointed by the Chief Justice of Canada, or in his absence by the senior judge of the Supreme Court of Canada then present in Ottawa.

Tenure of office of substitute.

(4) Upon his appointment such substitute shall exercise the powers and perform the duties of the Chief Electoral Officer in his place and stead until fifteen days after the commencement of the next following session of Parliament unless the Chief Justice of Canada, or the judge by whom the order appointing him was made, sooner directs that such order be rescinded.

Absence of Chief Justice.

(5) In the absence of both the Chief Justice of Canada and of the judge of the Supreme Court of Canada by whom a substitute for the Chief Electoral Officer has been appointed the order appointing such substitute may be rescinded by any other judge of the said court.

Remuneration of substitute.

(6) The remuneration of a substitute Chief Electoral Officer may be fixed by the Governor in Council.

Travelling and living expenses.

(7) The Chief Electoral Officer shall be paid his reasonable travelling and living expenses while absent from Ottawa on the business of his office.

Payment.

(8) Any sums payable to the Chief Electoral Officer shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Special powers and duties of Chief Electoral Officer.

5. (1) The Chief Electoral Officer shall

(*a*) exercise general direction and supervision over the administrative conduct of elections and enforce on the part of all election officers fairness, impartiality and compliance with the provisions of this Act;

(*b*) issue to election officers such instructions as from time to time he may deem necessary to ensure effective execution of the provisions of this Act; and

(*c*) execute and perform all other powers and duties which in this Act are imposed upon him.

Miscalculation, mistake or emergency.

(2) If during the course of any election it transpires that insufficient time has been allowed or insufficient election officers or polling stations have been provided for the execution of any of the purposes of this Act, by reason of the operation of any provision of this Act or of any mistake or miscalculation or of any unforeseen emergency, the Chief Electoral Officer may, notwithstanding anything in this Act, extend the time for doing any act or acts, increase the number of election officers, including revising officers, who shall, however, be appointed by the appropriate *ex officio* revising officer, who have been appointed for the performance of any duty, or increase the number of polling stations, and, generally, the Chief Electoral Officer may adapt the provisions of this Act to the execution of its intent; but in the exercise of this discretion no votes shall be cast before or after the hours fixed in this Act for the opening and closing of the poll.

Staff.

6. (1) The staff of the Chief Electoral Officer shall consist of an officer known as the Assistant Chief Electoral Officer, appointed by the Governor in Council, and such other officers, clerks, and employees as may be required, who shall be appointed in the manner authorized by law.

Superannuation.

(2) The Assistant Chief Electoral Officer is a contributor under and entitled to all the benefits of the *Public Service Superannuation Act*.

Writs of Election.

Writs of election.

7. (1) Elections shall be instituted, as heretofore, by writs of election, which shall be in Form No. 1.

Writs dated and made returnable.

(2) Writs of election shall be dated and, at a general election, shall be made returnable on such days as the Governor in Council shall determine; they shall be issued by the Chief Electoral Officer and directed to the persons

Transmission to returning officers.

appointed to be returning officers for the various electoral districts and shall be forwarded to them, by registered mail or otherwise, by the Chief Electoral Officer forthwith after their issue.

Returning officers to act under penalty.

(3) Every returning officer to whom a writ is directed shall forthwith upon its receipt, or upon notification by the Chief Electoral Officer of the issue thereof, cause to be promptly taken such of the proceedings directed by this Act as are necessary in order that the election may be regularly held, and any returning officer who wilfully neglects so to do is liable on summary conviction to a fine of one thousand dollars, or to imprisonment for three months, or to both fine and imprisonment.

Withdrawal of writ.

(4) Where the Chief Electoral Officer certifies that by reason of a flood, fire, or other disaster, it is impracticable to carry out the provisions of this Act in any electoral district where a writ has been issued ordering an election, the Governor in Council may order the withdrawal of such writ, and a notice to that effect shall be published in a special issue of the *Canada Gazette* by the Chief Electoral Officer; in the event of such withdrawal, a new writ ordering an election shall be issued within six months after such publication in the *Canada Gazette*, and the procedure to be followed at such election shall be as prescribed in section 107.

Returning Officers and Election Clerks.

Appointment of returning officers.

8. (1) The offices of all returning officers appointed prior to the passing of this Act shall be deemed to be vacant and the Governor in Council may appoint to such offices either the same persons as now hold them, any of such persons or

any other persons; he may also thereafter appoint from time to time a returning officer for any new electoral district and a new returning officer for any electoral district in which the office of returning officer becomes vacant, within the meaning of subsection (2).

Vacation of office.

(2) The office of a returning officer who is hereafter appointed shall not be deemed to be vacant unless he dies, or, with prior permission of the Chief Electoral Officer, resigns, or unless he is removed from office for cause within the meaning of subsection (3).

Removal from office.

(3) The Governor in Council may remove from office, as for cause, any returning officer who

(*a*) has attained the age of sixty-five years;

(*b*) ceases to reside in his electoral district;

(*c*) is incapable, by reason of illness, physical or mental infirmity or otherwise, of satisfactorily performing his duties under this Act;

(*d*) has failed to discharge competently his duties, or any thereof, under this Act; or

(*e*) has, at any time after his appointment, been guilty of politically partisan conduct, whether or not in the course of performance of his duties under this Act.

List to be gazetted.

(4) The name, address and occupation of every person who is appointed as a returning officer, and the name of the electoral district for which he is appointed shall be communicated to the Chief Electoral Officer and he shall publish in the *Canada Gazette*, between the 1st and 20th days of January in each year, a list of the names, addresses and occupations of the returning officers for every electoral district in Canada.

Election clerk.

9. (1) The returning officer shall, forthwith upon his appointment, nominate in writing an election clerk, who shall be a person qualified as an elector in the electoral district, and he and the election clerk shall each make oath faithfully to perform his duties without partiality, fear, favour or affection; and such appointment and oaths may be in Forms Nos. 2 and 3, respectively.

Appointment of substitute.

(2) If the election clerk dies, becomes disqualified or incapable of acting or refuses to act, or is removed from office for any other reason, the returning officer shall at once appoint a substitute, who upon his appointment shall make oath as aforesaid.

Transmission of oaths.

(3) The oath of the returning officer and the appointment and oath of every election clerk shall be transmitted by the returning officer to the Chief Electoral Officer forthwith after their completion.

Tenure of office of election clerk.

(4) Subject as aforesaid, every election clerk holds office during the pleasure of the returning officer by whom he has been appointed and, after the death of such returning officer or the expiry of his term of office, until his successor has appointed a new election clerk.

Notice if returning officer incapacitated.

(5) It is the duty of the returning officer and of the election clerk forthwith to notify the Chief Electoral Officer if the returning officer at any time becomes unable to act by reason of illness, absence from the electoral district or otherwise, and it is the duty of the election clerk forthwith to notify the Chief Electoral Officer of the death of the returning officer; the Chief Electoral Officer shall communicate all such notifications to the Secretary of State of Canada.

Election clerk to act.

(6) If the returning officer dies or becomes unable to act the election clerk is, until the appointment of a new returning officer, or until the returning officer again becomes able to act, responsible for the administration of any pending election as if he himself had been appointed to be returning officer for the electoral district, and subject as aforesaid, a writ of election may, in any case in which the returning officer has died or become unable to act before the issue of such writ and before his successor has been appointed, be addressed to the election clerk.

Appointment of new election clerk.

(7) Every election clerk who is required to act as returning officer at an election in the place of the returning officer by whom he was appointed shall himself, in his turn, appoint an election clerk.

Returning officer to open and maintain an office.

10. (1) Every returning officer shall, forthwith upon the receipt of notice that a writ has been issued for an election in his electoral district, open, and shall throughout the election maintain, an office in some convenient place in the electoral district where the electors can have recourse to him, and shall give public notice of the location of such office in the proclamation of the election in Form No. 4, or in such other manner as the Chief Electoral Officer may direct.

Attendance at office by returning officer and election clerk.

(2) Either the returning officer or the election clerk shall remain continuously on duty in the returning officer's office during the hours that the polls are open.

Returning officer or election clerk may not act at any polling station.

(3) No returning officer or election clerk shall act as deputy returning officer or poll clerk at any polling station.

Polling Divisions.

Revision of boundaries of polling divisions.

11. (1) The polling divisions shall be those established for the last general election, unless the returning officer considers that a revision of the boundaries thereof is necessary and, in such case, he shall give due consideration to the polling divisions established by municipal and provincial authorities, and to geographical and all other factors that may affect the convenience of the electors in casting their votes at the appropriate polling station, which shall be established by the returning officer at a convenient place in the polling division, or as prescribed in subsection (6) or (7) of section 31; in the event of such revision being necessary, it is the duty of the returning officer, when instructed by the Chief Electoral Officer, and subject to the foregoing provisions, to reallocate and define the boundaries of the polling divisions of his electoral district so that each polling division shall whenever practicable contain approximately three hundred and fifty electors.

Polling divisions with more than 350 electors.

(2) Where, by reason of a practice locally established, or other special circumstance, it is more convenient to constitute a polling division including substantially more than three hundred and fifty electors and to divide the list of electors for such polling division between adjacent polling stations, as provided in section 33, the returning officer may with the approval of the Chief Electoral Officer and notwithstanding anything in this section, constitute a polling division including as nearly as possible some multiple of three hundred and fifty electors.

Chief Electoral Officer to decide what polling divisions are rural or urban respectively.

12. (1) The Chief Electoral Officer has power to decide and he shall so decide, upon the best available evidence, whether any place is an incorporated city or town, and whether it has a population of five thousand or more; all the polling divisions comprised in every such place shall be treated as urban polling divisions.

Exceptions in certain cases.

(2) Whenever it has been represented to the Chief Electoral Officer that the population of any other place is of a transient or floating character, he has power, when requested not later than five days after the issue of the writs, to declare, and he shall so declare if he deems it expedient, any or all the polling divisions comprised in such place to be or to be treated as urban polling divisions.

Rural polling divisions.

(3) All other areas comprised in any electoral district shall be treated as rural polling divisions.

Supply of Election Materials by Chief Electoral Officer.

Supplies for returning officers.

13. (1) Whenever it is deemed expedient or, at the latest, immediately after the issue of the writ of election, the Chief Electoral Officer shall transmit to the returning officer

Copies of Act and instructions.

(*a*) such sufficiently indexed copies of this Act, and such instructions prepared by him, as are required for the proper conduct of an election by the returning officer and to enable him to supply to each election officer a copy of such instructions, as such officer may have occasion to consult or observe in the performance of his duties;

Enumeration and revision supplies.

(*b*) sufficient supplies for enumerators, revising officers and revising agents including record books, index books and the necessary blank forms;

Blank poll books and other blank election forms.

(*c*) sufficient election supplies, blank ballot papers, blank poll books and blank forms, including the forms of oaths, for the purposes of the election, except Forms Nos. 4, 14, 30, 35 and 65, which the returning officer shall himself cause to be printed; and

Statement of rural and urban areas.

(*d*) a statement setting forth what portion, or portions, of the electoral district shall be deemed to be urban and rural polling divisions, respectively.

Also stereotype blocks.

(2) Before nomination day the Chief Electoral Officer shall cause to be delivered to every returning officer a sufficient number of stereotype or printer's blocks specially made for the purposes of the particular election and so designed that an impression made therefrom on the back of the ballot paper will be readily recognizable and will show the name of the electoral district and the year of the election.

Postage free.

(3) All letters or mailable matter addressed to the Chief Electoral Officer at Ottawa, or sent by the said Chief Electoral Officer at Ottawa, shall be free of Canadian postage under such regulations as the Postmaster General shall prescribe.

Qualifications and Disqualifications of Electors.

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 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.

Disqualifications.

(2) The following persons are disqualified from voting at an election and incapable of being registered as electors and shall not vote nor be so registered, that is to say,

(*a*) the Chief Electoral Officer;

(*b*) the Assistant Chief Electoral Officer;

(*c*) the returning officer for each electoral district during his term of office, except when there is an equality of votes on the official addition of votes or on a recount, as in this Act provided;

(*d*) every judge appointed by the Governor in Council;

(*e*) every person undergoing punishment as an inmate in any penal institution for the commission of any offence;

(*f*) every person who is restrained of his liberty of movement or deprived of the management of his property by reason of mental disease; and

(*g*) every person who is disqualified from voting under any law relating to the disqualification of electors for corrupt or illegal practices.

Qualification of veteran under 21 years of age.

(3) Notwithstanding anything in this Act, any person who, subsequent to the 9th day of September, 1950, served on active service as a member of the Canadian Forces and has been discharged from such Forces, and who, at an election, has not attained the full age of twenty-one years, is entitled to have his name included in the list of electors prepared for the polling division in which he ordinarily resides and is entitled to vote in such polling division, if such person is otherwise qualified as an elector.

Qualifications of Veterans in certain hospitals or institutions.

(4) Notwithstanding anything in this Act, every person, man or woman, irrespective of age, who

(*a*) was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950;

(*b*) was discharged from such Forces; and

(*c*) is receiving treatment or domiciliary care in any hospital or institution at the request or on behalf of the Department of Veterans Affairs, in which hospital or institution, on the date of the issue of the writs ordering a general election, less than twenty-five of such persons, as determined by the said Department, are receiving such treatment or care;

is entitled to have his or her name included on the list of electors prepared for the polling division in which such hospital or institution is situated, and is entitled to vote at a general election in such polling division, if such person is otherwise qualified as an elector.

Residence qualifications of members of the Canadian Forces.

(5) A Canadian Forces elector, as defined in paragraph 21 of *The Canadian Forces Voting Rules*, is entitled to vote

(*a*) at a by-election only at the place of his ordinary residence as shown on the statement made by him under paragraph 25 of those Rules, and

(*b*) at a general election only under the procedure set forth in those Rules, or, if he has not voted under that procedure, at the place of his ordinary residence as shown on the statement made by him under paragraph 25 of those Rules.

Residence qualifications of Veteran electors at a by-election.

(6) A Veteran elector, as defined in paragraph 44 of *The Canadian Forces Voting Rules*, is entitled to vote at a by-election only in the electoral district in which is situated the place of his actual ordinary residence.

Exception.

(7) Paragraph (*c*) of subsection (1) does not apply to the wife of a Canadian Forces elector who resided with her husband during his service outside Canada.

Persons in receipt of pay disqualified.

15. (1) Subject to the exceptions stated in subsection (2), every person employed by any person for pay or reward in reference to an election in the electoral district in which such person would otherwise be entitled to vote is disqualified from voting and incompetent to vote in such electoral district at such election.

Exceptions.

(2) A person is not disqualified from voting at an election of a member to serve in the House of Commons by reason that he is employed for pay or reward in reference to an election in the electoral district in which such person would otherwise be entitled to vote, so long as the employment is legal.

Classes of persons excepted.

(3) Persons who may be legally employed are

(*a*) election clerks, revising officers, deputy returning officers, enumerators, revising agents, poll clerks, messengers, interpreters, constables and persons otherwise necessarily and properly employed by an election officer for the conduct of the election;

(*b*) official agents of candidates;

(*c*) persons engaged in printing election material on behalf of a candidate;

(*d*) persons employed, whether casually or for the period of the election or part thereof, in advertising of any kind or as clerks, stenographers or messengers on behalf of a candidate; and

(*e*) any agent having a written authorization from a candidate pursuant to section 34.

Rules as to the Residence of Electors.

Interpretation of the words "ordinarily resident" and "ordinarily resided."

16. (1) The rules in this section apply to the interpretation of the words "ordinarily resident" and "ordinarily resided" in any section of this Act in which those words are or either of them is used with respect to the right of a voter to vote.

Facts of case.

(2) Subject as provided in the succeeding subsections of this section, the question as to where a person is or was ordinarily resident at any material time or during any material period shall be determined by reference to all the facts of the case.

"Place of ordinary residence" defined.

(3) The place of ordinary residence of a person is, generally, that place which has always been, or which he has adopted as, the place of his habitation or home, whereto, when away therefrom, he intends to return; specifically, when a person usually sleeps in one place and has his meals or is employed in another place, the place of his ordinary residence is where the person sleeps.

One place of residence only.

(4) A person can have only one place of ordinary residence and it cannot be lost unless or until another is gained; although, generally, a person's place of ordinary residence is where his family is, if he is living apart from his family, with the intent to remain so apart from it in another place, the place of ordinary residence of such person is such other place; temporary absence from a place of ordinary residence does not cause a loss or change of place of ordinary residence.

Members of the Canadian Forces.

(5) A Canadian Forces elector, as defined in paragraph 21 of *The Canadian Forces Voting Rules*, shall be deemed to continue to ordinarily reside in the place of his ordinary residence as shown on the statement made by him under paragraph 25 of those Rules.

Residence at a general election.

(6) For the purpose of a general election, every person shall be deemed to continue until polling day to ordinarily reside in the electoral district in which he was ordinarily resident at the date of the issue of the writ of election, and no actual change of residence during the intervening period shall deprive him of his right to vote in such electoral district or entitle him to vote in any other electoral district unless he is one of the persons described in subsection (7) or (8) and exercises his rights thereunder, in which event he is not entitled to vote in the electoral district in which he was ordinarily resident at the date of the issue of the writ of election.

Exceptions.

(7) For the purpose of a general election, any of the following persons who, in the interval between the date of the issue of the writ of election and polling day, changes his place of ordinary residence from one electoral district

to another, is, if otherwise qualified, entitled, if he so elects, to be included in the list of electors for the polling division in which he is ordinarily resident at the time of his application, and to vote at the polling station established therein, if,

Clergyman.

(*a*) being a minister, priest or ecclesiastic of any religious faith or denomination, he is in charge of or permanently attached to an established place of worship or recognized mission of his church situate in the electoral district to which he has removed; or

Teacher.

(*b*) being a teacher, he is employed under a contract with the appropriate educational authority and is engaged in teaching at a school situate in the electoral district to which he has removed.

Dependants of clergymen and teachers.

(8) The election by any person pursuant to subsection (7) shall be deemed to entitle the spouse and dependants, if any, of such person, if otherwise qualified, to be included on the list of electors for the polling division in which such person is ordinarily resident at the time of the application and to vote at the polling station established therein.

Students.

(9) For the purposes of a general election and notwithstanding anything in this Act, a person who, on the date of the issue of the writs therefor, is duly registered and in attendance at a recognized educational institution, and for such purpose resides in a polling division other than that in which he ordinarily resides and if he is otherwise qualified as an elector, is entitled to have his name entered on the list of electors for the polling division in which he ordinarily resides and on the list of electors for the polling division in which he resides on the date of the issue of the said writs, and to vote in either one of such polling divisions as he may elect.

Summer residents.

(10) No person shall be deemed to be ordinarily resident, on the date of the issue of the writ ordering an election, in residential quarters that are generally occupied only during some or all of the months of May to October, inclusive, and generally remain unoccupied during some or all of the months of November to April, inclusive, unless, at a general election only, such person has no residential quarters in any other electoral district to which, on the date of the issue of such writ, he might at will remove.

Temporary workers.

(11) Except as provided in subsection (13), a person shall be deemed to be ordinarily resident, on the date of the issue of the writs ordering a general election, in a polling division in which he is temporarily residing while temporarily employed in the pursuit of his ordinary gainful occupation and is entitled to have his name included in the list of electors prepared for such polling division and is qualified to vote therein at the said general election, if such person

is otherwise qualified as an elector; such person is not, however, entitled to vote in such polling division unless on polling day he is still temporarily residing therein while temporarily employed in the pursuit of his ordinary gainful occupation; this subsection is not applicable at a by-election.

Wives or dependants of servicemen.

(12) A person who is the wife or dependant of a member of the naval, army, or air forces of Canada, shall be deemed to be ordinarily resident on the date of the issue of the writs ordering a general election in the polling division in which such person is occupying residential quarters during the course and as a result of the services performed by such member in such forces; such person (wife or dependant), if otherwise qualified as an elector, is entitled to have his or her name included in the list of electors prepared for such polling division and is qualified to vote therein at the said general election; this subsection is not applicable at a by-election.

Persons temporarily engaged in public works.

(13) No person shall, for the purpose of this Act, be deemed to be ordinarily resident at the date of the issue of the writ ordering an election in an electoral district to which such person has come for the purpose of engaging temporarily in the execution of any federal or provincial public work, or as a resident in any camp temporarily established in connection with any such public work under federal or provincial government control located in such electoral district, unless such person has been in continuous residence therein for at least thirty days immediately preceding the date of the issue of such writ.

Wives or dependants of persons temporarily engaged in public works.

(14) The wife or dependant of a person mentioned in subsection (13) who has come to an electoral district for the purpose of occupying residential quarters during the course and as a result of the services performed by such person, shall not be deemed to be ordinarily resident on the date of the issue of the writ ordering an election in such electoral district, unless such wife or dependant has been in continuous residence therein for at least thirty days immediately preceding the date of the issue of such writ.

Person residing in lodgings, hostel, refuge, etc.

(15) No person shall, for the purpose of this Act, be deemed to be ordinarily resident at the date of the issue of the writ of election in lodgings, hostels, refuges or similar institutions conducted for charitable or semi-charitable purposes, unless such person has been in continuous residence in such lodgings, hostel, refuge or similar institution, for at least ten days immediately preceding the date of the issue of such writ.

Persons residing in a sanatorium, etc.

(16) A person shall, for the purpose of this Act, be deemed to be ordinarily resident, at the date of the issue of the writ ordering an election, in a sanatorium, a home

for the aged, a chronic hospital, or similar institution for the treatment of tuberculosis or other chronic diseases, if such person has been in continuous residence therein for at least ten days immediately preceding the date of the issue of such writ.

Members, their spouses and dependants.

(17) A member, his spouse and dependants, shall not be deemed to have changed their place of ordinary residence solely because of such member having moved to Ottawa or the surrounding area for the purpose of carrying out his parliamentary duties.

Preparation of Lists of Electors.

Commencement of preparation of lists.

17. (1) The returning officer shall, commencing on Monday, the forty-ninth day before polling day, cause to be prepared in and for his electoral district, and pursuant to the provisions of this Act, preliminary lists of all persons who are qualified as electors in the urban and rural polling divisions comprised therein.

Urban and rural lists.

(2) In urban polling divisions the lists of electors shall be prepared and revised in accordance with the rules set forth in Schedule A to this section, and in rural polling divisions such lists shall be prepared and revised in accordance with the rules set forth in Schedule B to this section.

List of names of enumerators.

(3) Every returning officer shall prepare a list of the names and addresses of all enumerators appointed by him, and of the polling divisions for which they are to act; such list shall be prepared on the special form prescribed for that purpose, and, forthwith upon its completion, a copy thereof shall be sent to the Chief Electoral Officer; the returning officer shall post up, and keep posted up, in his office during the period of the preparation of the lists of electors a copy of such list of names and addresses of enumerators, and shall permit any person to inspect such list at all reasonable times.

Receipt and disposal of copies of preliminary list received from enumerators.

(4) The returning officer shall, upon receipt of the two copies of the preliminary list of electors from each pair of urban enumerators, pursuant to Rule (15) of Schedule A to this section, and of the preliminary list of electors from every rural enumerator, pursuant to Rule (11) of Schedule B to this section, use one copy of each, respectively, for the printing of the preliminary lists; the second copy of each such list shall be retained by the returning officer and shall be kept available for public inspection at all reasonable hours until the close of the poll on polling day.

Printing of preliminary lists for urban and rural polling divisions.

(5) The returning officer shall wherever possible cause the preliminary lists for both urban and rural polling divisions to be printed at a printing establishment situated in or near his electoral district, and shall have the printing

thereof completed not later than Wednesday, the twenty-sixth day before polling day; the printing of the preliminary lists of electors shall be in accordance with the specimen forms supplied by the Chief Electoral Officer; the preliminary list of electors for every polling division printed by the returning officer shall bear the name and address of the printer and a certificate by the returning officer that such print accurately sets out all the names, addresses and occupations of the electors as prepared by the enumerator or enumerators for the polling division to which such list relates; the arrangement of names on the lists shall be as follows:

Arrangement of names on urban lists, etc.

(*a*) in the case of urban polling divisions, the names of the electors shall be arranged on the printed preliminary lists in geographical order, that is, by streets, roads and avenues, as prepared by the enumerators in Form No. 8, except as provided in subsection (16), in which case the names of the electors shall be arranged alphabetically; notices shall be printed at the top of the preliminary list for each urban polling division, setting forth the necessary details relating to the sittings for revision of the revising officer and the exact location of the polling station established in the urban polling division for the taking of the votes on polling day; and

Arrangement of names on rural lists, etc.

(*b*) in the case of rural polling divisions, the names of the electors shall be arranged on the printed preliminary lists in alphabetical order, as in the preliminary lists prepared by the enumerators in Form No. 24.

Reproduction of preliminary lists where returning officer unable to have them printed.

(6) Where by reason of lack of printing facilities or of time or for any other reason, a returning officer is unable to cause the preliminary list of electors for any polling division to be printed in accordance with the requirements of this Act, he shall, wherever possible and with the prior approval of the Chief Electoral Officer, cause such list to be reproduced by any other means, and a preliminary list so reproduced shall, for the purposes of this Act, be deemed, except in subsections (7) to (9), to be printed; the preliminary list for every polling division reproduced by the returning officer under this subsection shall bear a certificate by the returning officer that such reproduction accurately sets out all the names, addresses and occupations of the electors as prepared by the enumerator or enumerators for the polling division to which such list relates; the arrangement of names on the lists shall be the same as is provided for printed preliminary lists by paragraphs (*a*) and (*b*) of subsection (5); where a preliminary list is reproduced in accordance with this subsection, the returning officer shall furnish the Chief Electoral Officer and each candidate with two copies thereof.

Copies of printed preliminary lists for candidates.

(7) Immediately after the preliminary lists of electors have been printed, the returning officer shall furnish twenty copies thereof for each polling division in his electoral district to each candidate at the pending election who was a member of the House of Commons in the next preceding Parliament, and to every candidate who has been officially nominated at the pending election in such electoral district; the returning officer may also, at his discretion, upon receipt of the sum of ten dollars from any person reasonably expected to be officially nominated as a candidate at the pending election in his electoral district, transmit or deliver to such person five copies of such lists, and if and when such person is officially nominated the said sum of ten dollars shall be forthwith returned to him and, at the same time, he shall be furnished with an additional fifteen copies of such lists; if such person is not so officially nominated, the said sum of ten dollars shall be forfeited to Her Majesty for the public uses of Canada and shall, at the close of the nominations, forthwith be transmitted by the returning officer to the Comptroller of the Treasury, with full particulars of the name and address of the person by whom the said sum was paid and the reason for which it was forfeited.

Copy of printed preliminary list to electors in urban polling divisions.

(8) The returning officer shall send a printed copy of the preliminary list of electors for the appropriate urban polling division, not later than Saturday, the twenty-third day before polling day, to the electors residing in such polling division whose names appear on such list, in accordance with the following provisions:

(*a*) where two or more electors having the same surname (in this subsection called "group of electors") reside in one dwelling place, one copy of such list shall be sent to one of the electors of such group and one copy of the list shall be sent to any other elector residing in that dwelling place and having a surname different from the surname of such group;

(*b*) where two or more groups of electors, each group having a different surname, reside in one dwelling place, one copy of such list shall be sent to one of the electors of each of such groups and one copy of the list shall be sent to any other elector residing in that dwelling place and having a surname different from the surname of each such group; and

(*c*) in the case of any other dwelling place and in the case of any hotel, hospital, university, college or other institution, one copy of such list shall be sent to each elector residing therein;

and such lists shall be enclosed in sealed envelopes and shall be entitled to pass through the mails free of postage.

Copies of preliminary lists to Chief Electoral Officer.

(9) The returning officer shall, forthwith after the preliminary lists for the urban and rural polling divisions comprised in his electoral district have been printed, transmit to the Chief Electoral Officer thirty copies of such preliminary lists.

Receipt and disposal of copies of statement of changes and additions.

(10) The returning officer shall, upon receipt of the three certified copies of the statement of changes and additions for each urban polling division comprised in the revising officer's revisal district, pursuant to Rule (45) of Schedule A to this section, and of the five certified copies of the statement of changes and additions from the enumerator of each rural polling division, pursuant to Rule (20) of Schedule B to this section, keep one copy on file in his office, where it shall be available for public inspection at all reasonable hours; the returning officer shall immediately transmit or deliver to each candidate officially nominated at the pending election in the electoral district one copy of the statement of changes and additions received from the enumerator of each rural polling division; the returning officer shall also deliver, in the ballot boxes, one copy of the statements of changes and additions received from the revising officers or from the rural enumerators, together with the preliminary lists, to the appropriate deputy returning officers, for use at the taking of the votes.

Official lists.

(11) In urban and rural polling divisions, the preliminary lists and the statements of changes and additions shall together constitute the official lists of electors, to be used for the taking of the votes on polling day.

Issue of certificate in case of omission from list.

(12) If, after the sittings of the revising officer, it is discovered that the name of an elector, to whom a notice in Form No. 7 has been duly issued by the enumerators, has, through inadvertence, been left off the official list for an urban polling division, the returning officer shall, on an application made in person by the elector concerned, upon the production by such elector of the notice in Form No. 7 issued to him and signed by the two enumerators, and upon ascertaining from the carbon copy contained in the enumerators' record books in his possession that such an omission has actually been made, issue to such elector a certificate in Form No. 20 entitling him to vote at the polling station for which his name should have appeared on the official list; the returning officer shall, at the same time, send a copy of such certificate to the deputy returning officer concerned and to each of the candidates officially nominated at the pending election in the electoral district, or to his representative, and the official list of electors shall, for all purposes, be deemed to have been amended in accordance with such certificate; no such certificate shall be issued by the returning officer in the case of a name struck off the printed preliminary lists of electors by the revising officer during his sittings for revision.

Issue of certificate in case of name omitted by revising officer.

(13) If, after the sittings of the revising officer, it is discovered that the name of an elector who has personally applied to a revising officer, or on whose behalf a sworn application has been made by an agent pursuant to Rule (35), or by a pair of revising agents pursuant to Rule (36), of Schedule A to this section, to have his name included in the list of electors, and whose application has been duly accepted by the revising officer during his sittings for revision, was thereafter inadvertently left off the official list of electors, the returning officer shall, on an application made in person by the elector concerned, and upon ascertaining from the revising officer's record sheets in his possession that such an omission has actually been made, issue to such elector a certificate in Form No. 21, entitling him to vote at the polling station for which his name should have appeared on the official list; the returning officer shall, at the same time, send a copy of such certificate to the deputy returning officer concerned and to each of the candidates officially nominated at the pending election in the electoral district, or to his representative, and the official list of electors shall be deemed for all purposes to have been amended in accordance with such certificate.

Penalty for illegal arrangements with regard to election printing.

(14) Every returning officer, or other person who, before, during or after an election, directly or indirectly, or by any other means or device or attempted evasion of the following provision

(*a*) requests, demands, accepts or agrees to accept monetary or other reward of any kind as consideration for the granting of a contract or an order of any kind for the printing of the lists of electors or other election documents required to be printed pursuant to the provisions of this Act, or

(*b*) pays, agrees or promises to pay or gives or agrees or promises to give any monetary or other reward of any kind as consideration for the granting of a contract or an order of any kind for the printing of the lists of electors or other election documents required to be printed pursuant to the provisions of this Act

is guilty of an indictable offence against this Act and liable on indictment or on summary conviction to a fine not exceeding one thousand dollars and costs of prosecution, and, if the fine and costs imposed are not paid forthwith, to imprisonment, with or without hard labour, for such term as such fine and costs or either remain unpaid, not exceeding six months.

Conditions.

(15) Before an account relating to the printing of the lists of electors is taxed by the Chief Electoral Officer

Affidavit of printer.

(*a*) the printer shall transmit to the Chief Electoral Officer, through the returning officer, an affidavit in

Form No. 10 setting forth that he has not, nor has anyone for him and on his behalf, paid, agreed or promised to pay, given or promised to give, any monetary or other reward to the returning officer, or to any person on the latter's behalf, as consideration for the granting of an order of any kind for the printing of such lists of electors, and

Affidavit of returning officer.

(*b*) the returning officer shall transmit to the Chief Electoral Officer an affidavit in Form No. 11 setting forth that he has not, nor has any person for him and on his behalf, received or requested, demanded, accepted or agreed to accept, any monetary or other reward from any person whatsoever, as consideration for the granting of an order of any kind for the printing of the lists of electors for his electoral district.

Urban lists alphabetically arranged in some cases.

(16) In every urban polling division wholly composed of a large institution, or comprised in an incorporated city or town having a population of five thousand or more, or in any other place where the polling divisions have been declared urban by the Chief Electoral Officer, pursuant to subsection (2) of section 12, and in which the territory is not designated by streets, roads, or avenues, or in which the residences of the electors are not designated by street, road or avenue numbers, the returning officer shall instruct each pair of enumerators to prepare a complete list of all the names, addresses and occupations of the persons who are qualified as electors in such urban polling division, in alphabetical order, as in Form No. 24.

Penalty for personation.

(17) Every person who applies under this Act to be included in any list of electors in the name of some other person, whether such name be that of a person living or dead, or of a fictitious person, or who, having once to his knowledge been properly included in any list of electors under this Act as an elector entitled to vote at a pending election, applies to be included in any other list of electors prepared for any electoral district as an elector entitled to vote at the same election, is guilty of the offence of personation, and liable to the penalties imposed in this Act upon persons guilty of that offence.

Liability of enumerators.

(18) In addition to any other penalty to which he may be liable under this Act, any enumerator who, wilfully and without reasonable excuse, includes in any list of electors prepared by him the name of any person whose name he has not good reason to believe should be included, or omits to include in such list the name of any person whom he has good reason to believe has the right to have his name included, is guilty of an offence punishable on summary conviction as in this Act provided.

Penalty for obstructing enumerator or revising agent in performance of duties.

(19) Every person who impedes or obstructs an enumerator or a revising agent in the performance of his duties under this Act is guilty of an offence and is liable, on summary conviction, to a fine of not less than ten dollars and not more than fifty dollars.

SCHEDULE A to SECTION 17.

Preparation of Lists of Electors in Urban Polling Divisions.

ENUMERATION.

Rule (1). As soon as possible after the receipt by him of notice from the Chief Electoral Officer that a writ of election has been issued for his electoral district, the returning officer shall appoint, in writing in Form No. 5, two persons in each polling division to enumerate the electors therein, and shall require each of such persons to take an oath in Form No. 6 that he will act faithfully in the capacity of enumerator without partiality, fear, favour or affection and in every respect according to law; each enumerator so appointed shall be a person qualified as an elector in the electoral district.

Rule (2). The returning officer shall, as far as possible, select and appoint the two enumerators of each urban polling division so that they shall represent two different and opposed political interests.

Rule (3). At least five days before he proposes to appoint the persons who are to act as enumerators as aforesaid, the returning officer shall

(*a*) in an electoral district the urban areas of which have not been altered since the last preceding election, give notice accordingly to the candidate who, at the last preceding election in the electoral district, received the highest number of votes, and also to the candidate representing at that election a different and opposed political interest, who received the next highest number of votes; such candidates may each, by himself or by a representative, nominate a fit and proper person for appointment as enumerator for every urban polling division comprised in the electoral district, and, except as provided in Rule (4), the returning officer shall appoint such persons to be enumerators for the polling divisions for which they have been nominated; and

(*b*) in an electoral district returning two members and in an electoral district, the urban areas of which have been altered since the last preceding election, and in an electoral district where at the last preceding elec-

tion there was opposed to the candidate elected no candidate representing a different and opposed political interest, or if, for any reason, either of the candidates mentioned in clause (*a*) of this Rule is not available to nominate enumerators or to designate a representative as aforesaid, the returning officer shall, with the concurrence of the Chief Electoral Officer, determine which candidates or persons are entitled to nominate urban enumerators, and then proceed with the appointment of such enumerators as above directed.

Rule (*4*). If the returning officer deems that there is good cause for his refusing to appoint any person so nominated, he shall so notify the nominating candidate or his representative, who may within twenty-four hours thereafter nominate a substitute to whom the provisions of Rule (2), and of this Rule, shall apply; if no substitute is nominated as aforesaid, or if the returning officer deems there is good cause for his refusing to appoint any person thus nominated as a substitute, the returning officer shall, subject to the provisions of Rule (2), himself select and appoint to any necessary extent.

Rule (*5*). If either of the candidates or persons entitled to nominate enumerators fail to nominate a fit and proper person for appointment as enumerator for any urban polling division comprised in the electoral district, the returning officer shall, subject to the provisions of Rule (2), himself select and appoint enumerators to any necessary extent.

Rule (*6*). The two enumerators appointed for each urban polling division shall, with relation to every process of the preparation of their list of electors, act jointly and not individually; they shall report forthwith to the returning officer who appointed them the fact and the details of any disagreement between them; the returning officer shall decide the matter of difference and shall communicate his decision to the enumerators; they shall accept and apply it as if it had been originally their own; the returning officer may at any time replace any urban enumerator appointed by him by appointing, subject to the provisions of Rule (2), another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall, upon request in writing signed by the returning officer, deliver or give up to the subsequent appointee or to any other authorized person, any election documents, papers and written information which he has obtained for the purpose of the performance of his duties; and on default he is guilty of an offence punishable on summary conviction as in this Act provided.

Rule (*7*). Each pair of enumerators, after taking their oaths as such, shall, on Monday, the forty-ninth day before polling day, proceed jointly to ascertain the name, address and occupation of every person qualified to vote at the pending election, under the provisions of sections 14, 15 and 16, in the polling division for which they have been appointed, obtaining the information they may require by a joint house-to-house visitation and from such other sources of information as may be available to them, and leaving at the residence of every person whose name and particulars they have agreed to include in their preliminary list, a notice in Form No. 7, signed by both enumerators, which shall be detached from the enumerators' record books.

Rule (*8*). When making his house-to-house visitation, pursuant to Rule (7), each enumerator shall wear and prominently display an urban enumerator's badge provided by the Chief Electoral Officer as evidence of his authority to register the names of the electors residing in the polling division; any enumerator wearing such badge at any other time or any person wearing the said badge without authority or wearing any other badge purporting to be an enumerator's badge, is guilty of an offence against this Act, punishable on summary conviction as in this Act provided.

Rule (*9*). Each pair of enumerators shall visit every dwelling place in their polling division at least twice,—once between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, and once between the hours of seven o'clock and ten o'clock in the evening (unless, as to any dwelling place, they are both satisfied that no qualified elector residing therein remains unregistered); if, on the above mentioned visits to any dwelling place, the enumerators are unable to communicate with any person from whom they could secure the names and particulars of the qualified electors residing thereat, the enumerators shall leave at such dwelling place a notification card, as prescribed by the Chief Electoral Officer, on which it shall be stated the day and hour that the enumerators shall make another visit to such dwelling place; the enumerators shall also state on such notification card their names, addresses, and telephone number, if any, of one or of both of them.

Rule (*10*). Each pair of enumerators shall exercise the utmost care in preparing the list of electors for the polling division for which they have been appointed; they shall take all necessary precautions to ensure that their list, when complete, contains the name, occupation and address of every qualified elector in the polling division for which they have been appointed, and that it does not contain the name of any person who is not so qualified.

Rule (*11*). Enumerators who, wilfully and without reasonable excuse, omit from their list of electors the name of any person entitled to have his or her name entered thereon, or enter on the said list the name of any person who is not entitled to have his or her name entered thereon, shall, in addition to any other punishment to which they may be liable, forfeit their right to payment for their services as enumerators.

Rule (*12*). Upon receipt of the enumerators' record books and of the two copies of the preliminary list of electors from each pair of enumerators, the returning officer shall carefully examine the same and if, in his judgment, the said list is incomplete or contains the name of any person whose name should not be included in the list, he shall not certify to the enumerators' account, and shall forward such account uncertified to the Chief Electoral Officer with a special report attached thereto stating the relevant facts; moreover, the Comptroller of the Treasury shall not issue a cheque in payment of an urban enumerator's account until after the revision of the preliminary lists of electors has been completed, and it is the duty of the revising officer, forthwith after his sittings for revision, to inform the Chief Electoral Officer, if, in his judgment, any enumerator has wrongfully and wilfully omitted any name or names from the said list, or wrongfully and wilfully included any name or names therein.

Rule (*13*). On Saturday, the forty-fourth day before polling day, each pair of enumerators shall prepare a complete list of the names, addresses and occupations of the persons who are qualified as electors in the polling division for which they have been appointed; such list shall be prepared, in all urban polling divisions, in geographical order, that is, by streets, roads and avenues, as in Form No. 8, except when otherwise directed by the returning officer pursuant to subsection (16) of section 17; the enumerators shall also prepare in like form a sufficient number of copies of such list to comply with Rules (15) and (16).

Rule (*14*). The enumerators shall, on the preliminary list of electors, as indicated on Form No. 8, register the name of a married woman or widow under the name and surname of her husband or deceased husband, or under her own Christian name if she so desires; whenever a woman is divorced or living apart from her husband, she shall be registered on the said list under whatever name and surname that such woman is known in the polling division; the names of the above mentioned women on the said list shall be prefixed with the abbreviation "Mrs.", as indicated on the said Form No. 8; when the name of a married woman is

entered on the said list immediately below her husband's name, there shall be no occupation given opposite such woman's name, as indicated on the said Form No. 8; the names of unmarried women on the said list shall be prefixed with the word "Miss", as indicated on the said Form No. 8.

Rule (*15*). Upon completion of the foregoing requirements and not later than Monday, the forty-second day before polling day, each pair of enumerators shall deliver or transmit to the returning officer who appointed them at least two plainly written or typewritten copies of the preliminary list of electors for the polling division for which they were appointed, together with their record books containing the carbon copies of the notices in Form No. 7; each of such copies of the list shall be severally sworn to by both enumerators in Form No. 9.

Rule (*16*). The enumerators shall also, on the same day as that whereon, pursuant to Rule (15), they transmit or deliver copies of their preliminary list of electors to the returning officer, post up or cause to be posted up one copy thereof in a conspicuous place within their polling division to which the public has access.

Revision of Lists of Electors in Urban Polling Divisions.

Rule (*17*). For every urban polling division, the judge as defined in subsection (13) of section 2 is the *ex officio* revising officer.

Rule (*18*). Forthwith upon being advised by the returning officer of the issue of a writ for an election in an electoral district comprising urban polling divisions and included within an area under his jurisdiction, the *ex officio* revising officer shall appoint in writing, in Form No. 12, a substitute revising officer for every revisal district, as hereafter established by the returning officer, for which the *ex officio* revising officer is not prepared to himself revise the list of electors for the pending election; every substitute revising officer thus appointed shall be a person qualified as an elector in the electoral district within which he is to act; every such substitute revising officer shall, immediately after his appointment, be sworn to the faithful and impartial performance of his duties; the substitute revising officer's oath shall be in Form No. 13, and it shall be subscribed before a judge of any court, the returning officer for the applicable electoral district or a commissioner for taking affidavits within the province; the *ex officio* revising officer shall transmit to the returning officer a copy of the form of appointment and oath of every substitute revising officer as soon as it has been completed; the *ex officio* revising officer shall certify to the correctness of the accounts submitted by the substitute revising officers appointed by him.

Rule (19). Every revising officer, for the purpose of the performance of his duties, has the same powers as would be exercisable by the *ex officio* revising officer when sitting in court, and, subject as in this Act provided and to such instructions as may be given by the Chief Electoral Officer, shall regulate the procedure in all matters coming before him in such manner as he shall see fit.

Rule (20). The returning officer shall, when so instructed by the Chief Electoral Officer, group together the urban polling divisions comprised in his electoral district into revisal districts, each containing such number of urban polling divisions as the Chief Electoral Officer may direct, and shall prepare descriptions of such revisal districts.

Rule (21). The returning officer shall also secure for each revisal district a convenient place properly furnished, lighted and heated, in which the revising officer shall sit for the revision of the list of electors; the place where the revising officer sits as such shall hereafter in these Rules be termed the "revisal office."

Rule (22). The returning officer shall then communicate with the *ex officio* revising officer and shall ascertain from him whether he will himself revise the lists of electors for any, and if any, what revisal district, and such *ex officio* revising officer shall thereupon notify the returning officer of the revisal district for which he will himself revise the lists, and of the names of such other persons, if any, as are or will be appointed by him as substitute revising officers to revise the lists for any other revisal districts, indicating the revisal districts for which such other persons, if any, will act.

Rule (23). Forthwith on receipt of the notification mentioned in Rule (22), the returning officer shall, not later than Thursday the twenty-fifth day before polling day, cause to be printed a notice of revision in Form No. 14 stating the following:

(*a*) the numbers of the polling divisions contained in every revisal district established by him,

(*b*) the name of the revising officer appointed for each revisal district,

(*c*) the revisal office at which the revising officer will attend for the revision of the lists of electors, and

(*d*) the days and hours therein during which the revisal office will be open,

and at least four days before the first day fixed for the sittings for revision the returning officer shall mail to the same postmasters to whom the proclamation in Form No. 4 has been mailed (and in the electoral districts of Yukon and Mackenzie River advertise in the same newspapers) copies of the notice of revision in Form No. 14; and the returning

officer shall also transmit or deliver five copies of the notice of revision in Form No. 14 to every candidate officially nominated at the pending election in the electoral district, and, at the discretion of the returning officer, to every other person reasonably expected to be so nominated or to his representative.

Rule (*24*). The returning officer shall at the same time as he mails the notice of revision as required by Rule (23) notify in writing each postmaster of the provisions of Rule (25).

Rule (*25*). Every postmaster shall, forthwith after receipt of a copy of the notice of revision in Form No. 14 post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the time fixed for the revision of the lists of electors has passed, and failure to do so is ground for his dismissal from office; and for the purposes of this provision such postmaster shall be deemed an election officer and liable as such.

Rule (*26*). Before ten o'clock in the forenoon of the day when the sittings for revision commence, the revising officer of each revisal district shall cause an additional five copies of the notice mentioned in Rule (23) to be posted up outside of and near to the revisal office where he will sit to revise the lists; the revising officer shall see that the latter copies are replaced as circumstances require in order that the specified number of copies may remain duly posted up during the days of sittings for revision.

Rule (*27*). The returning officer shall furnish to each revising officer at least three copies of the printed preliminary list of electors for every polling division comprised in his revisal district and shall also furnish the required number of copies of the notice of revision in Form No. 14, together with the necessary supplies.

Rule (*28*). The sittings of the revising officers for the revision of the lists of electors shall be held on Thursday, Friday and Saturday, the eighteenth, seventeenth and sixteenth days before polling day, and, subject to Rule (40), on Tuesday, the thirteenth day before polling day; such sittings shall commence at ten o'clock in the forenoon on those days and shall continue for at least one hour and during such time thereafter as may be necessary to deal with the business ready to be disposed of; moreover, on each of those days, every revising officer shall sit at his revisal office for the revision of the lists of electors from seven o'clock to ten o'clock in the evening; if any of those days is a holiday as defined in the *Interpretation Act*, the day for the commencement or continuation of the sittings for revision may be postponed accordingly.

Rule (*29*). At the sittings for revision on Thursday, Friday and Saturday, the eighteenth, seventeenth and sixteenth days before polling day, the revising officer shall have jurisdiction to and shall dispose of

(*a*) personal applications made by electors whose names were omitted from the preliminary list;

(*b*) sworn applications made by agents on Forms Nos. 17 and 18, or by revising agents on Forms Nos. 70 and 71, on behalf of persons claiming the right to have their names included in the official list of electors, pursuant to Rule (35) or Rule (36); and

(*c*) verbal applications for the correction of names or particulars of electors appearing on the preliminary list.

Rule (*30*). During the sittings for revision on Thursday and Friday, the eighteenth and seventeenth days before polling day, whenever an elector whose name appears on the preliminary list of electors prepared in connection with a pending election for one of the polling divisions comprised in a given revisal district subscribes to an Affidavit of Objection in Form No.15 before the revising officer appointed for such revisal district alleging the disqualification as an elector at the pending election of a person whose name appears on one of such preliminary lists, the revising officer shall, not later than Friday, the seventeenth day before polling day, transmit, by registered mail, to the person, the appearance of whose name upon such preliminary list is objected to, at his address as given on such preliminary list and also at the other address, if any, mentioned in such affidavit, a Notice to Person Objected to, in Form No. 16, advising the person mentioned in such affidavit that he may appear personally or by representative before the said revising officer during his sittings for revision on Tuesday, the thirteenth day before polling day, to establish his right, if any, to have his name retained on such preliminary list; with each copy of such notice, the revising officer shall transmit a copy of the relevant Affidavit of Objection.

Rule (*31*). In cases of objections made on affidavits subscribed before the revising officer under Rule (30), of which notices have been sent by registered mail by the revising officer to the persons objected to, the revising officer shall deal with each objection separately upon the merits to be disclosed by examination on oath of the elector making the objection, the person against whom the objection is made, and the witnesses present on their respective behalf; after each objection is dealt with, the revising officer shall, in his discretion, either strike off the name of the person objected to from the preliminary list on which such name appears or allow the name to stand; the onus of sub-

stantiating sufficient *prima facie* ground to strike off any name from the preliminary list shall be upon the elector making the objection, and it shall not be necessary for the person against whom objection is made to adduce proof in the first instance that his name properly appears on the preliminary list; the absence from or non-attendance before the revising officer, at the time that the objection is dealt with, of the person against whom an objection is made does not relieve the elector making the objection from substantiating a *prima facie* case by evidence that, in the absence of rebuttal evidence, is considered by the revising officer sufficient to establish the fact that the name of the person objected to improperly appears on the preliminary list.

Rule (*32*). The revising officer shall revise the preliminary lists of electors to which his appointment relates in accordance with the provisions of this Act and particularly in accordance with the following Rules.

Rule (*33*). During the sittings for the revision of the list of electors, every revising officer shall keep a record, in the special form prescribed by the Chief Electoral Officer, upon which each application, as it is made, and its disposition, shall be noted; such record shall be termed the "Revising Officer's Record Sheets".

Rule (*34*). Any person claiming to be entitled to be registered as an elector in any revisal district may apply in person, without previous notice, before the revising officer to have his name entered on the appropriate official list of electors at the sittings of the revising officer for such revisal district on Thursday, Friday and Saturday, the eighteenth, seventeenth and sixteenth days before polling day, and if such person answers to the satisfaction of the revising officer all such relevant questions as the revising officer deems necessary and proper to put to him, the revising officer shall insert the name and particulars of the applicant in the revising officer's record sheets as an accepted application for registration in the official list of electors of the polling division where such person ordinarily resides.

Rule (*35*). In the absence of and as the equivalent of personal attendance before him of a person claiming to be registered as an elector, the revising officer may, at the sittings for revision held by him on Thursday, Friday and Saturday, the eighteenth, seventeenth and sixteenth days before polling day, accept, as an application for registration made by an agent, from any person appearing before him who is an elector and whose name appears on the printed preliminary list for one of the polling divisions comprised in the electoral district in which the revising officer's revisal

district is situated, a sworn application of that elector in Form No. 17 exhibiting an application in Form No. 18, signed by the person who desires to be registered as an elector; if such person is then temporarily absent from the place of his ordinary residence, a sworn application may be made in the alternative Form No. 18 by a relative by blood or marriage, or by his employer, and in such event the revising officer may, if satisfied that the person on whose behalf the application is made is qualified as an elector, insert the name and particulars of that person in the revising officer's record sheets as an accepted application for registration on the official list of electors for the polling division where such person ordinarily resides; the two applications shall be printed on the same sheet and shall be kept attached.

Rule (*36*). In the absence of and as the equivalent of personal attendance before him of a person claiming to be registered as an elector, the revising officer may, at the sittings for revision held by him on Thursday, Friday and Saturday, the eighteenth, seventeenth and sixteenth days before polling day, accept, as an application for registration, a sworn application made by two revising agents, in Form No. 70 exhibiting an application in Form No. 71, signed by the person who desires to be registered as an elector; the revising officer may, if satisfied that the person on whose behalf the application is made is qualified as an elector, insert the name and particulars of that person in the revising officer's record sheets as an accepted application for registration on the official list of electors for the polling division where such person ordinarily resides; the two applications shall be printed on the same sheet and shall be kept attached.

Rule (*37*). If the revising officer entertains a doubt as to whether any application for registration, as mentioned in Rule (35), should be allowed, he shall not accept such application but the applicant may appear in person or by agent before the revising officer at any time during his sittings as such, for the purpose of proving his, the applicant's right to be registered as an elector; and if he fails to appear personally or by agent, or fails to produce satisfactory proofs, the revising officer may refuse the application.

Rule (38). If the revising officer entertains a doubt as to whether any application for registration, as mentioned in Rule (36), should be allowed, he shall not accept such application and in such case the revising officer shall, not later than Saturday, the sixteenth day before polling day, transmit, by registered mail, to the applicant, at his address as given in his application in Form No. 71, a Notice in Form No. 69 advising the person mentioned in such applica-

tion that he may appear personally before the said revising officer during his sittings for revision on Tuesday, the thirteenth day before polling day, to establish his right, if any, to have his name entered on the appropriate official list of electors; if such person fails to appear personally or fails to answer to the satisfaction of the revising officer all relevant questions as the revising officer deems necessary and proper to put to him, the revising officer may refuse the application.

Rule (*39*). The revising officer shall consider all verbal applications for correction of mistakes in names, or in descriptions of residences or occupations appearing in any printed list of electors relating to his revisal district and, upon satisfactory evidence being furnished to him, he shall enter the particulars of the correction in his record sheets as an accepted application for correction to be made in the appropriate official list of electors.

Rule (*40*). Where under Rule (30) any objection has been made on oath in Form No. 15 to the retention of the name of any person on the preliminary list and the revising officer has given notice under that Rule to the person of such objection in Form No. 16, or where under Rule (38) a notice in Form No. 69 has been sent to an applicant, the revising officer shall hold sittings for revision on Tuesday, the thirteenth day before polling day; during his sittings for revision on that day, the revising officer has jurisdiction to and shall determine and dispose of all such objections and of all applications in Form No. 71 of which he has so given notice; if the revising officer has given no such notice he shall not hold any sitting for revision on the Tuesday aforesaid.

Rule (*41*). Whenever the language of any applicant is not understood by the revising officer, an interpreter may be sworn and may act.

Rule (*42*). The revising officer shall permit to be present in the revisal office two representatives of each recognized political interest in the electoral district, but no such representative, except with the permission of the revising officer, has any right to take part or intervene in the proceedings.

Rule (*43*). The revising officer shall, while sitting as such, be a conservator of the peace and have and possess the same powers as a justice of the peace in his province; he may appoint, if necessary, a constable or constables for the maintenance of order in his revisal office and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance.

Rule (*44*). The revising officer shall, immediately after the conclusion of his sittings for revision, prepare from his record sheets, for each polling division comprised in his revisal district, five copies of the statement of changes and additions for each candidate officially nominated at the pending election in the electoral district and three copies for the returning officer, and shall complete the certificate printed at the foot of each copy thereof; if no changes or additions have been made in the preliminary list for any polling division, the revising officer shall nevertheless prepare the necessary number of copies of the statement of changes and additions by writing the word "Nil" in the three spaces provided for the various entries on the prescribed form and by completing the said form in every other respect.

Rule (*45*). Upon the completion of the foregoing requirements, and not later than Wednesday, the twelfth day before polling day, the revising officer shall deliver or transmit to each candidate officially nominated at the pending election in the electoral district the five copies, and to the returning officer the three copies, of the statement of changes and additions for each polling division comprised in his revisal district, certified by the revising officer pursuant to Rule (44); in addition he shall deliver or transmit to the returning officer the record sheets, duly completed, the duplicate notices to persons objected to, with attached affidavits in Forms Nos. 15 and 16, respectively, every used application made by agents in Forms Nos. 17 and 18, respectively, and by revising agents in Forms Nos. 70 and 71, respectively, and all other documents in his possession relating to the revision of the lists of electors for the various polling divisions comprised in his revisal district.

Rule (*46*). For each urban revisal district the returning officer shall, on Friday, the twenty-fourth day before polling day, appoint in writing in Form No. 67 two persons to act as revising agents therein, and shall require each of such persons to take an oath in Form No. 68 that he will act faithfully in the capacity of revising agent without partiality, fear, favour or affection and in every respect according to law; each revising agent so appointed shall be a person qualified as an elector in the electoral district.

Rule (*47*). The returning officer shall, as far as possible, select and appoint the two revising agents of each urban revisal district so that they shall represent two different and opposed political interests.

Rule (*48*). At least five days before he proposes to appoint the persons who are to act as revising agents as aforesaid, the returning officer shall

(*a*) in an electoral district the urban areas of which have not been altered since the last preceding election, give notice accordingly to the candidate who, at the last preceding election in the electoral district, received the highest number of votes, and also to the candidate representing at that election a different and opposed political interest, who received the next highest number of votes; such candidates may each, by himself or by a representative, nominate a fit and proper person for appointment as revising agent for every urban revisal district comprised in the electoral district, and, except as provided in Rule (49), the returning officer shall appoint such persons to be revising agents for the revisal districts for which they have been nominated; and

(*b*) in an electoral district returning two members and in an electoral district, the urban areas of which have been altered since the last preceding election, and in an electoral district where at the last preceding election there was opposed to the candidate elected no candidate representing a different and opposed political interest, or if, for any reason, either of the candidates mentioned in clause (*a*) of this Rule is not available to nominate revising agents or to designate a representative as aforesaid, the returning officer shall, with the concurrence of the Chief Electoral Officer, determine which candidates or persons are entitled to nominate revising agents, and then proceed with the appointment of such revising agents as above directed.

Rule (*49*). If the returning officer deems that there is good cause for his refusing to appoint any person so nominated, he shall so notify the nominating candidate or his representative, who may within twenty-four hours thereafter nominate a substitute to whom the provisions of Rule (47), and of this Rule, shall apply; if no substitute is nominated as aforesaid, or if the returning officer deems there is good cause for his refusing to appoint any person thus nominated as a substitute, the returning officer shall, subject to the provisions of Rule (47), himself select and appoint to any necessary extent.

Rule (*50*). If either of the candidates or persons entitled to nominate revising agents fail to nominate a fit and proper person for appointment as revising agent for any urban revisal district comprised in the electoral district, the returning officer shall, subject to the provisions of Rule (47), himself select and appoint revising agents to any necessary extent.

Rule (*51*). The two revising agents appointed for each urban revisal district shall act jointly and not individually; they shall report forthwith to the returning officer who appointed them the fact and the details of any disagreement between them; the returning officer shall decide the matter of difference and shall communicate his decision to the revising agents; they shall accept and apply it as if it had been originally their own; the returning officer may at any time replace any revising agent appointed by him by appointing, subject to the provisions of Rule (47), another revising agent to act in the place and stead of the person already appointed, and any revising agent so replaced shall, upon request in writing signed by the returning officer, deliver or give up to the subsequent appointee or to any other authorized person, any election documents, papers and written information which he has obtained for the purpose of the performance of his duties; and on default he is guilty of an offence punishable on summary conviction as in this Act provided.

Rule (*52*). Each pair of revising agents, after taking their oaths as such, shall, commencing on Friday, the twenty-fourth day before polling day, and up to and including Saturday, the sixteenth day before polling day, when so directed by the returning officer, visit any place in an urban polling division the returning officer may make known to them; if at such place there is found to be any person who is a qualified elector and whose name has not been included in the appropriate urban list of electors prepared for the pending election, that person may complete Form No. 71 and if such a person does complete Form No. 71 the revising agents shall then jointly complete Form No. 70 and present such completed forms to the appropriate revising officer during such times as he may be sitting as provided in Rule (28).

Rule (*53*). On the day upon which the sittings for the revision of the lists of electors in urban polling divisions commence, the revising agents shall present to the appropriate revising officer any completed applications in Forms Nos. 70 and 71 in their possession; on each of the two succeeding days upon which the revising officer is sitting, the revising agents shall present such further applications in Forms Nos. 70 and 71 as may be completed.

Rule (*54*). During the first three days of the sittings for the revision of the lists of electors in urban polling divisions, the revising officer may direct the pair of revising agents appointed for his revisal district to proceed in the same manner as provided in Rule (52).

Schedule B to Section 17.

Preparation of Lists of Electors in Rural Polling Divisions.

ENUMERATION.

Rule (1). As soon as possible after he has been notified of the issue of the writ of election in his electoral district, the returning officer shall, by writing in Form No. 5, appoint a person to be enumerator for each rural polling division in the electoral district; such person shall be qualified as an elector and resident in the polling division for which he has been appointed.

Rule (2). If it is impossible promptly to secure the services of a resident person who is qualified to act, an enumerator may be appointed to act in a rural polling division although he is not resident therein; in any event, the enumerator must be a person qualified as an elector in the electoral district.

Rule (3). Every enumerator shall forthwith on his appointment take the oath of office in Form No. 6, and shall immediately thereafter post up in conspicuous places in his polling division at least three copies of the notice of rural enumeration, in Form No. 22, stating that he is about to prepare a preliminary list of the qualified electors in such polling division, which said list will be revised and corrected by him at a place stated in the said notice where he will be found between the hours of ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the eighteenth day before polling day.

Rule (4). The enumerator of each rural polling division shall, after posting such notice and beginning on Monday, the forty-ninth day before polling day, proceed to prepare a preliminary list of all the persons who are qualified as electors under the provisions of sections 14, 15 and 16, in his polling division; such list shall be prepared from such information as the enumerator may be able to secure by a house-to-house visitation in the polling division or from such other sources of information as may be available to him and can be conveniently used.

Rule (5). The names, addresses and occupations of all electors, men and women, who are included by the enumerator in such list shall be written in an index book in Form No. 23, with the names of the electors grouped according to the initial letter of their respective surnames, the post office address and occupation of each being fully stated.

Rule (6). The enumerator shall, in the index book, as indicated in Form No. 24, register the name of a married woman or widow under the name and surname of her

husband or deceased husband, or under her own Christian name if she so desires; whenever a woman is divorced or living apart from her husband, she shall be registered in the index book under whatever name and surname that such woman is known in the polling division; the names of the above mentioned women in the index book shall be prefixed with the abbreviation "Mrs.", as indicated on the said Form No. 24; when the name of a married woman is entered in the index book immediately below her husband's name, there shall be no occupation given opposite such woman's name, as indicated on the said Form No. 24; the names of unmarried women in the index book shall be prefixed with the word "Miss", as indicated on the said Form No. 24.

Rule (*7*). Every enumerator shall exercise the utmost care in preparing the list of electors for the polling division for which he has been appointed; he shall take all necessary precautions to make certain that his list, when complete, contains the name, address and occupation of every person who is qualified as an elector in the polling division, and that it does not contain the name of any person who is not so qualified.

Rule (*8*). Any enumerator who, wilfully and without reasonable excuse, omits from his list of electors the name of any person entitled to have his or her name entered thereon, or enters on the said list the name of any person who is not entitled to have his or her name entered thereon, shall, in addition to any other punishment to which he may be liable, forfeit his right to payment for his services and expenses as enumerator.

Rule (*9*). Upon receipt of the two copies of the preliminary list of electors, as prescribed in Rule (11), or of the index book, as prescribed in Rule (20), the returning officer shall carefully examine the same and if in his judgment the said preliminary list or the index book appears to be incomplete or to contain the name of any person which should not be so included, he shall not certify the account of the enumerator concerned, and the account shall be sent uncertified to the Chief Electoral Officer, with a special report attached thereto, setting forth the relevant facts.

Rule (*10*). As soon as possible after six o'clock in the afternoon of Saturday, the forty-fourth day before polling day, each rural enumerator shall complete the preliminary list of electors for the polling division for which he has been appointed, and on or before Monday, the forty-second day before polling day, he shall prepare in alphabetical order as in Form No. 24, four plainly written or typewritten copies of such preliminary list, and shall complete the certificate printed at the foot or end of the last sheet of the said Form No. 24 used to prepare each of such copies.

Rule (*11*). The enumerator shall, forthwith after compliance with Rule (10), and not later than Monday, the forty-second day before polling day, post up one certified copy of his preliminary list of electors, at the place within the polling division at which he intends to remain to revise such preliminary list, as indicated in Rule (3); he shall attach to such preliminary list one completed copy of the notice of rural enumeration in Form No. 22; he shall also on the same day transmit or deliver to the returning officer at least two plainly written or typewritten copies of such preliminary list; to one of the said copies the enumerator shall attach one completed copy of the said notice of rural enumeration; the enumerator shall retain in his possession one copy of the said preliminary list, which shall be kept available for inspection by any interested person at all reasonable times.

Revision of Lists of Electors for Rural Polling Divisions.

Rule (*12*). The returning officer shall whenever possible furnish every rural enumerator with two printed copies of the preliminary list of electors for the polling division for which he has been appointed.

Rule (*13*). In order that he may readily be found by any person who desires to make representations with regard to any entry in or omission from the preliminary list of electors for his polling division, the enumerator shall attend at the place of which he has given notice, in Form No. 22 posted up as aforesaid, between the hours of ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the eighteenth day before polling day, set for the revision of the said preliminary list.

Rule (*14*). The enumerator shall permit to be present in the place of revision one representative of each recognized political interest in the electoral district, but no representative, except with the permission of the enumerator, has any right to take part or intervene in the proceedings.

Rule (*15*). Each rural enumerator shall revise the preliminary list of electors in the index book for his polling division in accordance with the provisions of this Act and particularly in accordance with the following Rules.

Rule (*16*). At any time after the enumerator has posted up his preliminary list, and particularly between the hours of ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the eighteenth day before polling day, at the place stated for the revision of the said list in the notice of rural enumeration posted up by him pursuant to Rule (3), on being satisfied from representations made to him

by any credible person that the preliminary list as prepared by him in the index book requires amendment as hereinafter mentioned, the enumerator shall

(*a*) add to such list in the index book the name of any person who is qualified as an elector in his polling division at the pending election, but whose name has been omitted from the preliminary list;

(*b*) strike off from such list in the index book the name of any person who is not qualified as an elector in his polling division; or

(*c*) correct in the index book any inaccurate entry as to the name, address, or occupation of any elector whose name appears on the said list.

Rule (*17*). Any change that the enumerator makes in the preliminary list of electors shall be made by correcting the index book with ink of a colour different from that which was used in its preparation.

Rule (*18*). Every correction made by the enumerator as aforesaid in the preliminary list of electors in the index book, by the addition, striking out or correction of any entry therein, shall be initialled and dated by him in the remarks column on the same line immediately after such correction is made.

Rule (*19*). The enumerator shall then prepare at least six copies of the statement of changes and additions, in Form No. 26, made by him in the preliminary list of electors for his polling division, as shown by the entries in the index book made after the said preliminary list has been posted up, and shall complete the certificate printed at the foot or end of each copy of such statement; if no changes or additions have been made in the preliminary list as posted up, the enumerator shall nevertheless prepare the necessary number of copies of the statement of changes and additions in Form No. 26 by writing the word "Nil" in the three blank spaces provided for the various entries on the said form, and completing the form in every other respect.

Rule (*20*). Upon the completion of the foregoing requirements and not later than Friday, the seventeenth day before polling day, the enumerator shall transmit to the returning officer the index book duly certified, in Form No. 25, which certificate shall be printed on the outside back cover of the said index book, and all other documents in his possession relating to the revision of the list of electors for his polling division; the enumerator shall also transmit at the same time to the returning officer five certified copies of the statement of changes and additions mentioned in Rule (19).

Rule (*21*). In polling divisions in which only one polling station has been established, the printed (or, where it has been found impossible to print, the written or typewritten)

preliminary list of electors and the statement of changes and additions in Form No. 26, shall together constitute the official list of electors to be used for the taking of the vote on polling day at the pending election at the polling station in the polling division for which the enumerator has been appointed to act; and in polling divisions in which more than one polling station has been established, the appropriate portion of the printed (or, where it has been found impossible to print, the written or typewritten) preliminary list of electors together with the appropriate special statement of changes and additions certified by the returning officer, pursuant to subsection (7) of section 33, shall together constitute the official list of electors to be used for the taking of the vote at each of such polling stations.

Rule (*22*). In very remote polling divisions where the postal service is such that it is doubtful if the preliminary list of electors or the statement of changes and additions can be sent by the returning officer to the appropriate deputy returning officer in time for the election, the Chief Electoral Officer may direct that the written or typewritten preliminary list of electors, or one copy of the statement of changes and additions, or both, as prepared by the enumerator, shall be delivered or transmitted by the enumerator direct to the deputy returning officer concerned; in such cases the deputy returning officer shall, for the taking of the vote, use the written or typewritten list of electors, or the statement of changes and additions, or both, as the case may be, as though he had received them or either of them direct from the returning officer.

Rule (*23*). Each enumerator shall retain in his possession one copy of the preliminary list of electors and one copy of the statement of changes and additions made therein, which said copies he shall permit to be inspected at any reasonable time by any elector who asks to be permitted to inspect the same.

Rule (*24.*) Enumerators are subject to and shall in all respects abide by and carry out the directions of the returning officer; the returning officer may at any time replace any enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall upon request in writing, signed by the returning officer, deliver or give up to the subsequent appointee or to any other authorized person, any instructions, list of electors, index book or other papers and information which he has obtained or prepared for the purpose of the performance of his duties; on default, he is guilty of an offence punishable on summary conviction as provided in this Act.

Proclamation by Returning Officer.

Proclamation by returning officer.

18. (1) Within two days after the receipt of the writ of election or within six days after he has been notified by the Chief Electoral Officer of the issue of such writ, whichever is the sooner, the returning officer shall issue a proclamation in Form No. 4 under his hand in the English and French languages in every electoral district in the Provinces of Quebec, Manitoba, and New Brunswick and in every electoral district where it should be done in the opinion of the Chief Electoral Officer, and in the English language only in other electoral districts, and shall mail one copy at least to the various postmasters of the post offices within his electoral district, and such proclamation shall indicate

To be mailed to postmasters.

(*a*) the place and time fixed for the nomination of candidates (which shall be held at a court house, a city or town hall, or some other public or private building in the most central or most convenient place for the majority of the electors in the electoral district);

(*b*) the day on which the poll for taking the votes of the electors is to be held, in case a poll is demanded;

(*c*) the time when and the place where the returning officer will add up the number of votes given to the several candidates;

(*d*) what portion or portions of the electoral district are to be deemed to be urban and rural polling divisions, respectively; and

(*e*) an exact description of the place in the electoral district where the returning officer has established his office;

the returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (5).

Electoral districts of Yukon and Mackenzie River.

(2) In the electoral districts of Yukon and Mackenzie River it is sufficient compliance with subsection (1), if, at least six days before the day fixed for the nomination of candidates, the returning officer causes such proclamation to be inserted in one newspaper published in Dawson, and in one newspaper, if any, published in Whitehorse and in Yellowknife, and mails one copy of such proclamation to such postmasters within his electoral district as, in his judgment and in accordance with his knowledge of the prevailing conditions, will probably receive the same at least six clear days before nomination day.

Inadvertent omission.

(3) Inadvertent omission on the part of the returning officer of any electoral district to mail such proclamations or any thereof in time or to mail them to a number less than one-tenth of the postmasters within an electoral district shall not be deemed non-compliance with the provisions of this section.

Copies of proclamation.

(4) As soon as the proclamation is printed, the returning officer shall deliver or send by mail five copies thereof to each person who is, or at the election last held in the electoral district was, a candidate for election.

Postmaster to post up proclamation.

(5) Every postmaster shall, forthwith after receipt of such proclamation, post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the time fixed for the nomination of candidates has passed, and failure to do so is ground for his dismissal from office, and for the purposes of this provision such postmaster shall be deemed an election officer and liable as such.

Qualifications of Candidates.

Qualifications of candidates.

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.

Persons Ineligible as Candidates.

Ineligibility of candidates.

20. (1) The respective persons hereunder mentioned are not for the time specified as to each such person eligible as candidates at an election, namely:

Corrupt practice.

(*a*) every person found by the report of the judge on the trial of an election petition to have committed at an election any corrupt practice, and who is reported to the Speaker of the House of Commons as having had an opportunity to be heard on his own behalf and has been expressly declared to be a person who should be disqualified as hereinafter provided, or has been convicted before any competent court of having committed at an election any offence that is a corrupt practice, or ordered to pay any sum forfeited because of the commission of any corrupt practice, or found guilty in any proceedings in which after notice of the charge he has had an opportunity of being heard, of any corrupt practice or of any offence which is a corrupt practice—during the period of seven years next after the date of his being so found, convicted, ordered or found guilty;

Illegal practice.

(*b*) every person found by the report of the judge on the trial of an election petition to have committed at an election any illegal practice, and who is reported to the Speaker of the House of Commons as having had an opportunity to be heard on his own behalf and has been expressly declared to be a person who

should be disqualified as hereinafter provided, or has been convicted before any competent court of having committed at an election any offence that is an illegal practice, or ordered to pay any sum forfeited because of the commission of any illegal practice, or found guilty in any proceeding in which after notice of the charge he has had an opportunity of being heard of any illegal practice or of any offence which is an illegal practice—during the period of five years next after the date of his being so found, convicted, ordered or found guilty;

Government contractors.

(*c*) every person directly or indirectly, alone or with any other person, by himself or by the interposition of any trustee or third party, holding or enjoying, undertaking or executing any contract or agreement express or implied, other than a contract providing for an annuity under the *Government Annuities Act*, with or for the Government of Canada on behalf of the Crown, or with or for any of the officers of the Government of Canada, for which any public money of Canada is to be paid—during the time he is so holding, enjoying, undertaking or executing;

Member of legislature.

(*d*) every person who is a member of the legislature of any province—during the time he is such member;

Certain public officers.

(*e*) every person holding the office of sheriff, clerk of the peace or county Crown Attorney—during the time he is holding such office;

Persons in employ of Government.

(*f*) every person accepting or holding any office, commission or employment, permanent or temporary, in the service of the Government of Canada at the nomination of the Crown or at the nomination of any of the officers of the Government of Canada, to which any salary, fee, wages, allowance, emolument or profit of any kind is attached—during the time he is so holding any such office, commission or employment; and

Members of Council of Northwest Territories and Yukon

(*g*) every person who is a member of the Council of the Northwest Territories or the Yukon Territory—during the time he is such member.

Exceptions.

(2) The provisions of this section do not render ineligible

Ministers of the Crown, etc.

(*a*) a member of the Queen's Privy Council for Canada holding the recognized position of First Minister, any person holding the office of President of the Queen's Privy Council for Canada or of Solicitor-General, or any member of the Queen's Privy Council for Canada holding the office of a minister of the Crown;

Member of Her Majesty's Forces.

(*b*) a member of Her Majesty's Forces while he is on active service as a consequence of war;

Shareholder of company having Government contract.

(*c*) a shareholder in any incorporated company having a contract or agreement with the Government of Canada, except any company which undertakes a contract for the building of any public work;

Person on whom contract devolves.

(*d*) a person on whom the completion of any contract or agreement, expressed or implied, devolves by descent or limitation, or by marriage, or as devisee, legatee, executor or administrator, until twelve months have elapsed after the same has so devolved on him;

Contractor for loans to Government.

(*e*) a contractor for a loan of money or of securities for the payment of money to the Government of Canada under the authority of Parliament, after public competition, or respecting the purchase or payment of the public stock or debentures of Canada on terms common to all persons; or

Purchaser of stock of Canada.

Member of reserve forces of Canadian Forces.

(*f*) a member of the reserve forces of the Canadian Forces who is not on full-time service other than active service as a consequence of war.

Effect of election of ineligible person.

(3) The election of any person who is by this Act declared to be ineligible as a candidate is void.

Polling Day, Nomination Day and Nomination of Candidates.

Polling day.

21. (1) The Governor in Council shall fix the day upon which the poll shall be held at any election, and such day shall be named in the writ of election; at a general election the writs for all the electoral districts shall be dated on the same day, and shall name the same day for the poll.

To be held on a Monday.

(2) The day fixed for the poll shall at any election be a Monday, unless the Monday of the week in which it is desired to hold the poll

Exceptions.

(*a*) is a holiday as defined by the *Interpretation Act;*

(*b*) at a general election, is a day that is generally observed by the residents of any province as a day for religious exercises and is declared to be a holiday by the law of such province; or

(*c*) at a by-election, is a day so generally observed in and so declared by the law of the province within which the electoral district lies;

and in any such case the day fixed for the poll shall be Tuesday of the same week.

Nomination day.

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

Exception.

(4) If the Monday on which nomination day would otherwise fall is such a day that, if the poll had been directed to be held in that week, it would have been held on Tuesday, the day for the close of nominations shall be the Tuesday following the Monday upon which the nominations would otherwise have closed.

Form of nomination.

(5) Any twenty-five or more electors qualified to vote in an electoral district for which an election is to be held may nominate a candidate, or as many candidates as are required to be elected for such electoral district, by signing a nomination paper in Form No. 27 stating therein such particulars of the name, address and occupation of each person proposed as sufficiently to identify such candidate, and also stating therein the address of the candidate for service of process and papers under this Act and under the *Dominion Controverted Elections Act*, together with the name, address and occupation of his official agent, and by causing such nomination paper to be produced to the returning officer at any time between the date of the proclamation and the close of nominations as hereinafter specified and by complying in all other respects with the provisions of this section.

Occupation of candidate.

(6) Unless specially authorized by the Chief Electoral Officer, the occupation given by a candidate in the heading of his nomination paper shall be briefly stated and shall correspond to the occupation under which such candidate is known in the place of his ordinary residence.

Each candidate separately.

(7) Each candidate shall be nominated by a separate nomination paper; but the same electors, or any of them, may subscribe as many nomination papers as there are members to be elected for the same electoral district.

Nomination paper to be attested on oath.

(8) The returning officer shall require the person, or one or more of the persons, producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that

(*a*) the several persons who have signed such nomination paper are duly qualified electors of the electoral district for which the election is to be held;

(*b*) they have signed it in his or their presence; and

(*c*) the consent of the candidate was signed on the nomination paper in his or their presence, or, as the case may be, that the person named as candidate is absent from the electoral district.

Form of oath.

(9) Such oath may be in Form No. 28 and the fact of its having been taken shall be stated on the back of the nomination paper.

(10) No nomination paper is valid or shall be acted upon by the returning officer unless it is accompanied by

Consent of candidate.

(*a*) the consent in writing of the person therein nominated, except where such person is absent from the electoral district in which the election is to be held, when such absence shall be stated in the nomination paper; and

Deposit by candidate.

(*b*) a deposit of two hundred dollars in legal tender or a cheque made payable to the Receiver General of Canada for that amount drawn upon and accepted by any chartered bank doing business in Canada.

Receipt for deposit.

(11) The returning officer shall not accept any deposit, until after all the other steps necessary to complete the nomination of the candidate have been taken, and upon his accepting any deposit he shall give to the person by whom it is paid to him a receipt therefor, which is conclusive evidence that the candidate has been duly and regularly nominated.

Sent to Comptroller of the Treasury.

(12) The full amount of every deposit shall forthwith after its receipt be transmitted by the returning officer to the Comptroller of the Treasury.

Time and place for receiving nominations.

(13) At noon on nomination day the returning officer and the election clerk shall both attend at a court house, a city or town hall, or some other public or private building in the most central or most convenient place for the majority of the electors in the electoral district (of which place notice has been given by the returning officer in his proclamation as hereinbefore provided) and shall there remain until two o'clock in the afternoon of the same day for the purpose of receiving the nominations of such candidates as the electors desire to nominate and as have not already been officially nominated; after two o'clock on nomination day no further nominations shall be receivable or be received.

Disposition of deposit.

(14) The sum so deposited by any candidate shall be returned to him by the Comptroller of the Treasury in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected; otherwise, except in the case provided in subsection (15), it shall belong to Her Majesty for the public uses of Canada.

Deposit returned in case of death of candidate.

(15) The sum so deposited shall, in case of the death of any candidate after being nominated and before the closing of the poll, be returned to the personal representatives of such candidate or to such other person or persons as may be determined by the Treasury Board.

List of names of candidates nominated.

(16) At the close of the time for nominating the candidates the returning officer shall deliver to every candidate or the agent of a candidate applying therefor a duly certified list of the names of the several candidates who have been nominated.

Votes for any other to be void.

(17) Any votes given at the election for any other candidates than those officially nominated in the manner provided by this Act are null and void.

Withdrawal of Candidates.

Withdrawal of candidates.

22. (1) Any candidate officially nominated may withdraw at any time after his nomination, but not later than eight o'clock in the forenoon on Thursday the eleventh day before polling day, by filing in person with the returning officer a declaration in writing to that effect signed by himself and attested by the signatures of two qualified electors in the electoral district, and any votes cast for the candidate who has so withdrawn are null and void; the deposit of a candidate so withdrawing shall be forfeited.

Notice of withdrawal to election officers and electors.

(2) When a candidate has withdrawn after nomination day, and after the ballots are printed, the returning officer shall advise, by letter or telegraph, each deputy returning officer of his electoral district of such withdrawal; when time permits, a notice of the withdrawal shall be printed by the returning officer and distributed to each deputy returning officer; on polling day, each deputy returning officer shall post up a copy of the printed notice of withdrawal in a conspicuous place in his polling station; if time does not permit of the printing and the distribution of such notice, the deputy returning officer, upon being advised by letter or telegram, by the returning officer of the withdrawal of any candidate, shall himself prepare by hand a notice to that effect and post it up in a conspicuous place in his polling station; in any case the deputy returning officer shall, when delivering a ballot to each elector, inform such elector of the withdrawal of any candidate.

If no more candidates remain than number to be elected.

(3) If, after the withdrawal, there remains but one candidate, or no more than the number to be elected, then the returning officer shall return as duly elected the candidate or candidates so remaining, without waiting for the day fixed for holding the poll.

False statement of withdrawal of candidate.

(4) Any person who, before or during an election, for the purpose of procuring the election of another candidate, knowingly publishes a false statement of the withdrawal of a candidate at such election is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided.

Death of Nominated Candidate.

Postponement of nomination day on death of candidate.

23. (1) Whenever any candidate dies after the close of the nominations and before the closing of the polls, the returning officer shall, after communicating with the Chief Electoral Officer, fix another day for the nomination of candidates.

Notice and proclamation of new nomination and polling days.

(2) Notice of the new day fixed for the nomination of candidates, which shall not be more than one month from the death of the candidate whose death is the cause for

fixing such new day nor less than twenty days from the issue of the notice, shall be given by a further proclamation distributed and posted up as specified in section 18, and there shall also be named by such proclamation a new day for polling, which shall, in the electoral districts specified in Schedule III, be Monday the twenty-eighth day after the new day fixed for the nomination of candidates, and, in all other electoral districts, be Monday, the fourteenth day after the new day fixed for the nomination of candidates.

Lists of electors.

(3) The lists of electors to be used at such postponed election shall be the official lists of electors prepared and revised after the issue of the writ.

Report.

(4) Full particulars of any action taken under this section shall be reported by the returning officer to the Chief Electoral Officer with the return to the writ.

Return by Acclamation.

Return when no more candidates than number of members required.

24. (1) Whenever only one candidate, or only such a number of candidates as are required by law to be elected to represent the electoral district for which the election is held, has or have been officially nominated within the time fixed for that purpose the returning officer shall forthwith make his return to the Chief Electoral Officer, in Form No. 29, that such candidate or candidates, as the case may be, is or are duly elected for the said electoral district, of which return he shall send within forty-eight hours a duplicate or certified copy to the person or persons elected.

Report with return.

(2) The returning officer shall include in his return to the Chief Electoral Officer a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act.

No one a candidate without his consent.

(3) Nothing in this Act shall be construed to impose any liability upon any person officially nominated as a candidate or declared to be a candidate by others without his consent, unless he has afterwards given his assent to such nomination or declaration or has been elected.

The Granting of a Poll.

Granting of a poll.

25. (1) If more candidates than the number required to be elected for the electoral district are officially nominated in the manner required by this Act the returning officer shall grant a poll for taking the votes of the electors.

Returning officer to mail copies of notice to postmasters.

(2) Within two days after such poll has been granted, the returning officer shall mail to the same postmasters to whom the proclamation in Form No. 4 has been mailed (and in the electoral districts of Yukon and Mackenzie River advertise in the same newspapers) copies of the Notice

of Grant of a Poll in Form No. 30 issued under his hand in the English and French languages in every electoral district in the Provinces of Quebec, Manitoba, and New Brunswick and in every electoral district where it should be done in the opinion of the Chief Electoral Officer, and in the English language only in all the other electoral districts, indicating

Candidates. (*a*) the names, addresses and occupations of the candidates officially nominated, in the order in which they are to be printed on the ballot papers;

Official agents. (*b*) the names, addresses and occupations of the official agents of such candidates as stated in the applicable nomination papers; and

Polling stations and polling divisions. (*c*) the several polling stations fixed by him for the various polling divisions and (in as brief as possible terms) the territorial limits of such polling divisions.

Notification to postmaster. (3) The returning officer shall at the same time notify in writing each postmaster of the provisions of subsection (5).

Copies of notice to candidates. (4) The returning officer shall, as soon as possible, deliver or send by registered mail ten copies of such notice in Form No. 30 to each candidate officially nominated.

To be posted. (5) Every postmaster shall, forthwith after receipt of such notice in Form No. 30, post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the time fixed for the closing of the poll has passed, and failure to do so is ground for his dismissal from office; and for the purpose of this provision such postmaster shall be deemed an election officer and liable as such.

Postmaster election officer.

Deputy Returning Officers and Poll Clerks.

Deputy returning officers. **26.** (1) As soon as convenient after the issue of the writ of election, the returning officer shall, by writing in Form No. 31 executed under his hand, appoint one deputy returning officer for each polling station established in his electoral district; every deputy returning officer shall before acting as such take an oath in Form No. 32.

List of deputies to candidates. (2) The returning officer shall furnish to each candidate or his agent, at least three days before polling day, a list of the names and addresses of all the deputy returning officers appointed to act in the electoral district with the number of the polling station at which each is to act.

Replacing deputies. (3) The returning officer may, at any time, relieve any deputy returning officer of his duties and appoint another to perform the same, and any deputy returning officer so relieved, and any deputy returning officer who refuses or is unable to act, shall forthwith, upon receiving written notice from the returning officer of the appointment of a substitute for him, deliver up to the returning officer or to such other person as the returning officer may appoint,

the ballot box and all ballot papers, lists of electors and other papers in his possession as such deputy returning officer; on default, he is guilty of an offence punishable on summary conviction as in this Act provided.

Offence.

Poll clerks.

(4) Each deputy returning officer shall, as soon as possible after his appointment, appoint by writing under his hand, in Form No. 33, a poll clerk, who before acting as such shall take the oath printed on the said Form No. 33; such forms of appointment and oath shall be printed in the poll book.

Posting up of list of names of deputy returning officers.

(5) At least three days before polling day, the returning officer shall post up in his office a list of the names and addresses of all the deputy returning officers appointed to act in the electoral district, with the numbers of their respective polling stations, and shall permit free access to, and afford full opportunity for the inspection of, such list by interested persons at any reasonable time.

When deputy dies or cannot act.

(6) Whenever a deputy returning officer dies or is unable to act, the returning officer may appoint another person in his stead as deputy returning officer; and if no such appointment is made the poll clerk, without taking another oath of office, shall act as deputy returning officer.

Another poll clerk appointed.

(7) Whenever the poll clerk acts as deputy returning officer, he shall, by a commission in Form No. 34, which shall be printed in the poll book, appoint a poll clerk to act in his stead, who shall take the oath printed on Form No. 33.

Ballot Boxes and Ballot Papers.

Ballot boxes.

27. (1) The Chief Electoral Officer may cause to be made for each electoral district such ballot boxes as are required; or he may give to the returning officer such instructions as are deemed necessary to secure ballot boxes of a uniform size and shape.

Construction.

(2) Each ballot box shall be made of some durable material with a slit or narrow opening on the top so constructed that, while the poll is open, the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the ballot box is unsealed and opened; each ballot box shall be provided with a sealing plate, permanently attached, to affix the special metal seals prescribed by the Chief Electoral Officer for the use of returning officers and deputy returning officers.

Furnished by custodian.

(3) The officer in charge of a building owned or occupied by the Government of Canada, the postmaster, the sheriff, the registrar of deeds, or other person designated by the Chief Electoral Officer, into whose custody, after the preceding election, the ballot boxes were deposited pursuant to section 53, shall deliver such ballot boxes to the appropriate returning officer whenever an election has been ordered in his electoral district.

When not furnished.

(4) Whenever the returning officer fails to furnish the ballot box to the deputy returning officer for any polling station within the time prescribed by this Act, such deputy returning officer shall otherwise procure it or cause it to be made.

Ballot papers and their form.

28. (1) All ballots shall be of the same description and as nearly alike as possible; the ballot of each elector shall be a printed paper, in this Act called a ballot paper, on which the names, addresses and occupations of the candidates alphabetically arranged in the order of their surnames, shall, subject as hereafter in this section provided, be printed exactly as such names, addresses and occupations are set out in the heading of the nomination papers; each ballot paper shall have a counterfoil and a stub, and there shall be a line of perforations between the ballot paper and the counterfoil and between the counterfoil and the stub, the whole as in Form No. 35.

Arrangement of names thereon.

(2) Where two members are to be elected for the electoral district and there are more than two candidates, the candidates may, within one hour after the time appointed for the nomination, agree to their names being arranged otherwise than alphabetically, and in such case the returning officer shall have the names arranged accordingly on the ballot paper.

Correction of name.

(3) Any candidate may, within one hour after the close of nominations, supply in writing to the returning officer any particulars of his address or occupation which he considers to have been insufficiently or inaccurately given in the heading of his nomination paper, or may in writing direct the returning officer to omit any of his given names from the ballot paper or to indicate the same by initial only, and the returning officer shall comply with any such direction and include in the ballot paper any such additional or corrected particulars.

Quality and weight of paper.

(4) The ballot papers shall be printed upon paper which shall be furnished to the returning officer by the Chief Electoral Officer at the time of or as soon as possible after the transmission of the writ of election; such ballot paper shall be of a weight not less than a basis of fifty-six pounds per thousand sheets of seventeen inches by twenty-two inches in size.

Numbering of ballot papers.

(5) The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil; each ballot paper shall bear on the back thereof an impression of the stereotype block supplied by the Chief Electoral Officer pursuant to subsection (2) of section 13; the ballot papers shall be bound or stitched in books containing twenty-five, fifty or one hundred ballots, as may be most

suitable for supplying the polling stations proportionately to the number of voters in each.

Printer's name and affidavit.

(6) The ballot papers shall bear the name of the printer and such printer shall, upon delivering the ballot papers to the returning officer, deliver therewith an affidavit, in Form No. 36, setting forth the description of the ballot papers so printed by him, the number of ballot papers supplied to such returning officer, and the fact that no other ballot papers have been supplied by him to any other person.

Property in Her Majesty.

(7) The property in the ballot boxes, ballot papers, envelopes and marking instruments procured for or used at any election shall be in Her Majesty.

29. Every one who

Forgery or destruction of ballots.

(*a*) forges, counterfeits, fraudulently alters, defaces or fraudulently destroys a ballot paper or the initials of the deputy returning officer signed thereon;

Illegal supply.

(*b*) without authority supplies a ballot paper to any person;

Unlawful possession.

(*c*) not being a person entitled under this Act to be in possession of official ballot paper or of any ballot paper, has any such official ballot paper or any ballot paper in his possession;

Fraudulent putting of paper in ballot box.

(*d*) fraudulently puts or causes to be put into a ballot box a paper other than the ballot paper which is authorized by this Act;

Taking out of polling station.

(*e*) fraudulently takes a ballot paper out of the polling station;

Destroying or opening box or packet.

(*f*) without due authority destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers then in use for the purposes of the election;

Illegally initialling bogus ballot papers.

(*g*) being a deputy returning officer fraudulently puts, otherwise than as authorized by this Act, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at an election;

Illegally printing ballot papers.

(*h*) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election;

Printing more ballot papers than required.

(*i*) being authorized by the returning officer to print the ballot papers for an election, prints without authority more ballot papers than he is authorized to print;

Marking ballot papers.

(*j*) being a deputy returning officer, places upon any ballot paper, except as authorized by this Act, any writing, number or mark with intent that the elector to whom such ballot paper is to be, or has been, given may be identified thereby;

Making, importing or having ballot boxes with secret devices.

(*k*) manufactures, constructs, imports into Canada, has in possession, supplies to any election officer, or uses

for the purposes of an election, or causes to be manufactured, constructed, imported into Canada, supplied to any election officer, or used for the purposes of any election, any ballot box containing or including any compartment, appliance, device or mechanism by which a ballot paper may or could be secretly placed or stored therein, or having been deposited during polling, may be secretly diverted, misplaced, affected or manipulated; or

Attempts.

(*l*) attempts to commit any offence specified in this section;

Penalty.

is disqualified from voting at any election for a term of seven years thereafter and guilty of an indictable offence and liable, if he is a returning officer, election clerk, deputy returning officer, poll clerk or other officer engaged in the election, to imprisonment, without the alternative of a fine, for a term not exceeding five years and not less than one year, with or without hard labour, and if he is any other person to imprisonment for a term not exceeding three years and not less than one year, with or without hard labour.

Supply of Election Materials to Deputy Returning Officer.

Materials to be furnished to D.R.O.

30. (1) The returning officer shall furnish to each deputy returning officer, at least two days before polling day

(*a*) a sufficient number of ballot papers for at least the number of electors on the official list of electors of such deputy's polling station;

(*b*) a statement showing the number of ballot papers so supplied, with their serial numbers;

(*c*) the necessary materials for electors to mark their ballots;

(*d*) at least ten copies of printed directions in Form No. 37 or 38 for the guidance of electors in voting;

(*e*) copy of the instructions prescribed by the Chief Electoral Officer, referred to in paragraph (*a*) of subsection (1) of section 13;

(*f*) the official list of electors for use at his polling station;

(*g*) a ballot box;

(*h*) a blank poll book;

(*i*) the several forms of oaths to be administered to electors printed together on a card; and

(*j*) the necessary envelopes and such other forms and supplies as may be authorized or furnished by the Chief Electoral Officer.

Safekeeping of ballot papers, etc.

(2) Until the opening of the poll the deputy returning officer shall keep the blank poll book, list of electors, forms of oaths, envelopes, ballot papers and other election supplies, carefully locked up in the ballot box, and shall take

every precaution for their safekeeping and to prevent any person from having unlawful access to them.

The Poll and Polling Stations.

Polling stations.

31. (1) The poll shall be held in one or more polling stations established in each polling division in premises of convenient access, with an outside door for the admittance of electors, and having, if possible, another door through which they may leave after having voted.

Compartments.

(2) Each polling station shall contain one or two compartments so arranged that each elector may be screened from observation, and may, without interference or interruption, mark his ballot paper.

Table or desk.

(3) In such compartment there shall be provided for the use of electors in marking their ballots, a table or desk with a hard and smooth surface and a suitable black lead pencil, which shall be kept properly sharpened throughout the hours of polling.

Instructions.

(4) The Chief Electoral Officer may give to the returning officer such instructions as are deemed necessary as to the mode of making the compartments.

Hours of polling.

(5) The poll shall be opened at the hour of eight o'clock in the forenoon and kept open until seven o'clock in the afternoon of the same day, and each deputy returning officer shall, during that time, in the polling station assigned to him, receive in the manner hereinafter prescribed the votes of the electors duly qualified to vote at such polling station.

Central polling place.

(6) The returning officer may, with the prior permission, and shall upon the direction of the Chief Electoral Officer, establish a central polling place where the polling stations of all or any of the polling divisions of any locality may be centralized, but no central polling place so established shall comprise more than ten polling divisions unless it is the usual practice in a locality to establish a central polling place for civic, municipal or provincial elections and it is desirable in the opinion of the Chief Electoral Officer to follow that practice in an election under this Act, and upon the establishment of a central polling place under this subsection all provisions of this Act apply as if every polling station at such central polling place were within the polling division of the electoral district to which it appertains.

Polling station in adjacent polling division.

(7) Whenever the returning officer is unable to secure suitable premises to be used as a polling station within a polling division, he may, with the prior permission of the Chief Electoral Officer, establish such polling station in an adjacent polling division, and upon the establishment of such polling station all provisions of this Act apply as if such polling station were within the polling division to which it appertains.

Official List of Electors to be Used at the Poll.

List of electors to be used at the poll.

32. (1) The list of electors to be used at an election shall be the official list of electors as defined in subsection (20) of section 2.

Returning officer to deliver list of electors to deputy returning officer.

(2) The returning officer shall deliver one copy of the official list of electors to each deputy returning officer for his respective polling station; such list shall be enclosed in the ballot box with the ballot papers and other supplies, as provided by section 30.

Official list for a remote rural polling division.

(3) In very remote rural polling divisions where the postal service is such that it is doubtful if the preliminary list of electors or the statement of changes and additions can be sent by the returning officer to the appropriate deputy returning officer in time for the election, the Chief Electoral Officer may direct that the written or typewritten preliminary list of electors, or one copy of the statement of changes and additions, or both, as prepared by the enumerator, shall be delivered or transmitted by the enumerator direct to the deputy returning officer concerned; in such cases the deputy returning officer shall, for the taking of the vote, use the written or typewritten list of electors, or the statement of changes and additions, or both, as the case may be, as though he had received them or either of them direct from the returning officer.

Application of this section.

33. (1) All the provisions of this section apply notwithstanding anything contained in this Act.

Dividing lists for large polling divisions.

(2) If the Chief Electoral Officer so authorizes or directs, and, in any event, where the official list of electors for any polling division contains the names of more than three hundred and fifty electors, the returning officer shall, for the purposes of and during any election, provide within that polling division sufficient separate and adjacent polling stations, so that not more than three hundred and fifty, and, when practicable, not less than one hundred and seventy-five, names shall be on the list of electors for each of such polling stations, and so that the name of every elector on the official list of electors for the polling division shall appear on some one, and on one only, of the parts of the list of electors allotted to the various polling stations established in such polling division.

Establishment of extra polling stations.

Dividing lists for rural polling stations.

(3) If the polling division is rural, the returning officer shall divide the alphabetical list of electors for that polling division into as many separate lists as are required for the taking of the vote at each polling station therein established; the list shall be cut between two initial letters of the surnames of the electors, as they appear thereon, that is to say, between K and L, or between R and S, or as the case may be; the polling stations so established shall be

designated by the number of the polling division to which will be added the letters A to K or L to R or S to Z, or in whichever way the list is divided.

Dividing lists for urban polling stations.

(4) If the polling division is urban, the returning officer shall divide the preliminary list into as many separate lists as are required for the taking of the votes at each polling station established therein; the list shall be divided numerically according to the consecutive number given to each elector registered on the preliminary list so that approximately an equal number of electors will be allotted to each polling station necessarily established in such polling division; the polling stations so established shall be designated by the number of the polling division to which shall be added the letters A, B, C and so on.

Urban lists divided alphabetically in some cases.

(5) In urban polling divisions where it is necessary to prepare an alphabetical list of electors pursuant to subsection (16) of section 17, owing to the territory not being designated by streets, roads, avenues or otherwise, the returning officer shall divide the list as directed by subsection (3).

Certificate of returning officer.

(6) To each portion of the official list of electors, divided as provided in this section, the returning officer shall append a special certificate signed by himself, in the form prescribed by the Chief Electoral Officer, attesting to its correctness before sending the same to the deputy returning officer for the appropriate polling station at which it is to be used for the taking of the vote on polling day.

Special statements of changes and additions prepared by returning officer.

(7) For any polling division for which the list of electors is divided, pursuant to the provisions of this section, the returning officer shall prepare from the statement of changes and additions as certified by the rural enumerator or by the revising officer, special statements of changes and additions, in the form prescribed by the Chief Electoral Officer, each such special statement to contain the entries relating to one polling station only, so that each entry made in the original statement of changes and additions will be allocated in such special statement of changes and additions to the polling station to which it belongs; if no changes have been made in the preliminary list for any such polling division the returning officer shall nevertheless prepare the necessary number of copies of the special statement of changes and additions in the prescribed form by writing the word "Nil" in the three spaces provided for the various entries on the said form, and by completing the form in every other respect; the returning officer shall certify to the correctness of such special statement of changes and additions and shall deliver one copy thereof in the ballot box to the deputy returning officer concerned, and the appropriate portion of the preliminary list of electors, together with the said special statement of changes

and additions, as certified by the returning officer, shall be and constitute the official list of electors to be used for the taking of the votes on polling day at such deputy returning officer's polling station.

Where rural electors vote.

(8) Every elector of a rural polling division the initial letter of whose surname is included within the letters designating a polling station, and contained in a list of electors divided pursuant to subsections (3) and (7), shall vote, if at all, at the station to which such part of the list applies, and not otherwise.

Where urban electors vote.

(9) Every elector of an urban polling division whose name appears on the list of electors divided pursuant to subsections (4), (5) and (7), shall vote, if at all, at the polling station to which such part of the list applies, and not otherwise.

Deputy for each polling station.

(10) The returning officer shall appoint a deputy returning officer for each of such polling stations and shall deliver to him a correct list of all electors whose names are on the applicable part of the list of electors for the polling division and who, pursuant to this section, are to vote, if at all, at such deputy returning officer's polling station.

Agents at the Polls.

Who may be present at polling station.

34. (1) In addition to the deputy returning officer and the poll clerk, the candidates, and their agents not exceeding two in number for each candidate in each polling station, and, in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given during the time the poll remains open; forthwith on being admitted to the polling station each agent shall deliver his written appointment to the deputy returning officer.

Oath of secrecy.

(2) Each of the agents of a candidate, and, in the absence of agents, each of the electors representing such candidate, on being admitted to the polling station, shall take an oath in Form No. 39 to keep secret the name of the candidate for whom the ballot paper of any elector is marked in his presence.

Agent authorized in writing.

(3) Any agent bearing a written authorization from the candidate shall be deemed an agent of such candidate within the meaning of this Act, and shall always be entitled to represent such candidate in preference to, and to the exclusion of, any elector who might otherwise claim the right of representing such candidate.

Agents may absent themselves from poll.

(4) Agents of candidates or electors representing candidates may absent themselves from and return to the polling station at any time before the close of the poll.

Counting of ballots before opening of poll.

35. (1) If the agents and electors entitled to be present in the room of the polling station during polling hours are in attendance at least fifteen minutes before the hour fixed for opening the poll, they are entitled to have the ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and to inspect such ballot papers, and all other papers, forms and documents relating to the poll.

Candidate may act as his own agent.

(2) A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorized to attend.

Provisions requiring presence of agents.

(3) The non-attendance of any agent or agents of candidates at any time or place required by this Act does not in any wise invalidate any act or thing done during the absence of such agent or agents if such act or thing is otherwise duly done, and wherever in this Act any expressions are used requiring or authorizing any act to be done at the polls or otherwise, in the presence of agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as are authorized to attend, and as have, in fact, attended at the time and place where such act or thing is being done.

Proceedings at the Poll.

Directions to electors to be posted up.

36. (1) The deputy returning officer shall, on polling day, at or before the opening of the poll, cause such printed directions to electors as have been supplied to him in Form No. 37 or 38 to be posted up in conspicuous places outside of and near to the polling station and also in each compartment of the polling station.

Initialling ballot papers.

(2) Before the opening of the poll, on polling day, the deputy returning officer shall, at the polling station and in full view of such of the candidates or their agents or the electors representing candidates as are present, affix uniformly his initials in the space provided for that purpose on the back of every ballot paper supplied to him by the returning officer; the initials of the deputy returning officer shall be affixed either entirely with pen and ink or entirely with a black lead pencil; for the purpose of such initialling, the ballot papers shall not be detached from the books in which such ballot papers have been bound or stitched pursuant to subsection (5) of section 28.

Examining and sealing ballot box.

(3) At the hour fixed for opening the poll the deputy returning officer shall, in full view of such of the candidates or their agents or the electors representing candidates as are present, open the ballot box and ascertain that there are no ballot papers or other papers or material enclosed

therein, after which the ballot box shall be locked and sealed with one of the special metal seals prescribed by the Chief Electoral Officer for the use of deputy returning officers; the ballot box shall then be placed on a table in full view of all present and shall be maintained so placed until the close of the poll.

Calling electors.

(4) Immediately after the ballot box is so locked and sealed, the deputy returning officer shall call upon the electors to vote.

Electors not to be impeded.

(5) The deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that they are not impeded or molested at or about the polling station.

One elector at a time.

(6) The deputy returning officer may, if he deems it advisable, direct that not more than one elector for each compartment shall, at any time, enter the room where the poll is held; and each elector, upon so entering, shall declare his name, residence and occupation; the poll clerk shall then ascertain if the name of the elector appears on the official list of electors used at the polling station or, in a rural polling division only, if the applicant elector is otherwise qualified to vote; when it has been ascertained that the applicant elector is qualified to vote at the polling station, his name, address and occupation shall be entered in the poll book to be kept by the poll clerk, in Form No. 40, a consecutive number being prefixed to the elector's name in the appropriate column of the poll book, and the elector shall be immediately allowed to vote, unless an election officer or any agent of a candidate present at the polling station desires that he be first sworn.

Elector to declare his name, etc.

Who may vote and where.

37. (1) Subject to his taking any oath or affidavit authorized by this Act to be required of him, every person whose name appears on an official list of electors shall be allowed to vote at the polling station on the list of electors for which his name appears; in an urban polling division, he shall not be allowed to vote if his name does not appear on such list, unless he has obtained a transfer certificate, pursuant to section 43, and fully complies with the provisions of subsection (5) of the said section, or unless he has obtained from the returning officer a certificate in Form No. 20 issued pursuant to subsection (12) of section 17, or a certificate in Form No. 21 issued pursuant to subsection (13) of the said section, which certificate shall be delivered to the deputy returning officer before the elector is allowed to vote; in a rural polling division, any qualified elector may vote, subject to the provisions of section 46, notwithstanding that his name does not appear on the official list of electors for the polling division in which such elector ordinarily resides.

Closed lists in urban polls.

Open lists in rural polls.

Prescribed oaths only.

(2) Except as provided in this Act no other oath shall be required of any person whose name is entered on the list of electors.

Voting more than once at the same election.

(3) No elector shall vote more than once in the same electoral district at the same election nor in more than one electoral district on the same day, but each elector may vote for as many candidates as are required to be elected to represent the electoral district in which he votes.

Penalty for wrongfully inducing person to vote.

38. Any person who induces or procures any other person to vote at an election, knowing that such other person is for any reason disqualified from voting or incompetent to vote at such election, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Oath of elector.

39. (1) An elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, take an oath in Form No. 41, and if he refuses to take the same, erasing lines shall be drawn through his name on the list of electors and in the poll book, if such name has been entered in the said book, and the words "Refused to be sworn" shall be written thereafter.

Affidavit of electors.

(2) In urban polling divisions, whenever an elector is specially required so to do, by any of the persons mentioned in subsection (1), such elector shall take an affidavit in Form No. 42, before the deputy returning officer, instead of the oath prescribed in the said subsection and if such elector refuses so to take such affidavit he shall not be permitted to vote.

Improper varying of oath.

40. (1) If any deputy returning officer or poll clerk, presiding at a polling station, in administering to any person any oath mentions as a disqualification any fact or circumstance that is not a disqualification according to the provisions of this Act, he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Elector refusing oath not entitled to vote.

(2) No elector who has refused to take any oath or affirmation or to answer any question, as by this Act required, shall receive a ballot paper or be admitted to vote or be again admitted to the polling place.

When elector refuses to take improper oath.

(3) If an elector is asked to take an oath or affirmation not prescribed by this Act and he refuses, he may appeal to the returning officer, and if, after consultation with the deputy returning officer or the poll clerk of the appropriate polling station, the returning officer decides that such oath or affirmation was not in fact prescribed by this Act, he

shall direct that such elector be again admitted to the poll and that he be allowed to vote, provided that the elector is otherwise qualified to vote.

Name, address and occupation corresponding closely to another.

41. (1) Where there is contained in the official list of electors a name, address and occupation which correspond so closely with the name, address and occupation of a person by whom a ballot is demanded as to suggest that the entry in such official list of electors was intended to refer to him, such person is, upon taking an oath in Form No. 43, and complying in all other respects with the provisions of this Act, entitled to receive a ballot and to vote.

May vote on taking oath.

Entries in poll book.

(2) In any such case the name, address and occupation shall be correctly entered in the poll book and the fact that the oath has been taken shall be entered in the proper column of the poll book.

Idem.

42. The poll clerk shall

(*a*) make such entries in the poll book, as the deputy returning officer, pursuant to any provision of this Act, directs;

(*b*) enter in the poll book opposite the name of each voter, as soon as the voter's ballot paper has been deposited in the ballot box, the word "Voted";

(*c*) enter in the poll book the word "Sworn" or "Affirmed" opposite the name of each elector, to whom any oath or affirmation has been administered, indicating the nature of the oath or affirmation;

(*d*) enter in the poll book the words "Refused to be sworn" or "Refused to affirm" or "Refused to answer", opposite the name of each elector who has refused to take an oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer; and

(*e*) enter in the poll book the words "Readmitted and allowed to vote" opposite the name of each elector readmitted on the direction of the returning officer.

Issue of and Voting on Transfer Certificate.

Issue of transfer certificates to agents of candidates.

43. (1) At any time between the close of nominations and not later than ten o'clock in the evening of the Saturday immediately preceding polling day, upon the production to the returning officer or to the election clerk of a writing, signed by a candidate who has been officially nominated, whereby such candidate appoints a person whose name appears upon the official list of electors for any polling station in the electoral district to act as his agent at another polling station, the returning officer or

the election clerk shall issue to such agent a transfer certificate in Form No. 44 entitling him to vote at the latter polling station.

Affidavit of agent voting on transfer certificate.

(2) Every person appointed agent for a candidate, who has obtained a transfer certificate from the returning officer or the election clerk shall, before being allowed to vote by virtue of such certificate, subscribe to the affidavit in Form No. 45 before the deputy returning officer, and such affidavit, together with the transfer certificate attached, shall be surrendered to the deputy returning officer before whom it is subscribed.

Transfer certificate for candidate.

(3) Any candidate whose name appears upon the list of electors for any polling station is entitled at his request to receive a transfer certificate entitling him to vote in any specified polling station instead of that upon the list of electors for which his name appears.

Transfer certificates for deputy returning officer, poll clerk, and election clerk.

(4) The returning officer or the election clerk may also at any time issue a transfer certificate to any person whose name appears on the official list of electors and who has been appointed to act as deputy returning officer or poll clerk for any polling station established in the electoral district other than that at which such person is entitled to vote; the returning officer may also issue a transfer certificate to his election clerk, when such election clerk ordinarily resides in a polling division other than that in which the office of the returning officer is situated.

Condition.

(5) Except in the case of the election clerk no transfer certificate issued to any election officer or agent for a candidate under this section entitles such election officer or agent to vote pursuant thereto unless, on polling day, he is actually engaged in the performance of the duty specified in the said certificate at the polling station therein mentioned.

Limitation.

(6) No returning officer or election clerk shall together issue certificates under this section purporting to entitle more than two agents for any one candidate to vote at any given polling station, and no deputy returning officer shall permit more than two agents for any one candidate to vote at his polling station on certificates under this section.

Signing, numbering and recording transfer certificate.

(7) The returning officer or the election clerk by whom any transfer certificate is issued shall

(*a*) fill in and sign such certificate and mention thereon the date of its issue,

(*b*) consecutively number every such certificate in the order of its issue,

(*c*) keep a record of every such certificate in the order of its issue on the form prescribed by the Chief Electoral Officer,

(*d*) not issue any such certificate in blank, and

(*e*) whenever possible, send a copy of the transfer certificate issued to the deputy returning officer for the polling station on the list for which appears the name of the person to whom such certificate has been issued.

Entry in poll book.

(8) In every case of a vote polled under authority of this section the poll clerk shall enter in the poll book, opposite the voter's name, in the column for remarks, a memorandum stating that the voter voted under a transfer certificate, giving the number of such certificate, and stating the particular office or position which the voter is filling at the polling station.

Secrecy.

Secrecy during and after poll.

44. (1) Every candidate, officer, clerk, agent or other person in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no candidate, officer, clerk, agent or other person shall,

Interfering with voter marking ballot.

(*a*) at the polling station interfere with, or attempt to interfere with an elector when marking his ballot paper, or otherwise attempt to obtain information as to the candidate for whom any elector is about to vote or has voted;

Taking number of ballot on count.

(*b*) at the counting of the votes attempt to ascertain the number on the counterfoil of any ballot paper;

Communicating manner of voting.

(*c*) at any time communicate any information as to the manner in which any ballot paper has been marked in his presence in the polling station;

Inducing voter to display ballot.

(*d*) at any time or place, directly or indirectly, induce or endeavour to induce any voter to show his ballot paper after he has marked it, so as to make known to any person the name of the candidate for or against whom he has so cast his vote;

Vote not to be disclosed.

(*e*) at any time communicate to any person any information obtained at a polling station as to the candidate for whom any elector at such polling station is about to vote or has voted; or

Secrecy respecting counting of votes.

(*f*) at such counting attempt to obtain any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

Secrecy at the poll.

(2) No elector shall, except when unable to vote in the manner prescribed by this Act on account of inability to read, blindness or other physical incapacity

(*a*) upon entering the polling station and before receiving a ballot paper, openly declare for whom he intends to vote;

(*b*) show his ballot paper, when marked, so as to allow the name of the candidate for whom he has voted to be known; or

(*c*) before leaving the polling station, openly declare for whom he has voted.

Penalty for violation.

(3) Every person who contravenes or fails to observe any provision of this section is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Procedure in case of violation of secrecy at the polls.

(4) It is the duty of the deputy returning officer to draw the attention of any elector who has contravened the provisions of subsection (2) to the offence that he has committed and to the penalty to which he has rendered himself liable, but such elector shall nevertheless be allowed to vote in the usual way.

Manner of Voting.

Delivery of ballot paper to elector.

45. (1) Voting shall be by ballot, and each elector shall receive from the deputy returning officer a ballot paper, on the back of which such officer has, as prescribed in subsection (2) of section 36, affixed his initials, so placed, as indicated on the back of Form No. 35, that when the ballot paper is folded the initials can be seen without unfolding the ballot paper.

Instructions to elector on receiving ballot paper.

(2) The deputy returning officer shall instruct the elector how and where to affix his mark, and shall properly fold the elector's ballot paper, directing him to return it, when marked, folded as shown, but without inquiring or seeing for whom the elector intends to vote, except when the elector is unable to vote in the manner prescribed by this Act on account of inability to read, blindness or other physical incapacity.

Mode of voting.

(3) The elector on receiving the ballot paper, shall forthwith proceed into a voting compartment and there mark his ballot paper by making a cross with a black lead pencil within the space on the ballot paper containing the name and particulars of the candidate (or of each of the candidates) for whom he intends to vote, and he shall then fold the ballot paper as directed so that the initials on the back of it and the printed serial number on the back of the counterfoil can be seen without unfolding it, and hand the ballot paper to the deputy returning officer, who shall, without unfolding it, ascertain by examination of the above mentioned initials and printed serial number that it is the same ballot paper as that delivered to the elector and if the same he shall forthwith in full view of the elector and all others present, remove and destroy the counterfoil and the deputy returning officer shall himself deposit the ballot paper in the ballot box.

Spoiled ballot paper.

(4) An elector who has inadvertently dealt with the ballot paper delivered to him in such manner that it cannot conveniently be used shall restore it to the deputy returning officer, who shall deface it in such manner as to render it a spoiled ballot; the deputy returning officer shall then deliver another ballot paper to the elector.

Elector in whose name another has voted.

(5) Subject to all other provisions of this Act as to proof of qualification as an elector and the administration of oaths, if a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such person, he shall be entitled to receive a ballot paper and to vote after taking the oath of identity, in Form No. 46, and otherwise establishing his identity to the satisfaction of the deputy returning officer.

Entry in poll book.

(6) In such case, the poll clerk shall enter in the poll book, opposite the name of the elector

(*a*) a note of his having voted on a second ballot paper issued under the same name;

(*b*) the fact of the oath of identity having been taken, and the fact of any other oath being required and taken; and

(*c*) any objections made on behalf of any and of which of the candidates.

Elector unable to mark his ballot paper.

Oath.

(7) The deputy returning officer on the application of any elector who is unable to read, or is incapacitated, from any physical cause other than blindness, from voting in the manner prescribed by this Act, shall require the elector making such application to make oath in Form No. 47 of his incapacity to vote without assistance, and shall thereafter assist such elector by marking his ballot paper in the manner directed by such elector in the presence of the poll clerk and of the sworn agents of the candidates or of the sworn electors representing the candidates in the polling station and of no other person, and shall place such ballot in the ballot box.

Blind elector's ballot paper marked by friend.

(8) The deputy returning officer shall either deal with a blind elector in the same manner as with an illiterate or otherwise incapacitated elector, or, at the request of a blind elector who has taken the oath in Form No. 47, and is accompanied by a friend, shall permit such friend to accompany the blind elector into the voting compartment and mark the blind elector's ballot paper; in such case the poll clerk shall, in addition to the other requirements prescribed in this Act, enter the name of the friend of the blind elector in the remarks column of the poll book, opposite the entry relating to such blind elector; no person shall at any election be allowed to act as the friend of more than one blind elector.

Oath of friend.

(9) Any friend who is permitted to mark the ballot of a blind elector as aforesaid shall first be required to take an

oath in Form No. 48 that he will keep secret the name or names of the candidate or candidates for whom the ballot of such blind elector is marked by him, and that he has not already acted as the friend of a blind elector for the purpose of marking his ballot paper at the pending election.

Entry in poll book.

(10) Whenever any elector has had his ballot paper marked as provided in subsections (7), (8) and (9), the deputy returning officer shall enter in the poll book opposite the elector's name, in addition to any other requisite entry, the reason why such ballot paper was so marked.

Interpreter to be sworn.

(11) Whenever the deputy returning officer does not understand the language spoken by any elector that officer shall appoint and swear an interpreter, who shall be the means of communication between him and the elector with reference to all matters required to enable such elector to vote, and in case no interpreter is found, such elector shall not be allowed to vote.

No interpreter, no vote.

No delay in voting.

(12) Every elector shall vote without undue delay and shall quit the polling station as soon as his ballot paper has been put into the ballot box.

Electors present at hour of close of poll allowed to vote.

(13) If at the hour of closing of the poll there are any electors in the polling station or in line at the door, who are qualified to vote and have not been able to do so since their arrival at the polling station, the poll shall be kept open a sufficient time to enable them to vote, before the outer door of the polling station is closed, but no one not actually present at the poll at the hour of closing shall be allowed to vote, even if the poll is still open when he arrives.

Voting by qualified elector who is a bedridden patient in a sanatorium, etc.

(14) Whenever a polling station has been established in a sanatorium, a home for the aged, a chronic hospital, or similar institution for the care and treatment of tuberculosis or other chronic diseases, the deputy returning officer and the poll clerk shall, while the poll is open on polling day and when deemed necessary by the deputy returning officer, suspend temporarily the voting in such polling station, and shall, with the approval of the person in charge of such institution, carry the ballot box, poll book, ballot papers and other necessary election documents from room to room in such institution to take the votes of bedridden patients who are ordinarily resident in the polling division in which such institution is situated and are otherwise qualified as electors; the procedure to be followed in taking the votes of such bedridden patients shall be the same as that prescribed for an ordinary polling station, except that not more than one agent of each candidate shall be present at the taking of such votes; the deputy returning officer shall give such patients any assistance which may be necessary in accordance with subsections (7) and (8).

Vote by Elector whose Name is not Entered in the Official List of Electors for a Rural Polling Division.

Manner of voting by qualified elector whose name is not on the list in a rural polling division.

46. (1) Subject as herein provided, any person who is qualified to vote in the electoral district, in which an election is pending, and is, on polling day, ordinarily resident in a rural polling division may, notwithstanding that his name does not appear on the official list of electors for such rural polling division, vote at the appropriate polling station established therefor.

Conditions.

(2) Any such person as is in subsection (1) described is entitled to vote only

(*a*) upon his being vouched for by an elector whose name appears on the official list of electors for such rural polling division and who is ordinarily resident therein, and personally attends with him at the polling station and takes an oath in Form No. 50, and

(*b*) upon himself taking an oath in Form No. 49.

Entries in poll book.

(3) The poll clerk shall make such entries in the poll book as the deputy returning officer directs him to make, including the name of the elector who vouched for the applicant elector, and as required by any provision of this Act.

Penalty for illegal vouching.

(4) Any elector who vouches for an applicant elector, knowing that such applicant is for any reason disqualified from voting in the polling division at the pending election, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as in this Act provided.

Time to Employees for Voting.

Consecutive hours for voting.

47. (1) Every employee who is a qualified elector shall, while the polls are open on polling day at an election, have three consecutive hours for the purpose of casting his vote; and if the hours of his employment do not allow for such three consecutive hours, his employer shall allow him such additional time for voting as may be necessary to provide the said three consecutive hours; no employer shall make any deduction from the pay of any such employee nor impose upon or exact from him any penalty by reason of absence from his work during such consecutive hours; the additional time for voting above referred to shall be granted at the convenience of the employer.

Railway companies. Exception.

(2) This section extends to railway companies and their employees, except such employees as are actually engaged in the running of trains and to whom such time cannot be allowed without interfering with the manning of the trains.

Penalty.

(3) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other way,

interferes with the granting to any elector in his employ, of the consecutive hours for voting, as in this section provided, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Peace and Good Order at Elections.

Returning officer and deputy to be conservators of peace.

48. (1) Every returning officer, during an election, and every deputy returning officer, during the hours that the polls are opened, is a conservator of the peace with all the powers appertaining to a justice of the peace, and he may

May demand assistance.

(*a*) require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at the election;

Arrest disturbers.

(*b*) arrest or cause by verbal order to be arrested, and place or cause to be placed in the custody of any constables or other persons, any person disturbing the peace and good order at the election; and

Imprison disturbers.

(*c*) cause such arrested person to be imprisoned under an order signed by him until an hour not later than the close of the poll.

Summary proceedings in case of personation.

(2) If a person is charged at a polling station with having committed or attempted to commit the offence of personation, or having voted or attempted to vote knowing that he was for any reason disqualified, non-qualified, or incompetent to vote at such election, the deputy returning officer at such polling station, if requested so to do by the poll clerk or an agent or elector representing a candidate, shall take the information on oath of the person making the charge; and such information may be taken in Form No. 51 or in Form No. 52, as the case may be.

Detention of alleged personator.

(3) If the person against whom it is proposed to lay the information has not left the polling station the deputy returning officer shall, either on his own motion or at the request of any one proposing forthwith to lay such information, detain or direct the detention of such person until a written information can be drawn up.

Warrant of arrest.

(4) Upon receiving the information the deputy returning officer shall, on polling day, but not afterwards, issue his warrant, in Form No. 53 or in Form No. 54, as the case may be, for the arrest of the person charged, in order that he may be brought before the magistrate, or one of the magistrates therein named, to answer to the said information and to be further dealt with according to law.

Execution of warrant.

(5) Such warrant is sufficient authority for any peace officer, as defined by the *Criminal Code*, to detain such person until he is brought before the magistrate.

If name of alleged personator is unknown.

(6) If the correct name of the person charged is unknown to the informant, it is sufficient, in the information and

other proceedings, to describe the person charged as a person whose name is to the informant unknown but who is detained under the order of the deputy returning officer; or, the person charged may be described in such other manner as will suitably identify him; and, when the name of the person so charged is ascertained, it shall be stated in any subsequent warrant or proceeding.

Constables in cases of personation.

(7) Every poll clerk has the authority of a constable for the purpose of carrying out the provisions of this Act respecting summary proceedings in cases of personation; and every deputy returning officer shall appoint such special constables as he deems necessary for the like purpose, who have full power to act without taking any oath.

Special constables.

Jurisdiction of magistrate.

(8) The magistrate named in any such warrant shall be one having jurisdiction under that part of the *Criminal Code* relating to the summary trial of indictable offences and shall be the nearest magistrate available in the county or judicial district.

Application of *Criminal Code*.

(9) The provisions of the said part of the *Criminal Code* apply to all proceedings under this Act, against any person or persons accused of personation under subsections (2) to (8).

Appointment and oath of a constable at a polling station.

(10) Any deputy returning officer may appoint a constable to maintain order in his polling station throughout polling day; this authority, however, shall not be exercised unless the services of such constable are deemed absolutely necessary; a constable may be appointed only when there is actual or threatened disorder, or when it is likely that a large number of electors will seek to vote at the same time; generally, the appointment of one constable shall be made where more than one polling station is established in the same building or in adjoining buildings for a given polling division, to ensure the successive and prompt entrance of the electors into their proper polling station; constables shall be appointed and sworn in on Form No. 55, which shall be printed in the poll book; every deputy returning officer who has appointed a constable, shall state his reasons for making such appointment in the space provided for that purpose on the polling station account.

Strangers not to enter polling districts armed.

49. (1) Except the returning officer, the deputy returning officer, the poll clerk, and the constables and special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person who has not had a stated residence in the polling division for at least six months next before the day of such election shall come during any part of the day upon which the poll is to remain open into such polling division armed with offensive weapons of any kind, and no person being in

such polling division shall arm himself, during any part of the day, with any offensive weapon, and, thus armed, approach within half a mile of the place where the poll of such polling division is held, unless called upon so to do by lawful authority.

Demand that weapons be delivered up.

(2) The returning officer or deputy returning officer may, during the nomination day and polling day at any election, require any person within half a mile of the place of nomination or of the polling station to deliver to him any offensive weapon in the hands or personal possession of such person and the person so required shall forthwith so deliver.

Loud speakers, ensigns, banners, etc., prohibited on polling day.

(3) No person shall furnish or supply any loud speaker, bunting, ensign, banner, standard or set of colours, or any other flag, to any person with intent that it shall be carried, worn or used on automobiles, trucks or other vehicles, as political propaganda, on the ordinary polling day; and no person shall, with any such intent, carry, wear or use, on automobiles, trucks or other vehicles, any such loud speaker, bunting, ensign, banner, standard or set of colours, or any other flag, on the ordinary polling day.

Flags, ribbons or favours not to be furnished or worn.

(4) No person shall furnish or supply any flag, ribbon, label or like favour to or for any person with intent that it be worn or used by any person within any electoral district on the day of election or polling, or within two days before such day, or during the continuance of such election, by any person, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate; and no person shall use or wear any flag, ribbon, label, or other favour, as such badge, within any electoral district on the day of any such election or polling, or within two days before such day.

Liquor not to be sold or given on polling day.

(5) No spirituous or fermented liquors or strong drinks shall be sold or given at any hotel, tavern, shop or other place within the limits of any polling division, during the whole of the polling day at an election.

Penalty.

(6) Every person who violates, contravenes or fails to observe any of the provisions of this section is guilty of an indictable offence against this Act, punishable as provided in this Act.

Counting and Reporting the Votes.

Counting the votes by the deputy returning officer.

50. (1) Immediately after the close of the poll, in the presence and in full view of the poll clerk and the candidates or their agents, and if the candidates or any of them are absent, then in the presence of such as are present, and of at least two electors if none of the candidates are represented, the deputy returning officer shall, in the following order,

(*a*) count the number of electors whose names appear in the poll book as having voted and make an entry

thereof on the line immediately below the name of the elector who voted last, thus: "The number of electors who voted at this election in this polling station is" (stating the number), and sign his name thereto;

(*b*) count the spoiled ballot papers, if any, place them in the special envelope supplied for that purpose and indicate thereon the number of such spoiled ballot papers and seal it up;

(*c*) count the unused ballot papers undetached from the books of ballot papers, place them with all the stubs of all used ballot papers in the special envelope supplied for that purpose and indicate thereon the number of such unused ballot papers;

(*d*) check the number of ballot papers supplied by the returning officer against the number of spoiled ballot papers, if any, the number of unused ballot papers and the number of voters whose names appear in the poll book as having voted, in order to ascertain that all ballot papers are accounted for;

(*e*) open the ballot box and empty its contents upon a table; and

(*f*) count the number of votes given to each candidate on one of the tally sheets supplied, giving full opportunity to those present to examine each ballot paper; the poll clerk and as many as three witnesses shall be supplied with a tally sheet upon which they may keep their own score as each vote is called out by the deputy returning officer.

Rejection of ballots.

(2) In counting the votes the deputy returning officer shall reject all ballot papers

(*a*) that have not been supplied by him;

(*b*) that have not been marked for any candidate;

(*c*) on which votes have been given for more candidates than are to be elected; or

(*d*) upon which there is any writing or mark by which the elector could be identified, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any deputy returning officer.

Counterfoils remaining attached.

(3) If, in the course of counting the votes, any ballot paper is found with the counterfoil still attached thereto, the deputy returning officer shall (carefully concealing the number thereon from all persons present and without examining it himself) remove and destroy such counterfoil; he shall not reject the ballot paper merely by reason of his former failure to remove the counterfoil; nothing in this subsection relieves the deputy returning officer from any penalty to which he may have become liable by reason of

his failure to remove and destroy the counterfoil at the time of the casting of the vote to which it relates.

Ballots not initialled by deputy returning officer.

(4) If, in the course of counting the votes, the deputy returning officer discovers that he has omitted to affix his initials to the back of any ballot paper, as provided by subsection (2) of section 36 and subsection (1) of section 45, and as indicated in Form No. 35, he shall, in the presence of the poll clerk and the agents of the candidates, affix his initials to such ballot paper, and shall count such ballot paper as if it had been initialled by him in the first place, if he is satisfied that the ballot paper is one that has been supplied by him and that such an omission has really been made, and also that every ballot paper supplied to him by the returning officer has been accounted for, as provided by paragraph (*d*) of subsection (1); nothing in this subsection relieves the deputy returning officer from any penalty to which he may have become liable by reason of his failure to affix his initials on the back of any ballot paper before handing it to the elector.

Objections to ballot papers.

(5) The deputy returning officer shall keep a record on the special form printed in the poll book of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall decide every question arising out of the objection; the decision of the deputy returning officer is final, subject to reversal on recount or on petition questioning the election or return; and every such objection shall be numbered, and a corresponding number placed on the back of the ballot paper and initialled by the deputy returning officer.

Objection to be numbered.

Duties after counting the votes.

(6) All the ballot papers not rejected by the deputy returning officer shall be counted and a list kept of the number of votes given to each candidate and of the number of rejected ballot papers; the ballot papers that respectively indicate the votes given for each candidate shall be put into separate envelopes; all rejected ballot papers shall be put into a special envelope and all such envelopes shall be endorsed so as to indicate their contents, and shall be sealed by the deputy returning officer; the deputy returning officer and the poll clerk shall affix their signatures to the seal, and such agents or witnesses present as may desire to sign their names thereon in addition may so do.

Disposition of ballot papers.

Oaths by deputy and poll clerk.

(7) The deputy returning officer and the poll clerk, immediately after the completion of the counting of the votes, shall take and subscribe respectively the oaths in Forms Nos. 56 and 57 which shall remain attached to the poll book.

Statement of the poll by deputy.

(8) The deputy returning officer shall make the necessary number of copies of the statement of the poll in Form No. 58, one copy to remain attached to the poll book, one copy to be retained by the deputy returning officer and one copy

for the returning officer, which shall be enclosed in a special envelope supplied for the purpose, which envelope he shall seal and deposit by itself in the ballot box; and he shall also deliver one copy of such statement of the poll to each of the candidates' agents, or, in the absence of such agents, to the electors present representing the candidates, and shall mail one copy to each candidate, in the special envelope provided for the purpose, to his address as stated on the ballot paper.

Documents to be enclosed in ballot box.

(9) The poll book, the several envelopes containing the ballot papers—unused, spoiled, rejected or counted for each candidate—each lot in its proper envelope, the envelope containing the official list of electors and other documents used at the poll shall then be placed in the large envelope supplied for the purpose, and this envelope shall be immediately sealed and placed in the ballot box with (but not enclosing) the envelope containing the official statement of the poll prepared for the returning officer and referred to in subsection (8); the ballot box shall then be locked and sealed with one of the special metal seals prescribed by the Chief Electoral Officer for the use of the deputy returning officer and forthwith transmitted by registered mail or delivered to the returning officer; the returning officer may appoint one or more persons for the purpose of collecting the ballot boxes from a given number of polling stations and such person or persons shall, on delivering such ballot boxes to the returning officer, subscribe to the oath in Form No. 59.

Locking and sealing ballot box.

Ballot box, preliminary statement of the poll and account to be delivered to returning officer.

(10) The deputy returning officer shall, with the ballot box, transmit or deliver to the returning officer in the envelope provided for that purpose

(*a*) the preliminary statement of the poll in the form prescribed by the Chief Electoral Officer, and

(*b*) the polling station account filled in and signed by the deputy returning officer.

Ballot boxes delivered free of postage.

(11) The returning officer may direct that the ballot boxes shall be returned to him by parcel post, registered, and any ballot box addressed to any returning officer on or subsequent to polling day by his title as such, or with the addition of his name, shall, when posted in Canada, be carried free in the Canadian mails as registered matter.

Penalty for failure to enclose necessary documents.

(12) If any deputy returning officer omits to enclose within the ballot box, and in the proper envelopes provided for that purpose, any of the documents mentioned in this section, he shall, in addition to any other punishment to which he may be liable, forfeit all right to payment for his services as such officer; and the returning officer shall not issue any warrant in payment of the services of such deputy returning officer if it appears that the omission was made by reason of any want of good faith on the part of the deputy returning officer.

Proceedings of Returning Officer after Return of Ballot Boxes.

Safe-keeping of ballot boxes.

51. (1) The returning officer upon the receipt of each ballot box, shall take every precaution for its safe-keeping and for preventing any person other than himself and his election clerk from having access thereto; the returning officer shall examine the special metal seal affixed to each ballot box by the deputy returning officer, pursuant to subsection (9) of section 50, and if such seal is not in good order, the returning officer shall affix his own special metal seal prescribed by the Chief Electoral Officer; the returning officer shall record the condition of the special metal seal required to be affixed, by the deputy returning officer, to every ballot box, in the appropriate column of the returning officer's record book.

Opening of ballot boxes and official addition of votes.

(2) After all the ballot boxes have been received, the returning officer, at the place, day and hour fixed by the proclamation, in Form No. 4, for the official addition of the votes, and in the presence of the election clerk and of such of the candidates or their representatives as are present, shall open such ballot boxes, and from the official statements of the poll therein contained, add the number of votes cast for each candidate.

Attendance of electors in certain cases.

(3) If, at the official addition of the votes, none of the candidates or their representatives are present, it is the duty of the returning officer to secure the presence of at least two electors who shall remain in attendance until such official addition of the votes has been completed.

Special power of returning officer when statement of poll is missing.

(4) If any ballot box does not appear to contain a statement of the poll either loose or in its separate envelope as hereinbefore provided, the returning officer may, for the purpose of finding a statement of the poll, open the large envelope found in the ballot box and appearing to contain miscellaneous papers; if the power hereby conferred is exercised, all the papers, other than the statement of the poll, if found, shall be placed by the returning officer in a special large envelope which shall be sealed and duly endorsed by him; nothing in this subsection authorizes the opening of any envelope appearing to contain only ballot papers, cast for the various candidates, but in the absence of other information, the endorsements on such envelopes may be adopted as indicating the result of the poll at the polling station in question.

Declaration of name of candidate obtaining largest number of votes.

(5) The name of the candidate who, on the official addition of the votes, is found to have obtained the largest number of votes, shall then be certified in writing and there shall be delivered to such candidate or his representative a certificate giving the number of votes cast for each candidate, in the form prescribed by the Chief Electoral Officer,

and a copy of such certificate shall also be forthwith delivered to any other candidate or his representative, if present at the official addition of the votes, or, if any candidate is neither present nor represented thereat, the certificate shall be forthwith transmitted to such candidate by registered mail.

Casting vote of returning officer.

(6) Whenever, on the official addition of the votes, an equality of votes is found to exist between any two or more candidates and an additional vote would entitle one of such candidates to be declared as having obtained the largest number of votes, the returning officer shall cast such additional vote.

Adjournment if ballot boxes are missing.

52. (1) If the ballot boxes are not all returned on the day fixed for the official addition of the votes, the returning officer shall adjourn the proceedings to a subsequent day, which shall not be more than a week later than the day originally fixed for the purpose of such official addition of the votes.

Adjournment for other causes.

(2) In case the statement of the poll for any polling station cannot be found and the number of votes cast thereat for the several candidates cannot be ascertained, or if, for any other cause, the returning officer cannot, at the day and hour appointed by him for that purpose, ascertain the exact number of votes cast for each candidate, he may thereupon adjourn to a future day and hour the official addition of the votes, and so from time to time, such adjournment or adjournments not in the aggregate to exceed two weeks.

Provision in case of loss of ballot boxes.

(3) If the ballot boxes or any of them have been destroyed or lost, or , for any other reason, are not forthcoming within the time fixed by this Act, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall obtain from each of the deputy returning officers whose ballot boxes are missing, or from any other persons having them, a copy of the statement of the poll furnished to the candidates or their agents as required by this Act, the whole verified on oath.

If statement of the poll cannot be obtained.

(4) If such statement of the poll or copies thereof cannot be obtained, the returning officer shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling stations; and, to that end, may summon any such deputy returning officer, his poll clerk, or any other person, to appear before him at a day and hour to be named by him, and to bring all necessary papers and documents with him, of which day and hour and of the intended proceedings the candidates shall have due notice; and the returning officer may examine on oath such deputy returning officer or poll clerk, or any other person, respecting the matter in question.

Duty of returning officer if statement not in ballot box.

(5) In case of an adjournment by reason of any deputy returning officer not having placed in the ballot box a statement of the poll, the returning officer shall, in the meantime, use all reasonable efforts to ascertain the exact number of votes given for each candidate in the polling station of such deputy returning officer, and, to that end, has the powers set out in subsection (4).

Declaration of name of candidate who has obtained largest number of votes.

(6) In any case arising under subsection (3), (4) or (5), the returning officer shall declare the name of the candidate appearing to have obtained the largest number of votes, and shall mention specially, in a report to be sent to the Chief Electoral Officer with the return to the writ, the circumstances accompanying the disappearance of the ballot boxes, or the want of any statement of the poll as aforesaid, and the mode by which he ascertained the number of votes cast for each candidate.

Penalty for not obeying summons of returning officer.

(7) Any person refusing or neglecting to attend on the summons of a returning officer issued under this Act, in any case where ballot boxes are not forthcoming and it is necessary to ascertain by evidence the total number of votes given to each candidate at the several polling stations, is guilty of an indictable offence against this Act punishable as provided in this Act.

Custody of empty ballot boxes.

53. (1) After the close of the election, the returning officer shall cause the empty ballot boxes used thereat to be deposited in the custody of the officer in charge of a building owned or occupied by the Government of Canada, if any, at the place at which the official addition of the votes was held, or if none, of the postmaster of such place, or of the sheriff of any county or judicial district, or of the registrar of deeds of any county or registration division, included, or in part included, in the electoral district, or of any other person designated by the Chief Electoral Officer.

Receipt.

(2) Upon delivery to him of such ballot boxes, the custodian shall issue his receipt, in the form prescribed by the Chief Electoral Officer, and transmit or deliver a copy of such receipt to the returning officer.

Recount by Judge.

Application to a judge for recount.

54. (1) If, within four days after the date on which the returning officer has declared the name of the candidate who has obtained the largest number of votes, it is made to appear, on the affidavit of a credible witness, to the judge hereinafter described, that a deputy returning officer in counting the votes has improperly counted or improperly rejected any ballot papers or has made an incorrect statement of the number of votes cast for any candidate, or that the returning officer has improperly added up the votes, and

if the applicant deposits within the said period with the clerk or prothonotary of the court to which such judge belongs the sum of two hundred and fifty dollars in legal tender as security for the costs of the candidate who has obtained the largest number of votes, such judge shall appoint a time to recount the said votes, which time shall, subject to subsection (3), be within four days after the receipt of the said affidavit.

Meaning of "judge".

(2) The judge to whom applications under this section may be made shall be the judge as defined in subsection (13) of section 2 within whose judicial district is situated the place where the official addition of the votes was held or the judge acting for such judge pursuant to paragraph (*f*) of that subsection or a judge designated by the Minister of Justice under that paragraph, and any judge who is authorized to act by this section may act, to the extent so authorized, either within or without his judicial district.

Procedure when applications for recount in two or more districts are made.

(3) If applications for a recount of the votes in two or more electoral districts are made under this section to the same judge, such judge shall first proceed with the recount in the electoral district in respect of which the first application is made to him, and successively with the recounts in the electoral district or districts in respect of which applications were later made, and all such recounts shall proceed continuously from day to day until the last of them has been completed.

Notice and service.

(4) The judge shall appoint and give written notice to the candidates or their agents of a time and place at which he will proceed to recount the votes, and he may at the time of the application or afterwards, decide and announce that service of the notice will be substitutional, or by mail or by posting, or in any other manner.

Order of judge to returning officer.

(5) Such judge shall also summon and command the returning officer and his election clerk to attend at the time and place so appointed with the parcels containing the used and counted, the unused, the rejected, and the spoiled ballot papers, or the original statements of the poll signed by the deputy returning officers, as the case may be, with respect to or in consequence of which such recount is to take place, which summons and command the returning officer and election clerk shall obey, and they shall attend throughout the proceedings, at which proceedings each candidate is entitled to be present and to be represented by not more than three agents appointed to attend.

Who may be present at recount.

If candidate not represented, authority of judge.

(6) In case any candidate is not present or represented, any three electors who may demand to attend in his behalf are entitled to attend; and except with the sanction of the judge, no other person shall be present at such recount.

Making recount.

(7) At the time and place appointed, and in the presence of such of the said persons as shall attend, the judge shall proceed to make such recount from the statements contained in the several ballot boxes returned by the several deputy returning officers, or to recount all the votes or ballot papers returned by the several deputy returning officers, as the case may be, and shall, in the latter case, open the sealed envelopes containing the used and counted, the unused, the rejected, and the spoiled ballot papers, and he shall not open any other envelopes containing other documents.

Opening sealed packets of ballots.

Mode of proceeding with the recount.

(8) In the case of a recount, the judge shall recount the votes according to the directions in this Act set forth for deputy returning officers at the close of the poll, and shall verify or correct the statement of the poll giving the ballot paper account and the number of votes given for each candidate; and he shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate at any polling place where the ballot box used was not forthcoming when the returning officer made his decision, or when the proper statements of the poll were not found therein, and for the purpose of arriving at the facts as to such missing box and the statements of the poll, the judge has all the powers of a returning officer with regard to the attendance and examination of witnesses, who in case of non-attendance are subject to the same consequences as in case of refusal or neglect to attend on the summons of a returning officer.

Powers of judge.

Where counterfoil is attached.

(9) If in the course of the recount any ballot paper is found with the counterfoil still attached thereto, the judge shall remove and destroy such counterfoil; he shall not reject the ballot by reason merely of the deputy returning officer's failure to remove the counterfoil, nor shall he reject any ballot paper by reason merely of the deputy returning officer's failure to affix his initials to the back of such ballot paper.

Proceedings to be continuous.

(10) The judge shall, as far as practicable, proceed continuously, except on Sunday, with the recount, allowing only necessary recess for refreshment, and excluding, except as he shall otherwise openly direct, the hours between six o'clock in the afternoon and nine in the succeeding forenoon.

During excluded time documents to be under seal.

(11) During such recess or excluded time the ballot papers and other documents shall be kept enclosed in parcels under the seals of the judge and of such other of the said persons as desire to affix their seals thereto.

Supervision of sealing.

(12) The judge shall personally supervise such parcelling and sealing and take all necessary precautions for the security of such papers and documents.

Procedure at conclusion of recount.

(13) At the conclusion of the recount, the judge shall seal all the ballot papers in separate packages, add the number

of votes cast for each candidate as ascertained at the recount, and forthwith certify in writing, in the form prescribed by the Chief Electoral Officer, the result of the recount to the returning officer, who shall, as prescribed in subsection (1) of section 56, declare to be elected the candidate who has obtained the largest number of votes; the judge shall deliver a copy of such certificate to each candidate, in the same manner as the prior certificate delivered by the returning officer under subsection (5) of section 51; the judge's certificate shall be deemed to be substituted for the certificate previously issued by the returning officer.

Equality of votes.

(14) In case of an equality of votes the returning officer, notwithstanding that he may have already voted pursuant to subsection (6) of section 51, has and shall cast another or deciding vote.

(15) If the recount does not so alter the result of the poll as to affect the return, the judge shall

Costs.

(*a*) order the costs of the candidate appearing to be elected to be paid by the applicant, and

To be taxed.

(*b*) tax such costs, following as closely as possible the tariff of costs allowed with respect to proceedings in the court in which the judge ordinarily presides.

Disposal of deposit; action for balance.

(16) The moneys deposited as security for costs shall, so far as necessary, be paid out to the candidate in whose favour costs are awarded and if the said deposit is insufficient the party in whose favour the costs are awarded has his action for the balance.

Procedure if the Judge fails to Comply.

Failure of judge to act.

55. (1) In case of any omission, neglect, or refusal of the judge to comply with the foregoing provisions in respect of the recount, or to proceed therewith, any party aggrieved may, within eight days thereafter, make application

(*a*) in the Province of Ontario, to a judge of the High Court Division of the Supreme Court;

(*b*) in the Provinces of Quebec, Manitoba or Saskatchewan, to a judge of the Court of Queen's Bench;

(*c*) in the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, British Columbia, Alberta, or Newfoundland, to a judge of the Supreme Court of the Province; or

(*d*) in the Yukon Territory or the Northwest Territories, to a judge of the Territorial Court.

Application upon affidavit.

(2) Such application may be made upon affidavit, which need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect.

Order of judge.

(3) The judge to which the application is made shall, if it appears that there is such omission, refusal or neglect, make an order appointing the time, within eight days, and

a place for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such directions for the service of the order and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper.

Service of notice.

(4) If the circumstances appear to the judge to warrant it, he may direct that service upon any such parties may be substitutional, or by mail or by posting, or in any other manner.

Affidavits may be filed.

(5) The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court of the judge to whom the application is made, affidavits in reply to those filed by the applicant, and, upon demand, shall furnish the applicant with copies thereof.

Order of court after hearing.

(6) At the time and place appointed by the judge or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are present, or their counsel, the judge or some other judge of the same court shall make such order as the facts of the case in the opinion of the judge warrant, either dismissing the application or ordering the judge in default to take such action as is necessary in order to comply with the requirements of this Act in respect of the recount and to proceed with and complete such recount and the judge may make such order as to costs as he thinks proper.

Costs.

Judge to obey order.

(7) A judge so found to be in default as aforesaid shall forthwith carry out the directions of any order so made; and there shall be the same remedies for the recovery of the costs awarded by such order as for costs in ordinary cases in the court to which the judge making such directions or order belongs.

Fresh declaration by returning officer if required as result of recount.

(8) In the event of a return to the writ of election having been, at the time of issue of an order under this section, made by the returning officer to the Chief Electoral Officer under the provisions of section 56, the Chief Electoral Officer shall, upon being furnished with a certified copy of such order, send back to the returning officer all election papers required for use on the recount; upon receiving the judge's certificate of the result of the recount, the returning officer shall as hereinbefore provided make and give due notice of a fresh declaration of the election which shall replace any previous declaration, and if the result of the recount is that some person other than the person named in the original return is certified to be returned a second return to the writ shall be made by the returning officer and shall be dealt with in all respects in the same way as, and has the effect of cancelling, the original return; if,

Not required if original return confirmed.

however, the result of the recount is to confirm the original return the returning officer shall forthwith send back the papers to the Chief Electoral Officer, but shall not make any second or substitute return to the writ of election.

Election Return.

Return of elected candidate.

56. (1) The returning officer, immediately after the sixth day next following the date upon which he has completed the official addition of the votes, unless before that time he has received notice that he is required to attend before a judge for the purpose of a recount, and, where there has been a recount, then immediately thereafter, the returning officer shall forthwith declare elected the candidate who has obtained the largest number of votes by completing the return to the writ on the form provided for that purpose on the back of the writ; the returning officer shall then transmit by registered mail the following documents to the Chief Electoral Officer:

(*a*) the election writ with his return in Form No. 60 endorsed thereon that the candidate having the majority of votes has been duly elected;

(*b*) a report of his proceedings in the form prescribed by the Chief Electoral Officer;

(*c*) the recapitulation sheets, in the form prescribed by the Chief Electoral Officer, showing the number of votes cast for each candidate at each polling station, and making such observations as the returning officer may think proper as to the state of the election papers as received from his deputy returning officers;

(*d*) the statements of the polls from which the official addition of the votes was made;

(*e*) the reserve supply of undistributed blank ballot papers;

(*f*) the enumerators' record books used in urban polling divisions;

(*g*) the index books prepared by enumerators in rural polling divisions;

(*h*) the revising officers' record sheets and other papers relating to the revision of the lists of electors in urban polling divisions;

(*i*) the returns from the various polling stations enclosed in sealed envelopes, as prescribed by section 50, and containing the poll book used at the poll, a packet of stubs and of unused ballot papers, packets of ballot papers cast for the several candidates, a packet of spoiled ballot papers, a packet of rejected ballot papers and a packet containing the official list of electors used at the poll, the written appointments of candidates' agents and the used transfer certificates; and

(*j*) all other documents used for the election.

Return not to be made until certificate of judge received.

(2) In case of such receipt of notice of recount the returning officer shall delay transmission of such return and report until he has received from the judge a certificate of the result of such recount, whereupon he shall transmit the same in manner hereinbefore directed.

Duplicate of return to each candidate.

(3) The returning officer shall forward to each of the candidates a duplicate or copy of the return to the writ made by him.

If return is irregular.

(4) A premature return shall be deemed not to have reached the Chief Electoral Officer until the same should have reached him in due course, and he shall, if circumstances so require, send back such return and any or all election documents connected therewith to the returning officer for completion or correction; the Chief Electoral Officer may, moreover, send back to the returning officer any return which does not comply in any respect with the provisions of this Act.

Notice of return in *Canada Gazette*.

(5) The Chief Electoral Officer shall, on receiving the return of any member elected to serve in the House of Commons, enter it, in the order in which such return is received by him, in a book to be kept by him for such purpose and thereupon immediately give notice in an ordinary or special issue of the *Canada Gazette* of the name of the candidate so elected and in the order in which it was received, and shall also forward to the Comptroller of the Treasury a certified statement of the number of votes cast for each candidate in every electoral district, and when the Comptroller of the Treasury has satisfied himself that, pursuant to subsection (14) of section 21, a candidate is entitled to the return of his deposit, the Comptroller of the Treasury shall return it accordingly.

Statement to Comptroller of the Treasury.

Return of deposit.

Reports by Chief Electoral Officer.

(6) The Chief Electoral Officer shall, immediately after each general election, cause to be printed a report giving, by polling divisions, the number of votes polled for each candidate, the number of rejected ballots, the number of names on the list of electors, together with any other information that he may deem fit to include; and shall also, at the end of each year, cause to be printed a similar report on the by-elections held during the year.

Penalty for delay, neglect or refusal of returning officer to return elected candidate.

57. If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for any electoral district, and if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election, shall forfeit to the person aggrieved the sum of fifteen hundred dollars and costs in addition to all damages sustained.

Report of Chief Electoral Officer.

Report of Chief Electoral Officer to Speaker of House of Commons.

58. (1) The Chief Electoral Officer shall before or within ten days after the commencement of any session of Parliament make a report to the Speaker of the House of Commons as to any matter or event which has arisen or occurred in connection with the administration of his office in the interval since the date of his next preceding report and which he considers should be brought to the attention of the House, and he shall in such report suggest what, if any, amendments are, in his opinion, desirable for the more convenient administration of the law.

Complaints to Chief Electoral Officer.

(2) Every candidate at any election and every official agent of any candidate has the right to send to the Chief Electoral Officer in writing any complaint he may have to make with respect to the conduct of the election or of any election officer, and to suggest any such changes or improvements in the law as he may consider desirable; every such complaint or statement shall be included by the Chief Electoral Officer in his next following report to the Speaker of the House of Commons, with such recommendation, if any, as he may see fit to make thereon.

Submission to House of Commons.

(3) Any report received from the Chief Electoral Officer by the Speaker shall be forthwith submitted by him to the House of Commons.

Custody of Election Documents by Chief Electoral Officer.

Chief Electoral Officer to retain election documents.

59. (1) The Chief Electoral Officer shall retain in his possession the election documents or election papers, as defined by subsection (6) of section 2, transmitted to him by any returning officer, with the return to the writ, for at least one year, if the election is not contested during that time, and, if the election is contested, then for one year after the termination of such contestation.

Inspection of election documents.

(2) No such election documents or election papers in the custody of the Chief Electoral Officer shall be inspected or produced except under a rule or order of a Superior Court or a judge thereof, which, if and when made, the Chief Electoral Officer shall obey.

Election documents or election papers receivable in evidence when certified by Chief Electoral Officer.

(3) Where a Superior Court or a judge thereof has ordered the production of any election documents or election papers, the Chief Electoral Officer need not, unless the court or judge otherwise orders, appear personally to produce such documents or papers, but it is sufficient if the Chief Electoral Officer certifies such documents or papers and transmits them by registered mail to the clerk or registrar of the court, who shall, when such documents have served the purposes of the court or judge, return them by registered mail to the Chief Electoral

Officer; any such documents or papers purporting to be certified by the Chief Electoral Officer are receivable in evidence without further proof thereof.

Order of court.

(4) Such rule or order may be granted by such court or judge on being satisfied by evidence on oath that the inspection or production of such election documents or election papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to an election, or for the purpose of a petition that has been filed questioning an election or return.

Conditions of inspection.

(5) Any such rule or order for the inspection or production of election documents or election papers may be made subject to such conditions as to persons, time, place and mode of inspection or production as the court or judge deems expedient.

Inspection of instructions, correspondence and other reports.

(6) All other reports or statements received from election officers, all instructions issued by the Chief Electoral Officer pursuant to the provisions of this Act, all decisions or rulings by him upon points arising thereunder, and all correspondence with election officers or others in relation to any election shall be public records, and may be inspected by any person upon request during business hours.

Extracts.

(7) Any person may take extracts therefrom and is entitled to certified copies of the papers relating to any subject upon payment for the preparation of such certified copies at the rate of ten cents per folio of one hundred words.

Evidence.

(8) Any such copies purporting to be certified by the Chief Electoral Officer under his hand are receivable in evidence without further proof thereof.

Fees and Expenses of Election Officers.

Tariff of fees and expenses.

60. (1) Upon the recommendation of the Chief Electoral Officer, the Governor in Council may make a tariff of fees, costs, allowances and expenses to be paid and allowed to returning officers and other persons employed at or with respect to elections under this Act, and may, from time to time, revise and amend such tariff.

Copy to House of Commons.

(2) A copy of any such tariff and of any amendment thereof shall be laid before the House of Commons within the first fifteen days of the next ensuing session of Parliament.

Mode of payment of fees and expenses.

(3) Such fees, costs, allowances and expenses shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, and they shall be distributed as follows:

By special warrants in certain cases.

(*a*) with regard to polling stations other than advance polling stations the fees or allowances, fixed by the tariff of fees, established pursuant to subsection (1),

of deputy returning officers and poll clerks, and for the rental of polling stations, shall, except in the electoral districts of Yukon and Mackenzie River, be paid direct to each claimant by special warrants drawn on the Comptroller of the Treasury and finally issued by the returning officer for each electoral district; the necessary forms of warrants shall be furnished to each returning officer by the Chief Electoral Officer; such warrants shall bear the printed signature of the Chief Electoral Officer, and when countersigned by the appropriate returning officer, are negotiable without charge at any chartered bank in Canada; immediately after the official addition of the votes has been held, every returning officer shall fill in the necessary spaces in the warrants, affix his signature thereon, and despatch the warrants by mail to the deputy returning officers, poll clerks, and landlords of polling stations entitled to receive them;

By separate cheques in other cases.

(*b*) all claims made by other election officers, including the returning officer, election clerk, enumerators, revising agents, revising officers, advance polling station officers, constables, and various other claims relating to the conduct of an election, shall be paid by separate cheques issued from the office of the Comptroller of the Treasury at Ottawa, and sent direct to each person entitled to payment; and

Mode of payment in Yukon and Mackenzie River.

(*c*) in the electoral districts of Yukon and Mackenzie River, the fees of deputy returning officers, poll clerks and landlords of polling stations, shall be paid by separate cheques issued from the office of the Comptroller of the Treasury.

Certification.

(4) The returning officer shall certify all accounts submitted by him to the Chief Electoral Officer, and shall be responsible for their correctness.

Responsibility of returning officer.

(5) The returning officer shall exercise special care in the certification of enumerators' accounts; any enumerator who wilfully and without reasonable excuse omits from the list of electors prepared by him (or by him jointly with another enumerator) the name of any person entitled to have his name entered thereon, or enters on the said list the name of any person who is not qualified as an elector in his polling division, shall forfeit his right to payment for his services and expenses; in all such cases, the returning officer shall not certify the account of the enumerator concerned, but shall send it uncertified to the Chief Electoral Officer with a special report attached thereto stating the relevant facts; moreover, the Comptroller of the Treasury shall not pay any urban enumerator's account until after the revision of the lists of electors has been completed.

Fees, etc., may be increased by Governor in Council.

(6) Whenever it appears to the Governor in Council that the fees and allowances provided for by the tariff are not sufficient remuneration for the services required to be performed at any election, or that any claim for any necessary service performed, or for materials supplied for or at an election, is not covered by such tariff, he may authorize the payment of such sum or additional sum for such services or materials supplied as is considered just and reasonable.

Payment of printing and supplies.

(7) Any expenses incurred by the Chief Electoral Officer for printing election material and for the purchase of election supplies shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Taxation of accounts.

61. (1) The Chief Electoral Officer shall, in accordance with the tariff of fees established pursuant to subsection (1) of section 60, tax all accounts relating to the conduct of an election and shall transmit such accounts forthwith to the Comptroller of the Treasury.

Rights saved.

(2) Notwithstanding anything in this section, the rights, if any, of all claimants to compel payment or further payment by process of law remain unimpaired.

Official Agent and Election Expenses of Candidates.

Appointment of official agent.

62. (1) Every candidate shall appoint an official agent, in this Act termed "the official agent", whose name, address and occupation shall be declared to the returning officer, in the nomination paper in Form No. 27, by or on behalf of the candidate, on or before nomination day and shall be published in the Notice of Grant of a Poll in Form No. 30.

Case o death or legal incapacity of official agent.

(2) In the event of the death or legal incapacity of any such agent, the candidate shall forthwith appoint another, making a similar declaration in writing to the returning officer.

Election officers ineligible as official agents.

(3) No returning officer, deputy returning officer or election clerk or the partner or clerk of either of them, is eligible to act as the official agent for any candidate in the management or conduct of his election, and if any such officer so acts he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

No payment to be made except through official agent.

(4) Subject to the subsequent provisions of this section, no payment and no advance or deposit shall be made before, during or after an election by a candidate or by any agent on behalf of a candidate or by any other person, in respect of any expenses incurred on account of or in respect of the conduct or management of such election, otherwise than by or through the official agent; and all money provided by any person other than the candidate

for any expenses incurred on account of or in respect of the conduct or management of the election, whether as contribution, gift, loan, advance, deposit or otherwise, shall be paid to the official agent and not otherwise; this subsection shall not be deemed to apply to payment

(*a*) by a candidate, out of his own money for his personal expenses to an aggregate amount not exceeding two thousand dollars, or

(*b*) by any person, out of his own money for any small expense legally incurred by him, if no part of the sum so paid is repaid to him.

Penalty for contravention.

(5) Every person who makes any payment, advance or deposit in contravention of subsection (4), or pays in contravention thereof any money so provided as aforesaid is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

No action against candidate unless contract made by himself or official agent.

(6) A contract whereby any expenses are incurred on account of or in respect of the conduct or management of an election is not enforceable against a candidate unless made by the candidate himself or by his official agent or by a sub-agent of the official agent thereto authorized in writing; but inability to enforce such contract against the candidate does not relieve him from the consequences of any corrupt or illegal practice having been committed by his agent.

Bill of particulars.

(7) Every payment made by or through an official agent in respect of any expenses incurred on account of or in respect of the conduct or management of an election, shall, except where less than twenty-five dollars, be vouched for by a bill stating the particulars and by a receipt.

Claims to be sent in within one month, or rights to be barred.

(8) All persons who have any bills, charges or claims upon any candidate for or in relation to any election shall send in such bills, charges or claims within one month after the day on which the candidate returned has been declared elected, to the official agent of the candidate, or if such agent is dead or legally incapable, to the candidate in person; otherwise such persons shall be barred of the right to recover such claims or any part thereof.

If no agent.

Penalty for illegal payment.

(9) Subject to such exception as may be allowed in pursuance of this Act, an official agent who pays a claim in contravention of this enactment is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Death of claimant.

(10) In the event of the death, within such month, of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in the bill, charge or claim within one month after his obtaining probate or letters of administration, or of his becoming

otherwise able to act as legal representative; otherwise the right to recover such bill, charge or claim shall be barred as aforesaid.

Payment within fifty days.

(11) All expenses incurred by or on behalf of a candidate on account of or in respect of the conduct or management of an election shall be paid within fifty days after the day on which the candidate returned was declared elected, and not otherwise; and, subject to such exception as may be allowed in pursuance of this Act, an official agent who makes a payment in contravention of this provision is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Penalty for contravention.

Payment of lawful claims sent in after time prescribed.

(12) Notwithstanding anything in this section, where cause is at any time shown to the satisfaction of a judge competent to recount the votes given at the election, such judge, on application by the claimant, or by the candidate or his official agent, may by order give leave for the payment by a candidate through his official agent of a disputed claim or of a claim for any such expenses as aforesaid, although sent in after the time in this section mentioned for sending in claims, or although sent in to the candidate and not to the official agent.

Election not void in certain cases in consequence of illegal payment.

(13) Where an election court reports that it has been proved by a candidate that any payment made by an official agent in contravention of this section was made without the sanction or connivance of such candidate the election of such candidate is not void nor is he subject to any incapacity by reason only of such payment having been made in contravention of this section.

Action for recovery in claims deemed disputed.

(14) If the official agent in the case of any claim sent in to him within the time limited by this Act disputes it, or refuses or fails to pay it within the period of fifty days after the day on which the candidate returned was declared elected, the claim shall be deemed to be a disputed claim and the claimant may, if he thinks fit, bring an action to recover the same in any competent court; and any sum paid by the candidate or his agent in pursuance of the judgment or order of such court shall be deemed to be paid within the time limited by this Act, and to be an exception from the provisions of this Act requiring claims to be paid by the official agent.

Payment in pursuance of judgment deemed exception.

Candidate's personal expenses up to $2,000.

(15) The candidate may pay any personal expenses incurred by him on account of or in connection with or incidental to such election to an amount not exceeding two thousand dollars, but any further personal expenses so incurred by him shall be paid by his official agent.

Written statement of personal expenses.

(16) The candidate shall send to his official agent within the time limited by this Act for sending in claims a written statement of the amount of personal expenses paid by such candidate.

Petty expenses.

(17) Any person may, if so authorized in writing by the official agent, pay any necessary expenses for stationery, postage, telegrams and other petty expenses to a total amount not exceeding that named in the authority, but any excess above the total amount so named shall be paid by the official agent.

Statement of particulars and vouchers.

(18) A statement of the particulars of payments made by any person so authorized shall be sent to the official agent within the time limited by this Act for the sending in of claims and shall be vouched for by a bill containing the receipt of that person.

Return of election expenses by official agent.

63. (1) Within two months after the candidate returned has been declared elected, the official agent of every candidate shall transmit to the returning officer a true signed return substantially in Form No. 61, in this Act referred to as a return respecting election expenses, containing detailed statements as respects that candidate of

(*a*) all payments made by the official agent, together with all the bills and receipts, which bills and receipts are in this Act included in the expression "return respecting election expenses";

(*b*) the amount of personal expenses, if any, paid by the candidate;

(*c*) the disputed claims, so far as the official agent is aware;

(*d*) the unpaid claims, if any, in respect of which application has been or is about to be made pursuant to subsection (12) of section 62, so far as the official agent is aware; and

(*e*) all money, securities and equivalent of money received by or promised to the official agent by the candidate or any other person, for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of the election, naming every person from whom the same may have been received or by whom such promise was made, showing as to each sum whether it was received or merely promised, whether in money or otherwise and whether as contribution, loan, advance, deposit or otherwise.

Vouchers, and declaration in Form No. 62.

(2) The return so transmitted shall include all bills and vouchers relative thereto and be accompanied by a declaration made by the official agent before a notary public or a justice of the peace in Form No. 62, which declaration is in this Act referred to as a declaration respecting election expenses.

Candidate's declaration in Form No. 63 or No. 64.

(3) Within ten weeks after the candidate returned has been declared elected, the candidate shall transmit or cause to be transmitted to the returning officer a declaration

made by the candidate before a notary public or a justice of the peace in Form No. 63 or in Form No. 64, which declaration is in this Act referred to as a declaration respecting election expenses.

Supplementary return in case of death of creditor.

(4) Whenever by reason of the death of a creditor no bill has been sent in within such period of two months, the official agent shall, within one month after such bill has been sent in, and likewise with respect to all payments approved by a judge pursuant to subsection (12) of section 62 of which the official agent is aware shall, within one week after such approval, as fully as possible, comply with the provisions of this section by means of a supplementary return.

Publication of summary by returning officer.

(5) The returning officer, within ten days after he receives from the official agent any return or supplementary return respecting election expenses, shall publish at the expense of the candidate a summary thereof in the form prescribed by the Chief Electoral Officer, with the signature of the official agent thereto in one newspaper published or circulated in the electoral district wherein the election was held.

Bills, etc., to be preserved.

(6) The returning officer shall preserve all such returns and declarations with the bills and vouchers relating thereto and at all reasonable times during six months next after they have been delivered to him shall permit any elector to inspect them and to make extracts therefrom on payment of a fee of twenty cents; and after the expiration of such six months' period, the documents may be destroyed, or,

After six months to be destroyed or returned.

if after six months and before destruction the candidate or his official agent applies for their return, they shall be returned to the candidate.

Penalty for member sitting in contravention.

(7) If the said return and declarations are not transmitted before the expiration of the time limited for the purpose, the candidate shall not after the expiration of such time, sit or vote in the House of Commons as member until either such return and declarations have been transmitted or until the date of the allowance of such an authorized excuse for the failure to transmit the same, as in this Act mentioned, and if he sits or votes in contravention of this enactment he shall forfeit five hundred dollars with costs for every day on which he so sits or votes to any person who sues therefor.

Default in delivering statements.

(8) If without such authorized excuse as in this Act mentioned a candidate or an official agent fails to comply with the foregoing requirements of this section, he is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Furnishing false statements.

(9) If any candidate or official agent knowingly makes a false declaration respecting election expenses he is guilty of a corrupt practice and of an indictable offence against this Act punishable as provided in this Act.

When candidate out of Canada at time of return.

(10) Where a candidate is out of Canada at the time when the return is so transmitted to the returning officer, the declaration required by this section may be made by him within fourteen days after his return to Canada, and in that case shall be forthwith transmitted to the returning officer, but the delay hereby authorized in making such declaration does not exonerate the official agent from complying with the provisions of this Act as to the return and declaration respecting election expenses.

Agent not exonerated.

Statement of payments in pursuance of leave and copy of judge's order.

(11) Where after the date at which the return respecting election expenses is transmitted leave is given pursuant to subsection (12) of section 62, for any claims to be paid, the agent shall, within seven days after the payment thereof, transmit to the returning officer a return of the sums paid in pursuance of such leave, accompanied by a copy of the order of the judge giving the leave, and in default he shall be deemed to have failed to comply with the requirements of this section.

Where return and declaration not transmitted.

(12) Where the return and declarations respecting election expenses of a candidate at an election have not been transmitted as required by this Act, or, being transmitted, contain some error or false statement, then,

If on account of candidate's illness, etc.

(*a*) if the candidate applies to a judge competent to recount the votes given at the election and shows that the failure to transmit such return and declarations or any of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness or misconduct of his official agent or of any clerk or officer of such agent, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant; or

Or agent's illness, etc.

(*b*) if the official agent of the candidate applies to the said judge and shows that the failure to transmit the return and declarations which he was required to transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness or of the death or illness of any prior official agent of the candidate, or of the absence, death, illness or misconduct of his clerk or officer of an official agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant;

Judge may allow authorized excuse.

the judge may, after such notice of the application in the electoral district and on production of such evidence of the grounds stated in the application and of the good faith of the application, and otherwise as to the judge seems fit, make such order for allowing an authorized excuse for the failure to transmit such return and declaration, or for an error or false statement in such return and declaration as to the judge seems just.

Or may order official agent to appear, and make return and declaration, or order examination of official agent.

(13) Where it appears to the judge that any person being or having been an official agent has refused or failed to make such return or to supply such particulars as will enable the candidate and his official agent respectively to comply with the provisions of this Act as to the return and declaration respecting election expenses, the judge before making an order allowing the excuse as in this section mentioned shall order such person to attend before him, and on such person's attendance shall, unless such person shows cause to the contrary, order him to make the return and declaration, or to deliver a statement of the particulars required to be contained in the return, as to the judge seems just, and to make or deliver the same within such time and to such person and in such manner as the judge may direct, or may order such person to be examined with respect to such particulars, and if the person so ordered does not comply with such order he is guilty of an indictable offence against this Act punishable as provided in this Act.

When order conditions relief of applicant or of candidate.

(14) The order may make the allowance conditional upon the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the judge seems best calculated for carrying into effect the objects of this Act; and an order allowing an authorized excuse relieves the applicant for the order from any liability or consequence under this or any other Act in respect of the matters excused by the order; and where it is proved by the candidate to the judge that any act or omission of the official agent in relation to the return and declaration respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing such act or omission, the judge shall relieve the candidate from the consequences of such act or omission on the part of his official agent.

Date of order deemed date of allowance.

(15) The date of the order or, if conditions and terms are to be complied with, the date at which the applicant fully complies with them, shall for the purposes of this section be deemed the date of the allowance of the excuse.

Executory Contracts Void.

Executory contracts void.

64. Every executory contract, promise or undertaking in any way referring to, arising out of or depending upon any election under this Act, even for the payment of lawful expenses or the doing of some lawful act, is void in law, but nothing in this section extends to or affects any executory contract, agreement, promise or undertaking by a candidate or the official agent of a candidate of which there is a memorandum or note in writing signed by such candidate or his official agent.

Penalty.

65. (1) Every person is guilty of the corrupt practice of bribery and of an indictable offence against this Act punishable as provided in this Act, who

Giving money, etc., to procure votes.

(*a*) directly or indirectly, by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers or promises, or promises to procure or to endeavour to procure, any money or valuable consideration, to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting, or corruptly does any such act on account of such elector having voted or refrained from voting at any election;

Giving or promising employment.

(*b*) directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure, any office, place or employment, to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce such elector to vote or refrain from voting, or corruptly does any such act as aforesaid, on account of any elector having voted or refrained from voting at any election;

Gift or promise in order to obtain return of any person.

(*c*) directly or indirectly, by himself or any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in the House of Commons, or the vote of any other elector at any election;

Procuring return in consequence.

(*d*) upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages or promises or endeavours to procure the return of any person to serve in the House of Commons, or the vote of any elector at an election;

Advancing money to be used in bribery.

(*e*) advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election;

Demanding bribe of candidate or agent.

(*f*) directly or indirectly, by himself or by any other person on his behalf, on account of and as payment for voting or for his having voted or for illegally agreeing or having agreed to vote for any candidate at an election, or on account of and as payment for his having illegally assisted or agreed to assist any

candidate at an election, applies to such candidate, or to his agent or agents, for the gift or loan of any money or valuable consideration, or for the promise of the gift or loan of any money or valuable consideration or for any office, place or employment, or for the promise of any office, place or employment;

Receiving money, etc., before or during an election.

(*g*) before or during any election, directly or indirectly by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election;

Or after an election.

(*h*) after any election, directly or indirectly, by himself or by any other person in his behalf, receives any money or valuable consideration on account of such or any other person having voted or refrained from voting, or having induced any other person to vote or refrain from voting, at any election; or

Bribery of candidates.

(*i*) in order to induce a person to allow himself to be nominated as a candidate, or to refrain from becoming a candidate or to withdraw, if he has become a candidate, gives or procures any office, place or employment, or agrees to give or procure, or offers or promises to procure, or to endeavour to procure any office, place or employment, for such person.

Legal expenses.

(2) The terms of this section shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any expenses legally payable and *bona fide* incurred at or concerning any election, and the actual personal expenses of any candidate and his expenses for professional services actually performed and for the fair cost of printing and advertising and for halls or rooms for the holding of meetings shall be held to be expenses legally payable.

Treating of any person.

66. (1) Every person is guilty of the corrupt practice of treating and of an indictable offence against this Act punishable as provided in this Act, who, corruptly, by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or causes to be given or provided, or is accessory to the giving or providing, or pays or engages to pay wholly or in part the expense of giving or providing any meat, drink, refreshment or provision, or any money or ticket or other means or device to enable the procuring of any meat, drink, refreshment or provision, to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at such election or on account of such person or any other person having

Treating of elector during election.

voted or refrained from voting or being about to vote or refrain from voting at such election, and every elector who corruptly accepts or takes any such meat, drink, refreshment or provision or any such money or ticket, or who adopts such other means or device to enable the procuring of such meat, drink, refreshment or provision is guilty likewise.

(2) Subsection (1) does not apply to

Official agent may furnish refreshment.

(*a*) an official agent who, as an election expense, provides food such as sandwiches, cakes, cookies, and drink such as tea, coffee, milk or soft drinks at a meeting of electors assembled for the purpose of promoting the election of a candidate during an election; or

Furnishing of refreshment by other persons.

(*b*) any person other than an official agent who at his own expense provides food such as sandwiches, cakes, cookies, and drink such as tea, coffee, milk or soft drinks at a meeting of electors assembled for the purpose of promoting the election of a candidate during an election.

Undue influence.

67. (1) Every person is guilty of the corrupt practice of undue influence and of an indictable offence against this Act punishable as provided in this Act, who, directly or indirectly, by himself or by any other person on his behalf, makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction, by himself or by or through any other person, of any temporal or spiritual injury, damage, harm or loss, or in any manner practises intimidation upon or against any person, in order to induce or compel such person to vote for any candidate, or to refrain from voting, or on account of such person having voted for any candidate or refrained from voting at any election or who, by abduction, duress, or any false or fraudulent pretence, device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of any elector, or thereby compels or induces or prevails upon any elector, either to vote for any candidate or to refrain from voting at any election.

False pretence interpreted.

(2) It shall be deemed a false pretence within the meaning of this section to represent to an elector, directly or indirectly, that the ballot to be used, or the mode of voting at an election, is not secret.

Personation and subornation of personation.

68. Every person is guilty of the corrupt practice of personation, and of an indictable offence against this Act punishable as provided in this Act, who at an election

(*a*) applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person;

(*b*) having voted once at such election, applies at the same election for another ballot paper; or

(*c*) aids, abets, counsels, procures or endeavours to procure the commission by any person of personation as herein defined.

Penalty for voting if disqualified, not qualified or incompetent.

69. Every one is guilty of a corrupt practice and of an indictable offence against this Act punishable as provided in this Act who, at an election, votes or attempts to vote knowing that he is for any reason disqualified, non-qualified or incompetent to vote thereat.

Miscellaneous Offences.

Liability of election officers.

70. (1) Every election officer who omits to comply with the provisions of this Act is liable on summary conviction to a penalty of not less than fifty dollars nor more than two hundred dollars, and every election officer who refuses to comply with any of the provisions thereof, is, on summary conviction, liable to a penalty of not less than two hundred dollars nor more than five hundred dollars, unless, in either case, such election officer establishes that, in so omitting or refusing compliance, he was acting in good faith, that his omission or refusal was reasonable, and that he had no intention to affect the result of the election or to permit any person to vote whom he did not *bona fide* believe was qualified to vote, or to prevent any person from voting whom he did not *bona fide* believe was not qualified to vote.

Non-compliance defined.

(2) It shall be deemed to be a non-compliance with the provisions of this Act to do or omit to do any act that results in the reception of a vote that should not have been cast, or in the non-reception of a vote which should have been cast.

Inquiry into offences and power to take proceedings.

(3) When it is made to appear to the Chief Electoral Officer that any election officer has been guilty of any offence against this Act, it is his duty to make such inquiry as appears to be called for in the circumstances, and if it appears to him that proceedings for the punishment of the offence have been properly taken or should be taken and that his intervention would be in the public interest, to assist in carrying on such proceedings or to cause them to be taken and carried on and to incur such expense as it may be necessary to incur for such purposes.

Further powers.

(4) The Chief Electoral Officer has the like powers in the case of any offence that it is made to appear to him to have been committed by any person under section 17, section 22, section 29, subsections (2) and (6) of section 49, subsection (12) of section 50, subsection (7) of section 52 or section 72.

Powers as commissioner under *Inquiries Act*.

(5) For the purpose of any inquiry held under the provisions of this section, the Chief Electoral Officer or any person nominated by him for the purpose of conducting any such inquiry, has the powers of a commissioner under Part II of the *Inquiries Act*, and any expense required to be incurred for the purpose of any inquiry under this section and of any proceedings assisted or caused to be taken by the Chief Electoral Officer by virtue thereof shall be payable by the Comptroller of the Treasury, on the certificate of the Chief Electoral Officer, out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Printed documents to bear name, etc., of printer.

71. Every printed advertisement, handbill, placard, poster or dodger having reference to any election shall bear the name and address of its printer and publisher, and any person printing, publishing, distributing or posting up, or causing to be printed, published, distributed or posted up, any such document unless it bears such name and address is guilty of an offence against this Act punishable on summary conviction as provided in this Act, and if he is a candidate or the official agent of a candidate is further guilty of an illegal practice.

Removing notices forbidden.

72. (1) Any person unlawfully taking down, covering up, mutilating, defacing or altering any printed or written proclamation, notice, list of electors, or other document, authorized or required by this Act to be posted up, is guilty of an indictable offence against this Act and liable on indictment or on summary conviction to a fine not exceeding two thousand dollars and costs of prosecution, or to imprisonment for a term not exceeding two years with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith (in case only a fine and costs are imposed) or are not paid before the expiration of the term of imprisonment imposed (in case imprisonment, as well as fine and costs, is imposed), to imprisonment, with or without hard labour, for such term, or further term, as such fine and costs or either of them remain unpaid, not exceeding three months.

Copy of subsection (1) to be printed on documents posted up.

(2) A copy of subsection (1) shall be printed as a notice in large type upon every such printed document, or printed or written upon every such written document, or printed or written as a separate notice and posted up near to such document and so that such notice can be easily read.

Illegal payments to electors.

73. Every person who before, during or after an election, directly or indirectly or by any means or device in attempted evasion of the following provisions:

Payment of fare to elector.

(*a*) pays or promises to pay in whole or in part the travelling or other expenses of any elector who may

intend to vote, in going to or returning from the poll or any polling station, or going to or returning from the neighbourhood thereof; or

Payment of expenses, wages, etc., of electors forbidden.

(*b*) pays or promises to pay or receives or promises to accept payment, in whole or in part by reason of time spent, or for wages or other earnings or possibility thereof lost, by any elector who may intend to vote, in going to, being at or returning from the poll or any polling station, or going to, being at or returning from the neighbourhood thereof;

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

Penalty for inducing persons to make false oath.

74. Every person who, knowingly, in any case wherein an oath is by this Act authorized or directed to be taken, compels or attempts to compel, or induces or attempts to induce, any other person to take such oath falsely, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Non-residents of Canada, forbidden to canvass.

75. Any person who resides without Canada and who, to secure the election of any candidate, canvasses for votes or in any way endeavours to induce electors to vote for any candidate at an election, or to refrain from voting, is guilty of an indictable offence against this Act punishable as provided in this Act.

Penalty for publishing false statements to affect return of any candidate.

76. Any person who, before or during any election, for the purpose of affecting the return of any candidate at such election, makes or publishes any false statement of fact in relation to the personal character or conduct of such candidate is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Penalties and Procedure.

Procedure.

77. (1) Any indictable offence against this Act may be prosecuted alternatively on indictment or by way of summary conviction.

Fines and other penalties for indictable offences.

(2) Any person who is guilty of any indictable offence against this Act is liable on indictment or on summary conviction to a fine not exceeding two thousand dollars and costs of prosecution or to imprisonment for a term not exceeding two years, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith, in case only a fine and costs are imposed, or are not paid before the expiration of the term of imprisonment imposed, in case

imprisonment as well as fine and costs is imposed, to imprisonment with or without hard labour for such term or such further term, as such fine and costs or either of them remain unpaid, not exceeding three months.

Fines, etc., for non-indictable offences.

78. Any person, who is guilty of any non-indictable offence against this Act that is punishable on summary conviction, is liable to a fine not exceeding five hundred dollars and costs of prosecution or to imprisonment for a term not exceeding one year, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith, in case only a fine and costs are imposed, or are not paid before the expiration of the term of imprisonment imposed, in case imprisonment as well as fine and costs is imposed, to imprisonment with or without hard labour, for such term, or further term, as such fine and costs or either of them may remain unpaid, not exceeding three months.

Disqualification for corrupt act.

79. Any person who during an election is guilty of an offence which is a corrupt practice or an illegal practice shall *ipso facto* become disqualified from voting and incompetent to vote at such election.

Corrupt or illegal practices.

80. Any person, who

(*a*) in any report made to the Speaker of the House of Commons on an election petition, is named as having been found guilty of any offence that is a corrupt or illegal practice, is reported to have been heard on his own behalf and is declared to be a person who should be expressly disqualified as hereinafter provided;

(*b*) is before any competent court convicted of having committed at an election any offence which is a corrupt practice or illegal practice; or

(*c*) is, in any proceeding in which after notice of the charge he has had an opportunity of being heard, found guilty of any corrupt practice or of any illegal practice, or of any offence which is a corrupt practice or illegal practice;

Seven or five years' disqualification.

shall, in addition to any other punishment for such offence by this or any other Act prescribed, be, for a corrupt practice during the seven years or for an illegal practice during the five years next after the date of his being so reported, convicted or found guilty, incapable of being elected to or of sitting in the House of Commons or of voting at any election of a member of that House or of holding any office in the nomination of the Crown or of the Governor in Council.

Candidate not to be convicted unless corrupt practice done by himself, agent, or with his knowledge.

81. (1) No candidate shall on the trial of any election petition be reported by the trial judges to the Speaker of the House of Commons as having been found guilty of any corrupt practice or any illegal practice, or before any court be convicted of having committed at an election any offence that is a corrupt practice or an illegal practice, or in any other proceeding be found guilty of any corrupt practice or illegal practice or of any offence which is a corrupt practice or an illegal practice, unless the thing omitted or done the omission or doing of which constitutes the corrupt practice or illegal practice was omitted or done by

(*a*) the candidate in person;

(*b*) his official agent; or

(*c*) some other agent of the candidate with the candidate's actual knowledge and consent.

(2) Nothing in this section prevents the avoidance pursuant to the provisions of the *Dominion Controverted Elections Act*, of any election in consequence of the commission of any corrupt practice or illegal practice.

Election not voided unless illegal practices by candidate or agent.

82. (1) No election shall on the trial of any election petition be voided because of any of the illegal practices referred to in section 22, 38, 40, 44, 71 or 76 unless the thing omitted or done the omission or doing of which constitutes the illegal practice was omitted or done by

(*a*) the elected candidate in person;

(*b*) his official agent; or

(*c*) some other agent of such candidate with such candidate's actual knowledge and consent.

(2) Nothing in this section shall be deemed to impair or affect the provisions of the *Dominion Controverted Elections Act*.

Non-compliance with Act not to invalidate election unless it affected result.

83. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to limitations of time unless it appears to the tribunal having cognizance of the question that such non-compliance may have affected the result of the election, or as to the taking of the poll or the counting of the votes, or by reason of any want of qualification in the persons signing any nomination paper, or because of any error in the name, or omission of or error in the address or occupation of any candidate as stated on such nomination paper as received by a returning officer, or of any insufficiency in any publication of any proclamation, notice or other document, or any mistake in the use of the Forms contained in this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance did not affect the result of the election.

Removal of disqualification procured by perjury.

84. If, at any time after a person has become disqualified under this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are convicted of perjury with respect to such testimony, such person may move the court before which such conviction takes place to order, and such court shall, upon being satisfied that such disqualification was procured by reason of such perjury, order that such disqualification shall therefore cease and determine; and it shall cease and determine accordingly.

No privilege from answering questions.

85. (1) Subject to this section, no person shall be excused from answering any question put to him in any action, suit or other proceeding in any court or before any judge, commissioner or other tribunal touching or concerning any election or the conduct of any person thereat or in relation thereto on the ground of any privilege.

Exception.

(2) The evidence of an elector to show for whom he voted at an election is not admissible in evidence in any action, suit or other proceeding in any court or before any judge, commissioner or any tribunal touching or concerning any election or the conduct of any person thereat or in relation thereto.

Idem.

(3) No answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

Production of writ of election, etc., not required in suits.

86. (1) It is not necessary, on the trial of a suit or prosecution under this Act, to produce the writ of election or the return thereof, or the authority of the returning officer founded upon such writ of election, but general evidence of such facts is sufficient evidence.

If notified Chief Electoral Officer to produce election papers, etc.

(2) If the original election papers are required on any such trial of any suit or prosecution, the clerk or registrar of the court having cognizance of such proceedings may, at the instance of any of the parties thereto, notify the Chief Electoral Officer to cause them to be produced on or before the day fixed for the trial; and the Chief Electoral Officer shall cause such election papers to be deposited with such clerk or registrar in such manner as the court or judge shall order.

Criminal court may allow costs to prosecutor.

87. (1) Any court of criminal jurisdiction before which a prosecution is instituted for an offence against the provisions of this Act may order payment by the defendant to

the prosecutor of such costs and expenses as appear to the court to have been reasonably incurred in and about the conduct of such prosecution.

Prior recognizance required.

(2) The court shall not make such order unless the prosecutor before or upon the finding of the indictment or the granting of the information enters into a recognizance with two sufficient sureties, in the sum of five hundred dollars, and to the satisfaction of the court, to conduct the prosecution with effect and to pay the defendant his costs in case he is acquitted.

Costs in cases of private prosecution.

(3) In case of an indictment or information by a private prosecutor for an offence against the provisions of this Act, if judgment is given for the defendant, he is entitled to recover from the prosecutor the costs sustained by the defendant by reason of such indictment or information, which costs shall be taxed by the proper officer of the court in which the judgment is given.

In a suit for criminal corrupt practice, what allegation sufficient.

88. (1) In an indictment or prosecution for a corrupt practice or an illegal practice, it is sufficient to allege that the defendant was, at the election at or in connection with which the offence is intended to be alleged to have been committed, guilty of a corrupt practice or an illegal practice, describing it by the name given to it by this Act, or otherwise, as the case requires.

Evidence.

(2) In any criminal or civil proceeding in relation to such offence the certificate of the returning officer is sufficient evidence of the due holding of the election and of any person named in such certificate having been a candidate thereat.

Person liable summoned to court.

89. (1) Whenever it appears to the court or judge trying an election petition that any person has violated any of the provisions of this Act, for which violation such person is liable to a fine or penalty other than the fines or penalties imposed for any offence amounting to an indictable offence, such court or judge may order that such person may be summoned to appear before such court or judge, at the place, day and hour fixed in such summons for hearing the charge.

Penalty for disobeying summons.

(2) If, on the day so fixed by the summons, the person summoned does not appear, he shall be condemned, on the evidence already adduced on the trial of the election petition, to pay such fine or penalty as he is liable to pay for such violation, and in default of paying such fine or penalty to the imprisonment prescribed in such case by this Act.

Trial.

(3) If, on the day so fixed, the person summoned does appear, the court or judge, after hearing such person and such evidence as is adduced, shall give such judgment as to law and justice appertains.

Appropriation of fines.

(4) All fines and penalties recovered under subsections (1), (2) and (3) belong to Her Majesty for the public uses of Canada, but no fine or penalty shall be imposed thereunder if it appears to the court or judge that the person has already been sued to judgment or acquitted with respect to the same offence, nor shall any such fine or penalty be imposed for any offence proved only by the evidence or admission of the person committing it.

Limitation of time for prosecutions and suits.

90. Notwithstanding anything in the *Criminal Code*, every prosecution for an offence against this Act, and every action, suit or proceeding for any pecuniary penalty given by this Act to any person aggrieved or to any person suing therefor, shall, when commenced, be proceeded with and carried on without wilful delay, and shall be commenced within the space of one year next after the day when the offence was committed or when such action, suit or proceeding might first have been brought or taken and not afterwards, unless the prosecution, action, suit or proceeding is prevented by the withdrawal or absconding of the defendant out of the jurisdiction of the court, in which case such prosecution, action, suit or proceeding may be commenced within one year after his return, or in case of a charge against a returning officer pursuant to section 57 for wilful delay, neglect or refusal to return a candidate as elected, in which case such prosecution, suit or proceeding shall be commenced within six months after the conclusion of the trial of the petition relating to such action.

Delay, neglect or refusal of returning officer to return elected candidate.

Quarter or general sessions court incompetent.

91. Notwithstanding anything in the *Criminal Code*, no indictment for an offence that is a corrupt practice or an illegal practice shall be tried before any court of quarter sessions or general sessions of the peace.

Advance Polls.

Establishment of advance polling districts.

92. (1) The returning officer shall,

(*a*) in urban areas, establish an advance polling district in each revisal district; and

(*b*) in rural areas, group together the rural polling divisions into advance polling districts, each to contain such number of rural polling divisions as may be necessary to ensure that every rural polling division is included in an advance polling district.

Establishment of advance polling stations.

(2) In urban areas, an advance polling station shall be established in each advance polling district, and in rural areas, an advance polling station shall be established in every city, town or village having a population of one thousand or more.

Combining urban advance polling districts.

(3) When a request is made to the returning officer not later than ten days after a writ has been issued for an election, he may, with the prior permission of the Chief Electoral Officer, combine any two urban advance polling districts in his electoral district.

Urban and rural polling divisions may be amalgamated.

(4) Where there is a small number of urban polling divisions in an advance polling district, the returning officer may, with the prior permission, and shall upon the direction of the Chief Electoral Officer, include in such advance polling district any rural polling divisions which it is considered desirable to so include.

Request for advance polling station.

(5) Any request for the establishment of advance polling stations in places not specifically provided for in subsection (2) shall be made to the returning officer not later than ten days after a writ has been issued for an election and he may, with the prior permission of the Chief Electoral Officer, make provision for the establishment of advance polling stations at such places.

Advance polls conducted as ordinary polls.

(6) Except as provided in this section and in sections 94 to 96, advance polls shall be held, conducted and officered in the same manner as ordinary polling stations, and shall be regarded as such for all purposes of this Act.

When advance polls to be open.

(7) Advance polls shall be open between the hours of eight o'clock in the forenoons and eight o'clock in the afternoons of Saturday and Monday, the ninth and seventh days before the ordinary polling day, and shall not be open at any other time.

Notice in Form No. 65.

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

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

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

(ii) the location of each advance polling station,

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

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

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

(*c*) notify each postmaster in writing of the provisions of subsection (9) when he sends the notice.

To be posted up.

(9) Upon receiving a notice described in subsection (8), a postmaster shall post it up in some conspicuous place in his post office to which the public has access and keep it so posted until the time fixed for the closing of the polls on the ordinary polling day has passed, and failure to do so is ground for his dismissal from office, and for the purpose of this provision the postmaster shall be deemed to be an election officer and liable as such.

Postmaster election officer.

Who may vote at advance polls.

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

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

94. (1) The deputy returning officer, upon being satisfied that a person who applies to vote at an advance polling station is a person whose name appears on the list of electors prepared for a polling division comprised in the advance polling district, shall

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

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

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

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

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

Person who takes affidavit allowed to vote.

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

Exception.

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

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

Record of Completed Affidavits for Voting at an Advance Poll.

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

Elector subscribing to affidavit not to vote on ordinary polling day.

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

Examining and sealing of ballot box.

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

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

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

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

Re-opening of advance poll.

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

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

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

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

Proceedings at close of advance poll each day of voting.

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

(*a*) unseal and open the ballot box;

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

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

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

Affixing of signatures and special metal seal.

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

Custody of ballot box.

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

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

(6) As soon as possible after the close of advance polls at eight o'clock in the afternoon of Monday, the seventh day before the ordinary polling day, the returning officer shall cause to be collected the Record of Completed Affidavits for Voting at an Advance Poll in the most expeditious manner available from the deputy returning officer of every advance polling district established in his electoral district.

Count of votes on the ordinary polling day.

(7) The deputy returning officer shall, at nine o'clock in the afternoon of the ordinary polling day, attend with his poll clerk at the place mentioned in the Notice of Holding of Advance Poll, in Form No. 65, and there, in the presence of such of the candidates and their agents as may attend, open the ballot box and the sealed envelopes containing ballot papers, count the votes and take all other proceedings provided by this Act for deputy returning officers and poll clerks in connection with the conduct of an election after the close of the ordinary poll, except that such statements and other documents as other provisions of this Act may

require to be made and to be written in or attached to the poll book shall be made in a special book of statements and oaths relating to advance polls prescribed by the Chief Electoral Officer.

Provisions applicable to advance polls.

(8) Subject to sections 92 to 96, the provisions of this Act relating to ordinary polls shall in so far as applicable apply to advance polls.

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

96. (1) As soon as the returning officer has collected the Records of Completed Affidavits for Voting at an Advance Poll pursuant to subsection (6) of section 95, and before the lists of electors are placed in the ballot boxes to be distributed to ordinary polling stations, he shall strike off such lists the names of all electors appearing in such records.

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

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

Name inadvertently struck off.

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

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

(4) The returning officer shall, not later than Wednesday, the fifth day before the ordinary polling day, transmit a copy of each Record of Completed Affidavits for Voting at an Advance Poll collected by him pursuant to subsection (6) of section 95 to each candidate officially nominated in his electoral district.

Offences and penalties respecting advance polls.

97. Every person who, corruptly,

(*a*) makes before a deputy returning officer a false declaration in the affidavit for voting at an advance poll, in Form No. 66;

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

(*c*) in any other manner contravenes any provision of sections 92 to 95;

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

Supplemental Provisions.

Persons ineligible to act as Election Officers.

Who shall not be appointed election officers.

98. (1) Subject to this section, none of the following persons shall be appointed as election officers, that is to say:

(*a*) members of the Queen's Privy Council for Canada or of the executive council of any province of Canada;

(*b*) members of the Senate or of the Legislative Council of any province of Canada;

(*c*) members of the House of Commons, or of the Legislative Assembly of any province of Canada, or of the Council of the Northwest Territories or the Yukon Territory;

(*d*) ministers, priests or ecclesiastics of any religious faith or worship;

(*e*) judges of the courts of superior, civil or criminal jurisdiction, judges of any county or district court, or bankruptcy or insolvency court, and any district judge of the Exchequer Court on its Admiralty side, and in the Yukon Territory and the Northwest Territories, police magistrates;

(*f*) persons who have served in the Parliament of Canada in the session immediately preceding the election or in the session in progress at the time of the election; and

(*g*) persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty in violation of this Act or any provincial Act relating to elections, or under the *Disfranchising Act*.

Qualifications as electors of election officers.

(2) No person shall be appointed returning officer, election clerk, deputy returning officer, poll clerk, enumerator, revising agent or revising officer unless he is a person qualified as an elector in the electoral district within which he is to act.

Exceptions.

(3) Paragraph (*d*) of subsection (1) does not apply in the electoral districts mentioned in Schedule III, and paragraph (*e*) of that subsection shall not be construed to prohibit or prevent a judge from exercising any power conferred upon him by this Act.

Political Broadcasts.

Political broadcasts forbidden.

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

No broadcasts outside of Canada.

(2) Every person who, with intent to influence persons to give or refrain from giving their votes at an election,

uses, aids, abets, counsels or procures the use of any broadcasting station outside of Canada, during an election, for the broadcasting of any matter having reference to an election, is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Idem.

(3) Where a candidate, his official agent or any other person acting on behalf of the candidate with the candidate's actual knowledge and consent, broadcasts outside of Canada a speech or any entertainment or advertising program during an election, in favour or on behalf of any political party or any candidate at an election, the candidate is guilty of an illegal practice and of an offence against this Act punishable on summary conviction as provided in this Act.

Definition of "broadcast".

(4) In this section "broadcast" has the same meaning as "broadcasting" in the *Broadcasting Act*.

Notices.

Notices, how given.

100. (1) When any election officer is by this Act authorized or required to give a public notice and no special mode of notification is indicated, the notice may be by advertisement, placard, handbill or otherwise as he considers will best effect the intended purpose.

Posting up of notices, etc.

(2) Notices and other documents required by this Act to be posted up may, notwithstanding the provisions of any law of Canada or of a province or of any municipal ordinance or by-law, be affixed by means of tacks or pins to any wooden fence situated on or adjoining any highway, or by means of tacks, pins, gum or paste on any post or pole likewise situated, and such documents shall not be affixed to fences or poles in any manner otherwise.

When polls lie in two time zones.

101. In an electoral district lying in two different standard time zones, the hours of the day for every operation prescribed by this Act shall be determined by the returning officer with the approval of the Chief Electoral Officer, and such hours, after a notice to that effect has been published in the proclamation in Form No. 4, shall be uniform throughout the electoral district.

Communication by Telegraph.

Communications by telegraph.

102. (1) Whenever it appears to the satisfaction of the Chief Electoral Officer, at a time when an election is about to be held, that necessary communication for the purposes of the election with or within any electoral district will probably be interrupted during such election by the severity of the season, or by the absence or severance, temporarily,

of any other means of communication than that available by telegraph, he may direct that the writ of election and all necessary instructions, information, forms, proclamations, notices, appointments, reports, returns (other than the return of the returning officer as to the result of the election) and other election documents be transmitted to or within the electoral district to or by the returning officer, deputy returning officers and other election officers, by telegraph.

Order as to details.

(2) The Chief Electoral Officer may make such order as to the details of the proceedings at or relating to such election, to be so transmitted by telegraphic communication as to him seems proper for best attaining the purpose of this section.

Telegrams repeated.

(3) Every telegraphic communication referred to in this section shall be repeated by the person receiving the messages to the person transmitting the same, in order to insure the correctness of the message received.

Oaths and Affirmations.

Oaths, by whom administered.

103. (1) Where in this Act any oath, affirmation, affidavit, or statutory declaration is authorized or directed to be made, taken or administered, the oath, affirmation, affidavit, or declaration shall be administered by the person who by this Act is expressly required to administer it, and, if no particular person is required to administer it, then by the judge of any court, the returning officer, the election clerk, a postmaster, a revising officer, a deputy returning officer, a poll clerk, a notary public, a magistrate, a justice of the peace, or a commissioner for taking affidavits in the province.

(2) All such oaths, affirmations, affidavits or declarations shall be administered gratuitously.

Peace and Good Order at Public Meetings.

Penalty for disorderly conduct at public meetings.

104. (1) Every person who, between the date of the issue of the writ and the day after polling at an election, whether in a general election or in a by-election, acts in a disorderly manner, with intent to prevent the transaction of the business of a public meeting called for the purpose of such election, is guilty of an illegal practice and of an offence against this Act, punishable on summary conviction as provided in this Act.

Penalty for conspiracy to cause disorder.

(2) Every person who, between the date of the issue of the writ and the day after polling at an election, whether in a general election or in a by-election, incites, combines or conspires with others to act in a disorderly manner with intent to prevent the transaction of the business of a public

meeting called for the purpose of such election, is guilty of an indictable offence against this Act, punishable as provided in this Act.

Signed Pledges by Candidates Prohibited.

Signed pledges by candidates prohibited.

105. It is an illegal practice and an offence against this Act for any candidate for election as a member to serve in the House of Commons to sign any written document presented to him by way of demand or claim made upon him, by any person, persons or associations of persons, between the date of the issue of the writ of election and the date of polling, if such document requires such candidate to follow any course of action that will prevent him from exercising freedom of action in Parliament if elected, or to resign as such member if called upon to do so by any person, persons or associations of persons.

Premature Publication of Election Results.

Premature publication of results forbidden.

106. (1) No person, company or corporation shall, in any province before the hour of closing of the polls in such province, publish the result or purported result of the polling in any electoral district in Canada, whether such publication is by radio broadcast, or by newspaper, news-sheet, poster, bill-board, handbill, or in any other manner; any person contravening the provisions of this section (and in the case of a company or corporation any person responsible for the contravention thereof) is guilty of an illegal practice and of an offence against this Act.

Definition of "broadcast."

(2) In this section "broadcast" has the same meaning as "broadcasting" in the *Broadcasting Act.*

Preparation of Lists of Electors to be used at every By-Election.

Procedure to be followed.

107. (1) The procedure to be followed in the preparation, revision and distribution of the lists of electors to be used at every by-election shall be the same as that provided in this Act, except with regard to the following particulars:

(*a*) the enumeration of electors in urban and rural polling divisions shall commence on Monday, the thirty-fifth day before polling day, and be completed on Thursday, the thirty-second day before polling day; and

(*b*) the days for the sittings for the revision of the lists of electors for urban polling divisions shall be Thursday, Friday and Saturday, the eleventh, tenth and ninth days before polling day, and, subject to Rule (40) of Schedule A to section 17, Tuesday, the sixth day before polling day.

Act modified in consolidation.

(2) In the consolidation of this Act for use at every by-election, the Chief Electoral Officer shall, consistently with the provisions of subsection (1), make such modifications as are deemed necessary.

Voting under the Canada Temperance Act.

Act to apply in votes taken under *Canada Temperance Act.*

108. (1) Whenever under the *Canada Temperance Act* a vote is to be taken, the procedure to be followed shall, in lieu of the procedure therein directed, be the procedure laid down in this Act with such modifications as the Chief Electoral Officer may direct as being necessary by reason of the difference in the nature of the question to be submitted, and with such omissions as he may specify on the ground that compliance with the procedure laid down is not required.

Publication in *Canada Gazette.*

(2) Any direction given by the Chief Electoral Officer for a modification of or omission from the procedure directed by this Act shall be published by him in the *Canada Gazette* at least four weeks before the day upon which the vote is to be taken.

Voting by Canadian Forces electors and Veteran electors at a General Election.

Canadian Forces and Veteran electors voting at a general election.

109. (1) The qualifications of Canadian Forces electors and Veteran electors at a general election and the procedure to be followed in the taking, receiving, sorting, and counting of the votes cast by such electors shall be as set forth in *The Canadian Forces Voting Rules* in Schedule II.

Names and surnames of candidates wired to Chief Electoral Officer.

(2) The returning officer for each electoral district shall, immediately after three o'clock in the afternoon of nomination day, communicate to the Chief Electoral Officer, by telegraph, the names and surnames of all candidates officially nominated in his electoral district, as these appear in the heading of the nomination papers.

Earliest date for official addition of votes.

(3) For the purpose of a general election, the time at which the returning officer for each electoral district shall add up the number of votes cast for the several candidates shall not be earlier than Monday, the seventh day after polling day.

Results of voting by Canadian Forces electors and Veteran electors included with civilian vote.

(4) The Chief Electoral Officer shall, on a day not later than the Saturday next following polling day, inform, by telegraph, the returning officer of every electoral district as to the total number of votes cast by Canadian Forces electors and Veteran electors, in every voting territory, for each candidate in his electoral district, under the procedure set forth in *The Canadian Forces Voting Rules* in Schedule II; the returning officer shall thereupon enter on his recapitulation sheets such total number of votes cast for

each candidate, and shall deal with such telegraphic communication as though it were an official statement of the poll completed by one of his deputy returning officers.

Adjournment of official addition of votes.

(5) If the result of the vote taken under the procedure set forth in *The Canadian Forces Voting Rules* in Schedule II, has not been communicated by the Chief Electoral Officer to the returning officer on the day fixed for the official addition of the votes, the returning officer shall adjourn the proceedings to a future day and hour.

Amendments.

No amendment to apply to election for which writ is issued within six months, except after notice.

110. No amendment to this Act applies in any election for which the writ is issued within six months from the passing thereof unless before the issue of such writ the Chief Electoral Officer has published in the *Canada Gazette* a notice that the necessary preparations for the bringing into operation of such amendment have been made and that such amendment may come into force accordingly, and it shall be the duty of the Chief Electoral Officer forthwith after the passing of any amendment to consolidate such amendment, so far as necessary, in the copies of the Act printed for distribution to returning officers, to correct and re-print all forms and instructions affected thereby, and to publish a notice as aforesaid in the *Canada Gazette* as soon as copies of the Act and the forms and instructions have been so corrected and re-printed.

Consolidation of amendments.

Writ for late by-election superseded and withdrawn.

111. Notwithstanding anything in this or any other Act, whenever a writ has been issued ordering a by-election to be held on a date subsequent to the latest date upon which the existing Parliament may dissolve, as provided by section 50 of the *British North America Act, 1867*, such writ shall, after a notice to that effect has been published in the *Canada Gazette* by the Chief Electoral Officer, be deemed to have been superseded and withdrawn.

Northwest Territories elections to be conducted in accordance with this Act.

112. (1) Elections of members to the Council of the Northwest Territories (in this section called "Northwest Territories elections") shall be conducted in accordance with the provisions of this Act, subject to this section and to such adaptations and modifications as the Chief Electoral Officer, with the approval of the Commissioner of the Northwest Territories, directs as being necessary by reason of conditions existing in the Northwest Territories to conduct effectually Northwest Territories elections.

Procedure.

(2) The procedure prescribed by section 107 shall be followed in the preparation, revision and distribution of the list of electors for Northwest Territories elections.

Sections not applicable.

(3) Sections 14, 16, 19 and 20 do not apply to Northwest Territories elections.

Qualifications for electors.

(4) The qualifications for 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 elections.

Yukon Territory elections to be conducted in accordance with this Act.

113. (1) Elections of members to the Council of the Yukon Territory (in this section called "Yukon Territory elections") shall be conducted in accordance with the provisions of this Act, subject to this section and to such adaptations and modifications as the Chief Electoral Officer, with the approval of the Commissioner of the Yukon Territory, directs as being necessary by reason of conditions existing in the Yukon Territory to conduct effectually Yukon Territory elections.

Procedure.

(2) The procedure prescribed by section 107 shall be followed in the preparation, revision and distribution of the list of electors for Yukon Territory elections.

Sections not applicable.

(3) Sections 14, 16, 19 and 20 do not apply to Yukon Territory elections.

Qualifications of electors.

(4) The qualifications of electors for Yukon Territory elections shall be those established pursuant to section 14 of the *Yukon Act* and in force six months prior to the polling day for such elections.

Definition of "election material".

114. (1) In this section, "election material" includes instructions, forms, record books, index books, ballot papers, poll books and copies of Acts, regulations or rules or portions thereof, and any other supplies.

Use of election material authorized by an elections Act for by-elections, N.W.T. elections and Yukon Territory elections held after revision of such Act.

(2) Any election material authorized or required for the purposes of or in relation to by-elections, Northwest Territories elections or Yukon Territory elections by any Act providing for the election of members of the House of Commons may, in lieu of the election material authorized or required by any revision of such Act, be used for the purposes of or in relation to by-elections, Northwest Territories elections or Yukon Territory elections held before the first general election next after the coming into force of such revised Act; and references in election material so used to any Act, regulation, rule, schedule or form or any part or provision thereof shall be construed as a reference to the corresponding Act, regulation, rule, schedule, form, part or provision thereof in force upon the coming into force of such revised Act.

Repeal.

Repealed. R.S., c.23.

115. The *Canada Elections Act*, chapter twenty-three of the Revised Statutes of Canada, 1952, is repealed.

Coming into Force.

Coming into force.

116. The provisions of this Act with respect to the appointment, remuneration, powers and duties of the Chief Electoral Officer and his staff, the appointment of returning officers, the revision of the boundaries of polling divisions and the payment of fees and allowances to returning officers for such revision and the payment of accounts for election supplies and forms, shall come into force on the day upon which this Act is assented to, but the remaining provisions of this Act shall not come into force until a day to be fixed by proclamation of the Governor in Council.

SCHEDULE I

FORMS

FORM No. 1.

WRIT OF ELECTION. (Sec. 7.)

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories QUEEN, Head of the Commonwealth, Defender of the Faith.

To (*Insert name, surname and address of returning officer*).

GREETING:

Whereas, by the advice of Our Privy Council for Canada, We have ordered a Parliament to be holden at Ottawa, on the day of next (*omit this preamble, except in the case of a general election*), We command you that notice of the time and place of election being duly given, you do cause election to be made according to law of a member (*or as the case may be*) to serve in the House of Commons of Canada, for the electoral district of in the Province of (*except in case of a general election, insert here*) in the place of (*stating the cause of the vacancy*) and that you do cause the nomination of candidates at such election to be held on the day of next, and if a poll become necessary that the same be held on the day of next, and do cause the name (*or* names) of such member or members when so elected, whether he is (*or* they are) present or absent, to be certified to our Chief Electoral Officer, as by law directed.

Witness, Our Right Trusty and Well-beloved, etc., Governor General (*or* Administrator of the Government) of Canada, at Our City of Ottawa, the day of in the year of Our Reign and in the year of Our Lord 19 .

By Command

.....

Chief Electoral Officer.

Endorsement.

Received the within Writ on the day of , 19 .

.....

Returning Officer.

Form No. 2.

OATH OF THE RETURNING OFFICER. (Sec. 9.)

I, the undersigned (*insert name of returning officer*), returning officer for the electoral district of..... do swear (*or* solemnly affirm) that I am qualified according to law to act as returning officer for the said electoral district of.....and that I will act faithfully in that capacity, without partiality, fear, favour or affection. So help me God.

.....
Returning Officer.

CERTIFICATE OF RETURNING OFFICER HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that on the.....day of the month of....., 19...., (*insert name of returning officer*) the returning officer for the electoral district above mentioned, took and subscribed before me the oath (*or* affirmation) of office required in such case of a returning officer by section 9 of the *Canada Elections Act.*

In testimony whereof I have delivered to him this certificate.

.....
Justice of the Peace
(*or as the case may be*)

FORM No. 3.

APPOINTMENT AND OATH OF AN ELECTION CLERK. (Sec. 9.)

APPOINTMENT.

To (*insert name of election clerk*), whose occupation is (*insert occupation*) and whose address is (*insert address*).

Know you that, in my capacity of returning officer for the electoral district of ....., I do hereby appoint you to be my election clerk, to act in that capacity for the said electoral district.

Given under my hand at ....., this .....

day of ....., 19.....

.....
Returning Officer.

OATH OF THE ELECTION CLERK. (Sec. 9.)

I, the undersigned (*insert name of election clerk*), appointed election clerk for the electoral district of....., do swear (*or* solemnly affirm) that I am qualified as an elector in the said electoral district, that I will act faithfully in my said capacity as election clerk, or in that of returning officer if required to act as such, according to law, without partiality, fear, favour or affection. So help me God.

.....
Election Clerk.

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CERTIFICATE OF THE ELECTION CLERK HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that, on the..... day of ....., 19...., (*insert name of election clerk*), election clerk for the electoral district of....., took and subscribed before me the oath (*or* affirmation) of office required in such case of an election clerk by section 9 of the *Canada Elections Act*.

In testimony whereof I have delivered to him this certificate under my hand.

.....
Returning Officer.
(*or as the case may be*)

FORM No. 4.

PROCLAMATION. (Sec. 18.)

Electoral district of.....
Province of..... } To Wit:

Pursuant to Her Majesty's writ bearing date the..... day of....., 19...., I am commanded to cause an election to be held according to law of a member (*or* two members) to serve in the House of Commons of Canada for the above mentioned electoral district, and I accordingly give public notice:

That I am now prepared to receive nominations of candidates at such election and shall attend specially to receive such nominations at (*describe the place at which the returning officer will attend to receive nominations*), in the Town (*or* City *or* Village) of....., on the (*insert the date fixed as nomination day*) day of..... ....., 19...., from noon until two o'clock in the afternoon, after which said last mentioned hour no further nominations of candidates will be received.

And that in case a poll is demanded and granted in the manner by law prescribed, such poll will be held on the (*insert the date fixed as polling day*) day of....., 19...., between the hours of eight o'clock in the forenoon and seven o'clock in the afternoon, at places of which I shall subsequently give notice.

And that in case a poll is held, I shall at..... o'clock in the.....noon, on the (*insert the date fixed for the official addition of the votes*) day of....., 19...., at (*describe the place at which the votes will be officially added up*), in the Town (*or* City *or* Village) of....., open the ballot boxes, add up the votes reported in the statements of the poll as having been cast for the several candidates, and declare the name of the candidate who has obtained the largest number of such votes.

And that (*the wording of this paragraph will be altered to suit the circumstances*) the territory comprised in the City (*or* Town, *or as the case may be*) of.....will be urban polling divisions for which the lists of electors will be prepared and revised under the rules set forth in Schedule A to section 17 of the *Canada Elections Act*, and that the territory comprised in the remainder of the electoral district will be rural polling divisions for which the lists of electors will be prepared and revised under the rules set forth in Schedule B to the said section 17.

And that I have established my office for the conduct of the above mentioned election at (*describe location of the returning officer's office*).

Of which all persons are hereby required to take notice and to govern themselves accordingly.

Given under my hand at.....,

this.....day of....., 19....

(*Print name of returning officer*)
Returning Officer.

Form No. 5.

APPOINTMENT OF ENUMERATOR.
(Sec. 17, Sched. A, Rule 1, and Sched. B, Rule 1.)

To (*insert name of enumerator*), whose address is (*insert address*).

Know you that, in pursuance of the *Canada Elections Act*, I, the undersigned, in my capacity of returning officer for the electoral district of....., do hereby appoint you enumerator for polling division No..... of the said electoral district to prepare a list of the electors qualified to vote at the pending election in such polling division.

Given under my hand at....., this.....day of....., 19....

.....
Returning Officer.

Form No. 6.

OATH OF OFFICE OF ENUMERATOR.
(Sec. 17, Sched. A, Rule 1, and Sched. B, Rule 3.)

I, the undersigned, appointed enumerator for polling division No..... of the electoral district of....., do swear (*or* solemnly affirm) that I am qualified as an elector in the said electoral district and that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection. So help me God.

.....
Enumerator.

CERTIFICATE OF THE ENUMERATOR HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, do hereby certify that on the..... day of ....., 19...., the enumerator above named subscribed before me the above set forth oath (*or* affirmation) of office.

In testimony whereof I have issued this certificate under my hand.

.....
Returning Officer or Postmaster.
(*or as the case may be*)

FORM No. 7.

(Sec. 17, Sched. A, Rule 7.)

Electoral district of.....

City (or Town) of.....

Urban polling division No.....

ENUMERATORS' NOTICE TO ELECTOR.

Notice is hereby given that the undersigned enumerators for the above mentioned urban polling division will include in their preliminary list of electors, now in course of preparation for use at the pending election, an entry as undernoted. Notice is also given that if any entry made in this notice or in the preliminary list of electors is in any respect incorrect, such list may be corrected on application to the revising officer at the place and times of which notice will in due course be given by the returning officer for the above mentioned electoral district.

Name of elector.....
(*family name first*)

Occupation.....

Post office address.....

.....
(*Enumerator*)

.....
(*Enumerator*)

NOTE.—This notice should be preserved until after polling day at the pending election.

Form No. 8.

URBAN PRELIMINARY LIST OF ELECTORS.
(Sec. 17, Sched. A, Rule 13.)

Electoral District of..... Urban Polling Division No.....

Comprising the area included within a line described as commencing at the intersection of Laurier Avenue west and Bronson Avenue, thence east along Laurier Avenue west to Lyon Street, thence south along Lyon Street to Gloucester Road, thence west along Gloucester Road to Bronson Avenue, and north along Bronson Avenue to point of commencement.

The following names have been enumerated during a recent house-to-house visitation in the above mentioned polling division by a pair of urban enumerators.

Name of street and		Name of elector (*family name first*)	Occupation	Consecutive number
Street number	Apartment number			
Bay Street				
219	1	Johnson, Alfred	painter	1
219	1	Johnson, Mrs. Alfred	—	2
219	2	Fischer, James	railway employee	3
219	3	Carroll, Ernest	bookkeeper	4
220		McMillan, John	civil servant	5
221		Osborne, John	printer	6
222		Payne, Charles	printer	7
Bronson Avenue				
103		Smith, Henry	civil servant	8
104		Henderson, Peter	tinsmith	9
105		Stewart, Nelson	mechan c	10
105		Stewart, Mrs. Nelson	—	11
106		Kennedy, Ernest	civil servant	12
106		Kennedy, Miss Jamen	spinster	13
107		Davis, Louis	jobber	14
Gloucester Road				
323	1	Williams, James	civil servant	15
323	2	Dunn, Robert	retired	16
323	3	Moffatt, Miss Lily	spinster	17
323	4	Pearson, Mrs. Alex	widow	18
326		Carson, Harold	clerk	19
326		Carson Mrs. Harold	—	20
Laurier Avenue				
456		Murphy, Peter	builder	21
456		Murphy, Mrs. Peter	—	22
459	1	Lusk, Nelson	civil servant	23
459	1	Lusk, Mrs. Nelson	—	24
459	2	Lawson, John	painter	25
459	2	Lawson, Mrs. John	—	26
459	3	Wood, Peter	clerk	27
Lyon Street				
204		Moore, Alex	tinsmith	28
204		McDonald, John	civil servant	29
204		McDonald, Mrs. John	—	30
207		Murphy, Miss Jane	civil servant	31
210		Graham, William	merchant	32
215		Russell, John	civil servant	33
215		Russell, Miss Dorothy	spinster	34
Percy Street				
3	1	Fisher, Howard	clerk	35
3	2	Johnson, James	cvil servant	36
3	3	Blackburn, John	contractor	37
3	3	Blackburn, Mrs. John	—	38
4		Henderson, Edward	carpenter	39
11		Smith, Henry	blacksmith	40
15		Burns, Mrs. James	stenographer	41
15		Burns, Miss Ann	clerk	42

On the last page of each separate complete copy of the list prepared, the enumerators will severally subscribe to the oath in Form No. 9.

Form No. 9.

OATH OF URBAN ENUMERATORS UPON COMPLETION OF THEIR PRELIMINARY LIST.
(Sec. 17, Sched. A, Rule 15.)

We, the undersigned urban enumerators appointed to prepare a preliminary list of electors for polling division No.....of the electoral district of....., do severally swear (*or* solemnly affirm) that the foregoing .....sheets contain as complete and as correct a list of the qualified electors as we have been able to prepare for the above mentioned polling division.

Severally sworn (*or* affirmed) before me at..... this.....day of.. ....., 19....	..... *Enumerator.*
..... *Returning Officer (or as the case may be)*	..... *Enumerator.*

Form No. 10.

PRINTER'S AFFIDAVIT RESPECTING THE PRINTING OF LISTS OF ELECTORS.
(Sec. 17 (15).)

Electoral district of.....
I, the undersigned,.....of the.....
(*insert City or Town or Village*)
of....., do swear (*or* solemnly affirm):

1. That I am.....
(*Insert "the sole member" or "one of the members of the firm*
.....
of" or "the of the Co. Ltd.", or as the case may be.).....
by whom or by which lists of electors have been printed for use at the election which has been ordered to be held in the above mentioned electoral district on the.....
.....day of....., 19.....

2. That neither I nor any member of my firm has paid, agreed or promised to pay, given or promised to give, any monetary or other reward, to the returning officer of the above named electoral district, or to any person on his behalf, as consideration for the granting of an order of any kind for the printing of the lists of electors prepared for use at the above mentioned election.

Sworn (*or* affirmed) before me at.....
this.....day of.....,
19.....

.....
Justice of the peace (or Notary public or Commissioner for taking affidavits)

.....
(Signature of deponent)

FORM No. 11.

RETURNING OFFICER'S AFFIDAVIT RESPECTING THE PRINTING OF LISTS OF ELECTORS.
(Sec. 17 (15).)

Electoral district of.....

I, the undersigned, returning officer for the above mentioned electoral district, do swear (*or* solemnly affirm):

That I have not, nor has any person for me and on my behalf, received or requested, demanded, accepted, or agreed to accept from any person whatsoever, any monetary or other reward as consideration for the granting of an order of any kind for the printing of the lists of electors prepared for use at the election which has been ordered to be held in the above named electoral district on the.....
day of....., 19....

SWORN (*or* affirmed) before me at .....
this.....day of.....,
19....

.....
Justice of the peace (or Notary public or Commissioner for taking affidavits)

.....
(Signature of returning officer)

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FORM No. 12.

APPOINTMENT OF A SUBSTITUTE REVISING OFFICER.
(Sec.17, Sched. A, Rule 18.)

To....., whose address is.....
and whose occupation is.....

Know you that, pursuant to the authority vested in me under Rule (18) of Schedule A to section 17 of the *Canada Elections Act*, I, the undersigned, in my capacity as *ex officio* Revising Officer, do hereby appoint you to be a substitute revising officer for revisal district No..... of the electoral district of....., to revise the preliminary lists of electors for the urban polling divisions comprised in the said revisal district, for use in the pending election for a member of the House of Commons, in accordance with the provisions of the said section 17 of the *Canada Elections Act*.

Given under my hand at.....
this.....day of....., 19....

.....
Judge of the.....*Court.*

Form No. 13.

OATH OF A SUBSTITUTE REVISING OFFICER.
(Sec. 17, Sched. A, Rule 18.)

I, the undersigned.....
(*Insert name of substitute revising officer*)
appointed substitute revising officer for revisal district No.....in the electoral district of.....
....., do swear (*or* solemnly affirm) that I am qualified as an elector in the said electoral district and that I will act faithfully in my said capacity of substitute revising officer, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....
Substitute Revising Officer.

CERTIFICATE OF OATH OF THE SUBSTITUTE REVISING OFFICER.

I, the undersigned, do hereby certify that on the..... day of....., 19....., the substitute revising officer above named made and subscribed before me the above set forth oath (*or* affirmation).

In testimony whereof I have issued this certificate under my hand.

.....
Judge of the.....Court
or.....
(*as the case may be*)

FORM No. 14.

NOTICE OF REVISION.
(Sec. 17, Sched. A, Rule 23.)

Electoral district of.....

PUBLIC NOTICE IS HEREBY GIVEN THAT sittings for the revision of the preliminary lists of electors for the urban polling divisions comprised in the above mentioned electoral district will be held on each of the following three days, namely: Thursday, Friday and Saturday, the..... ....., ... and.....days of....., 19...., (*Insert the dates of the 18th, 17th and 16th days before polling day*) when the preliminary lists of electors for the urban polling divisions comprised in each of the following revisal districts will be revised by the undermentioned revising officers at the places specified below:

CITY (OR TOWN) OF.....

FOR REVISAL DISTRICT NO. 1, comprising polling divisions Nos.....of the above mentioned electoral district, the sittings for revision will be held at (*Insert exact location of the revisal office*) before (*Insert full name of revising officer*) who has been appointed revising officer.
(*Proceed as above in respect of any other revisal district.*)

NOTICE IS FURTHER GIVEN THAT, during the sittings for revision on the Thursday and Friday aforesaid, any qualified elector in one of the above mentioned revisal districts may, before the revising officer for such revisal district, subscribe to an affidavit attacking the qualifications as elector of any other person whose name appears on the preliminary list of electors for one of the polling divisions comprised in such revisal district.

THAT, during the sittings for revision on the Thursday, Friday and Saturday aforesaid, the revising officer shall dispose of the following applications:

(*a*) personal applications for registration made verbally, without previous notice, by electors whose names were omitted from the preliminary lists of electors, pursuant to Rule (34) of Schedule A to section 17 of the *Canada Elections Act;*

(*b*) sworn applications made by agents on Forms Nos. 17 and 18, or by revising agents on Forms Nos. 70 and 71, of the said Act, on behalf of persons claiming the right to have their names included in the official lists of electors, pursuant to Rule (35) or Rule (36) of Schedule A to section 17 of the said Act; and

(*c*) verbal applications for the correction of names or particulars of electors appearing on the preliminary lists of electors made, without previous notice, pursuant to Rule (39) of Schedule A to section 17 of the said Act.

THAT each of the sittings for revision will open at ten o'clock in the forenoon and will continue for at least one hour and during such time thereafter as may be necessary to deal with the business ready to be disposed of.

THAT, moreover, on the above mentioned Thursday, Friday and Saturday fixed for the sittings for revision, each revising officer will sit in his revisal office from seven o'clock until ten o'clock in the evening of each of these days.

AND THAT the preliminary lists of electors prepared by urban enumerators, to be revised as aforesaid, may be examined during reasonable hours in my office at (*Insert location of office of returning officer*).

NOTICE IS FURTHER GIVEN THAT, if any qualified elector in one of the above mentioned revisal districts has, before the revising officer for such revisal district, subscribed to an affidavit attacking the qualifications as elector of any other person whose name appears on the preliminary list of electors for one of the polling divisions comprised in such revisal district, further sittings for revision will be held on Tuesday, the.....day of....., 19..., (*Insert the date of the thirteenth day before polling day*) at the same place and times as the sittings for revision on the Thursday, Friday and Saturday aforesaid, and that during the sittings for revision on the Tuesday aforesaid, the revising officer shall dispose of the objections made on affidavits in Form No. 15 of the said Act to the retention of names on the preliminary lists of electors, of which the revising officer has given notice in Form No. 16 of the said Act to the persons concerned pursuant to Rule (30) of Schedule A to section 17 of the said Act.

Given under my hand at....., this.....

day of....., 19....

.....

(*Print name of returning officer*)
Returning Officer.

FORM No. 15.

AFFIDAVIT OF OBJECTION.
(Sec. 17, Sched. A, Rule 30.)

Electoral district of.....

Revisal district No.....

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

1. That I am the person described on the preliminary list of electors prepared for use at the pending election, for urban polling division No....., comprised in the above mentioned revisal district, and that my address and occupation, as given in the said preliminary list, are as set out above.

2. That there has been included in the preliminary list of electors prepared for use at the pending election, for urban polling division No....., comprised in the said revisal district, the name of (*name as on preliminary list*), whose address is given as (*address as on preliminary list*), and whose occupation is given as (*occupation as on preliminary list*).

3. That I know of no other address at which the said person is more likely to be reached than that so stated on the said preliminary list, except (*give alternative or better address, if one is known*).

4. And that I have good reason to believe and do verily believe that the name, address, and occupation mentioned in paragraph 2 of this affidavit should not appear on the said preliminary list because the person described by the said entry (*insert the ground of disqualification as hereinafter directed*).

Sworn (*or* affirmed) before me

at.....,

this.....day of.....,

19.....

.....
Revising Officer.

.....
(*Signature of deponent*)

Grounds of disqualification which may be set out in paragraph 4 of the Affidavit of Objection in Form No. 15 of the Canada Elections Act.

(1) "Is dead."
(2) "Is not known to exist."
(3) "Is not qualified to vote because he is not of the full age of twenty-one years or will not attain such age on or before polling day at the pending election."
(4) "Is not qualified to vote because he is not a Canadian citizen or other British subject."
(5) "Is not qualified to vote because he is a British subject other than a Canadian citizen and has not been ordinarily resident in Canada during the twelve months immediately preceding polling day at the pending election."
(6) "Is not qualified to vote because he was not ordinarily resident in this electoral district on the..... day of ....., 19..... (*naming the date of the issue of the writ ordering the pending election*)."
(7) "Is not qualified to vote because he is (*naming any other class of disqualified persons to which the person objected to belongs, as prescribed in section 14, 15 or 16 of the Canada Elections Act*)."
(8) "Has, to my knowledge, been included in the preliminary list of electors prepared for use at the pending election for polling division No. ..... of this electoral district in which he ordinarily resides.

FORM No. 16.

NOTICE TO PERSON OBJECTED TO.
(Sec. 17, Sched. A, Rule 30.)

Electoral district of.....

Revisal district No.....

To (*set out name, address and occupation of the person objected to as these appear on the preliminary list of electors, also addressing a copy of the notice and affidavit to another address, if any, given in paragraph 3 of the attached Affidavit of Objection*).

Take notice that the attached Affidavit of Objection to the retention of your name on the preliminary list of electors for one of the urban polling divisions comprised in the above mentioned revisal district has been subscribed before me and that this affidavit of objection will be dealt with during my sittings for revision which will be held at No.....street, in the City (or Town) of.....on Tuesday, the..... day of....., 19...., (*Insert the date of the 13th day before polling day*) where I may be found from ten o'clock until eleven o'clock in the forenoon and from seven o'clock until ten o'clock in the evening.

Take notice also that you may appear before me in person or by representative during any of the above mentioned sittings for revision to sustain your right, if any, to have your name retained on such preliminary list.

This notice is given pursuant to Rule (30) of Schedule A to section 17 of the *Canada Elections Act.*

Dated at....., this.....day of

....., 19.....

.....
Revising Officer.

FORM No. 17.

SWORN APPLICATION TO BE MADE BY THE AGENT OF AN ELECTOR.
(Sec. 17, Sched. A, Rule 35.)

Electoral district of.....
To the Revising Officer for Revisal District No.....
comprised in the above mentioned electoral district.

I, the undersigned, (*insert name, address and occupation of agent*), do swear (*or* solemnly affirm):

1. That I am a qualified elector of the above mentioned electoral district and that my name properly appears on the preliminary list of electors for polling division No..... of the said electoral district.

2. That pursuant to the provisions of Rule (35) of Schedule A to section 17 of the *Canada Elections Act*, I hereby apply for the registration of the name of (*insert full name, address and occupation, in capital letters, with family name first, of the person on whose behalf the application is made*) on the official list of electors for urban polling division No.....comprised in the above mentioned revisal district.

3. That the name, address and occupation of the person on whose behalf this application is made, as set forth in the annexed application in Form No. 18, are, to the best of my knowledge and belief, correctly stated.

4. That the said annexed application in Form No. 18 was signed in my presence by the person on whose behalf this application is made (or, owing to his temporary absence from the place of his ordinary residence, the alternative application printed on the back of the said Form No. 18 has been duly sworn (*or* affirmed) by a relative by blood or marriage or the employer of such person).

Sworn (*or* affirmed) before me
at.....,
this....day of....., 19....

.....
Revising Officer
(or as the case may be)

.....
(Signature of deponent)

FORM No. 18.

APPLICATION TO BE MADE BY AN ELECTOR FOR REGISTRATION AS SUCH.

(Sec. 17, Sched. A, Rule 35.)

(*To be presented to the revising officer by the agent of an elector.*)

Electoral district of.....
Urban polling division No.....
Name of applicant.....
(*in capital letters with family name first*)

.....
(*address*)

.....
(*occupation*)

I, the undersigned, hereby apply to be registered at the now proceeding revision of preliminary lists as an elector in the above mentioned urban polling division.

I am of the full age of twenty-one years, or will attain such age on or before polling day at the pending election.

I am a Canadian citizen.
(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.

I was ordinarily resident in the above mentioned urban polling division on the.....day of....., 19...
(*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, I have continued to be ordinarily resident in this electoral district until this day).

I am not, to the best of my knowledge and belief, disqualified as an elector in the above mentioned urban polling division, at the pending election, under any of the provisions of the *Canada Elections Act.*

Dated at.....this.....

day of....., 19.....

....
(*Signature of witness*) (*Signature of applicant*)

23396-5—18

ALTERNATIVE APPLICATION TO BE SWORN BY A RELATIVE OR EMPLOYER WHEN ELECTOR IS TEMPORARILY ABSENT FROM THE PLACE OF HIS ORDINARY RESIDENCE.

(*To be presented to the revising officer by the agent of an elector.*)

Electoral district of.....
Urban polling division No.....

I, the undersigned,.....
(*insert name of relative or employer*)
of....., ..., do swear (*or* solemnly affirm):
(*address*) (*occupation*)

1. That I am hereby applying for the registration of the name of....., of.....,
(*in capital letters with family name first*) (*address*)
....., on the list of electors for the above
(*occupation*)
mentioned urban polling division at the now proceeding revision of lists of electors.

2. That the said person on whose behalf this application is made

(*a*) is of the full age of twenty-one years, or will attain such age on or before polling day at the pending election;

(*b*) is a Canadian citizen;

(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; and

(*c*) was ordinarily resident in the above mentioned urban polling division on the..... day of....., 19..... (*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, has continued to be ordinarily resident in this electoral district until this day).

3. That the said person on whose behalf this application is made is at this time temporarily absent from the place of his ordinary residence, and that, to the best of my knowledge and belief, he is not disqualified as an elector in the above mentioned urban polling division, at the pending election, under any of the provisions of the *Canada Elections Act*.

4. And that I am a relative by blood or marriage or the employer of the said person on whose behalf this application is made.

Sworn (*or* affirmed) before me

at .....,

this ..... day of .....,

19 ....

.....

Revising Officer
(or as the case may be)

.....
(Signature of relative or employer)

Form No. 19.

REVISING OFFICER'S STATEMENT OF CHANGES AND ADDITIONS MADE IN AN URBAN PRELIMINARY LIST OF ELECTORS.

(Sec. 17, Sched. A, Rule 44.)

Electoral District of.....
Polling Division No.....
Revisal District No.....

The following names have been added to the urban preliminary list of electors:

Name of Street (*or as the case may be*)	Street No.	Apartment No.	Name of Elector (*Family name first*)	Occupation	Remarks

The following entries in the urban preliminary list of electors have been corrected so as to appear as follows:

Name of Street (*or as the case may be*)	Street No.	Apartment No.	Name of Elector (*Family name first*)	Occupation	Consecutive number of elector on list of electors

The following names appearing in the urban preliminary list of electors have been struck out:

Name of Street (*or as the case may be*)	Street No.	Apartment No.	Name of Elector (*Family name first*)	Occupation	Consecutive number of elector on list of electors

CERTIFICATE

I hereby certify that the foregoing is a correct statement of all the changes and additions that have been made in the urban preliminary list of electors for the above mentioned polling division in the course of the revision.

Dated at....., this.....

day of....., 19....

.....
Revising Officer.

FORM No. 20.

CERTIFICATE TO BE ISSUED BY THE RETURNING OFFICER TO AN ELECTOR, DULY ENUMERATED, WHOSE NAME WAS INADVERTENTLY LEFT OFF THE OFFICIAL URBAN LIST OF ELECTORS.

(Sec. 17 (12).)

Electoral district of.....
Urban polling division No.....

This is to certify that a carbon copy of the notice in Form No. 7 of the *Canada Elections Act*, in the enumerators' record books now in my possession shows that such notice was duly issued to

....., (*insert name*)

....., ..., (*insert address*) (*insert occupation*)

informing such person that his name would be included in the preliminary list of electors for the above mentioned urban polling division, and that it now appears that his name was thereafter inadvertently left off the official list of electors for the said urban polling division.

This is to certify also that, pursuant to subsection (12) of section 17 of the *Canada Elections Act*, the official list of electors for the above mentioned urban polling division is deemed to have been amended to include the name of the above mentioned elector, and that such elector is therefore entitled to vote at the pending election at polling station No.....established for the above mentioned urban polling division.

Given under my hand at.....,

this.....day of....., 19....

.....
Returning Officer.

Form No. 21.

CERTIFICATE TO BE ISSUED BY THE RETURNING OFFICER TO AN ELECTOR, DULY REGISTERED BY A REVISING OFFICER, WHOSE NAME WAS INADVERTENTLY LEFT OFF THE OFFICIAL URBAN LIST OF ELECTORS.

(Sec. 17 (13).)

Electoral district of.....
Urban polling division No.....

This is to certify that the revising officer's record sheets, now in my possession, show that an application for registration on the list of electors made by or on behalf of.....

....., (*insert name*)

....., ..., (*insert address*) (*insert occupation*)

was duly accepted by the revising officer for revisal district No....., of the above stated electoral district, during his sittings for revision, and that it now appears that the name of the above mentioned elector was thereafter inadvertently left off the official list of electors for the said urban polling division.

This is to certify also that, pursuant to subsection (13) of section 17 of the *Canada Elections Act*, the official list of electors for the above mentioned urban polling division is deemed to have been amended to include the name of the above mentioned elector, and that such elector is therefore entitled to vote at the pending election at polling station No.....established for the above mentioned urban polling division.

Given under my hand at.....this.....

day of....., 19....

.....
Returning Officer.

Form No. 22.

NOTICE OF RURAL ENUMERATION.

(Sec. 17, Sched. B, Rule 3.)

Electoral District of.....
Rural Polling Division No....., ...
(*insert name, if any*)

Comprising:

(*In the above space, the rural enumerator will insert in full the description of the boundaries of his polling division.*)

Notice is hereby given that the undersigned has been appointed enumerator for the above mentioned rural polling division, that he is about to prepare a preliminary list of the electors who are qualified to vote therein at the pending general election and that he will complete the said preliminary list on Saturday, the.....
(*insert the date of Saturday,*
day of....., 19....
the forty-fourth day before polling day)

And that during the hours between ten o'clock in the forenoon and ten o'clock in the evening of Thursday, the .....day of....., 19....,
(*insert the date of Thursday, the eighteenth day before polling day*)
he will attend and remain at.....
(*insert description of the place where the enumerator intends to remain*)
so that he may be found by any person who desires to direct attention to any error in any entry appearing on the said preliminary list or to represent that such list does not contain the name of an elector who is qualified to vote in the above mentioned rural polling division at the pending general election or does contain the name of any person who is not so qualified to vote.

And that in order that the said preliminary list shall be available for inspection by interested persons, a copy thereof will, forthwith after its completion, be posted up at the place above described and will remain so posted up until all proper changes have been made on the said list.

And that after ten o'clock in the evening of the Thursday above mentioned, no further changes will be made, and a copy of the said preliminary list together with a copy of the statement of changes and additions will constitute the official list of electors to be used for the taking of the votes at the pending general election in the rural polling division aforesaid.

Dated....., this.....
day of....., 19....
.....
Rural Enumerator.

Form No. 23.

INDEX BOOK.
(Sec. 17, Sched. B, Rule 5.)

Form for first page.

Electoral district of.....
Polling division No. .....comprising (*giving description of the boundaries of polling division*).....
.....
.....

Consecutive Number	Name (*Family name first*)	Occupation	Post office address	Remarks

Form for second and subsequent pages.

Continuation of polling division No. .....

Consecutive Number	Name (*Family name first*)	Occupation	Post office address	Remarks

FORM No. 24.

RURAL PRELIMINARY LIST OF ELECTORS.
(Sec. 17 (16) and Sched. B, Rule 10.)

Electoral District of.....
Rural Polling Division No. .....comprising (*giving the description of the boundaries of the polling division*).....
.....

Consecutive Number	Name (*Family name first*)	Occupation	Post office address
1	Allan, John	farmer	Britannia
2	Allan, Mrs. John	—	Britannia
3	Allan, Miss Helen	spinster	Britannia
4	Bradley, Thomas	merchant	Westboro
5	Bradley, Mrs. Thomas	—	Westboro
6	Bradley, Miss Jean	clerk	Westboro
7	Boyle, Mrs. Thomas	widow	Woodroffe
8	Carter, John	clerk	Westboro
9	Cummings, James	farmer	Britannia
10	Cummings, Mrs. James	—	Britannia
11	Caldwell, Samuel	labourer	Westboro
12	Dawson, William	farmer	R.R. No. 1, Westboro
13	Dawson, Mrs. William	—	R.R. No. 1, Westboro
14	Downing, Miss Mary	teacher	Woodroffe
15	Egan, Mrs. James	widow	Woodroffe
16	Foley, Benjamin	farmer	R.R. No. 1, Westboro
17	Foley, Mrs. Benjamin	—	R.R. No. 1, Westboro
18	Graham, Alexander	painter	Westboro
19	Graham, Mrs. Alexander	—	Westboro
20	Grant, Miss Evelyn	clerk	Westboro
21	Hodgins, Elmer	farmer	R.R. No. 1, Westboro
22	Hodgins, Mrs. Elmer	—	R.R. No. 1, Westboro
23	Hudson, James	labourer	Westboro
24	Jenkins, Thomas	farmer	Britannia
25	Jenkins, Mrs. Thomas	—	Britannia
26	Kelly, Miss Jane	spinster	Westboro
27	Lewis, Harry C	agent	Westboro
28	Lewis, Mrs. Harry C	—	Westboro
29	Lewis, Miss Suzanne	teacher	Westboro
30	Lewis, Peter	broker	Westboro
31	Martin, James	farmer	Westboro
32	Martin, Mrs. James	—	Westboro
33	Moore, Mervin	farmer	Westboro
34	Neil, John	labourer	Westboro
35	Osborne, Peter	farmer	Westboro
36	Osborne, Mrs. Peter	—	Westboro
37	Pratt, Oscar	farmer	R.R. No. 1, Westboro
38	Pratt, Mrs. Oscar	—	R.R. No. 1, Westboro
39	Richards, Peter	farmer	R.R. No. 2, Westboro
40	Richards, Mrs. Peter	—	R.R. No. 2, Westboro
41	Smith, Norman	merchant	Westboro
42	Smith, Mrs. Norman	—	Westboro
43	Smith, Miss Dora	clerk	Westboro
44	Thompson, James	labourer	Westboro
45	Thompson, Miss Mildred	spinster	Westboro
46	Timmins, Alex	farmer	R.R. No. 1, Westboro
47	Wilson, James	farmer	R.R. No. 2, Westboro
48	Wilson, Mrs. James	—	R.R. No. 2, Westboro
49	Yates, John	merchant	Westboro
50	Yates, Mrs. John	—	Westboro

I hereby certify that the attached.....sheets contain a true copy of the rural preliminary list of electors for the polling division above described as prepared by me for use at the pending election.

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

.....
Enumerator.

23396-5—19

Form No. 25.

CERTIFICATE OF RURAL ENUMERATOR.
(Sec. 17, Sched. B, Rule 20.)

I,....., of.....,
(*Insert name of enumerator*) (*Insert address*)
in the Province of....., duly appointed as rural enumerator for polling division No. .....in the electoral district of....., do hereby declare that this index book contains as complete a list of the qualified electors in the said polling division as I have been able to prepare.

And that I have prepared the official list of electors for this polling division impartially and to the best of my ability: there now appear therein the names of all persons in this polling division whom I believe to be qualified as electors at the pending election, and no names of any persons whom I do not believe to be qualified to vote appear therein as qualified electors.

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

.....
Rural Enumerator.

Form No. 26.

STATEMENT OF CHANGES AND ADDITIONS MADE BY THE RURAL ENUMERATOR IN THE PRELIMINARY LIST OF ELECTORS IN THE INDEX BOOK.
(Sec. 17, Sched. B, Rule 19.)

Polling Division No.....
Electoral District of.....
The following names have been added to the preliminary list of electors in the index book:

Name (*Family name first*)	Occupation	Post office address

The following names in the preliminary list of electors in the index book have been corrected so as to appear as follows:

Consecutive Number	Name (*Family name first*)	Occupation	Post office address

The following names appearing in the preliminary list of electors in the index book have been struck out:

Consecutive Number	Name (*Family name first*)	Occupation	Post office address

CERTIFICATE.

I hereby certify that the foregoing is a correct statement of all the changes and additions which have been made in the rural preliminary list of electors in the index book for the above polling division in the course of the revision.

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

.....

Enumerator.

FORM No. 27.

NOMINATION PAPER. (Sec. 21 (5).)

We, the undersigned electors of the electoral district of , hereby nominate (*here give name in full, with surname first, address, and occupation of person nominated*) as a candidate at the election, now about to be held, of a member to represent the said electoral district in the House of Commons of Canada.

Signature of witness	Address of witness	Occupation of witness	Signatures of electors	Addresses of electors	Occupations of electors
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

Several signatures of electors may be bracketed and a witness need sign only once opposite the bracket for the whole series of signatures which he witnessed.

I, the said....., nominated in the
(*Insert name of candidate*)
foregoing nomination paper, hereby consent to such nomination, and name as my address for the serving of process and papers under the *Canada Elections Act* and under the *Dominion Controverted Elections Act:*

.....

(*Insert address*)

I do, pursuant to subsection (1) of section 62 of the *Canada Elections Act*, hereby appoint.....
.....
whose address is.....
and whose occupation is....., as my official agent for the pending election.

Given under my hand at.....
this.....day of....., 19...

Signed by the said candidate in the presence of

.....
(*Signature of candidate*)

.....
(*Signature of witness*)

FORM No. 28.

OATH OF ATTESTATION OF THE NOMINATION PAPER.
(Sec. 21 (9).)

I, of (*post office address*) , (*occupation*), swear (*or* solemnly affirm) that I know the following persons who have signed the within nomination paper, namely:

and that they are duly qualified as electors in the electoral district of to vote at an election of a member to serve in the House of Commons of Canada, and that they respectively signed the within nomination paper in my presence.

This oath (*or* affirmation) was sworn (*or* affirmed) before me at.....this day of , 19 .

.....
(*Signature of person attesting*)

.....
Returning Officer.

FORM No. 29.

RETURN TO THE WRIT WHEN ELECTION IS BY ACCLAMATION.
(Sec. 24.)

I hereby certify that the member elected for the electoral district of , in pursuance of the within writ, is (*insert name, address and occupation of member elected, as stated in the heading of his nomination paper*), no other candidate having been nominated (*or* the other *or* all other candidates having withdrawn, *as the case may be*).

Dated at this day of , 19 .

.....
Returning Officer.

FORM No. 30.

NOTICE OF GRANT OF A POLL. (Sec. 25.)

Electoral District of.....

Province of.....

Public notice is hereby given to the electors of the electoral district aforesaid, that a poll has been granted for the election now pending for the said electoral district, and that such poll will be opened on....., the.....day of....., 19...., at the hour of eight o'clock in the forenoon and kept open until the hour of seven o'clock in the afternoon in the following polling stations established in the various polling divisions comprised in the said electoral district:

Polling Division No.: (*Here insert the description of the boundaries of the polling division, followed by the location of every polling station established therein.*)

(*Proceed as above in respect to all other polling divisions and polling stations.*)

Notice is further given that the persons duly nominated as candidates in the above mentioned electoral district, and only for whom votes may be cast, are:

1. }
2. } (*Insert the name, address, and occupation of each candidate as given in the heading of the nomination paper, and follow the name and particulars of each with* (*in smaller type*) *the words "Official Agent" and the name, address, and occupation of the official agent appointed by each candidate.*)
3. }

Of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at....., this

..... day of ....., 19....

(*Print name of returning officer*)

Returning Officer.

Form No. 31.

APPOINTMENT OF DEPUTY RETURNING OFFICER.
(Sec. 26.)

To (*insert name of D.R.O.*) whose address is (*insert address*).

Know you that I, in my capacity of returning officer for the electoral district of....., do hereby appoint you to be deputy returning officer for polling station No.....of the said electoral district which has been established at (*describe location of polling station*);

That you are authorized and required to open the poll at the said polling station on the.....day of....., 19...., at eight o'clock in the forenoon and to keep the said poll open until seven o'clock in the afternoon of the same day, and there to take by ballot the votes of the qualified electors at the said polling station according to the procedure set forth in the Instructions for Deputy Returning Officers issued by the Chief Electoral Officer;

And that, after having counted the votes cast for the various candidates and performed all the other necessary duties, you are required to transmit to me forthwith the ballot box, sealed with a special metal seal, enclosing only two envelopes, one containing the official statement of the poll and the other containing the poll book, the ballot papers—unused, spoiled, rejected and counted for each candidate—each lot in its proper envelope, together with the official list of electors and the other documents used at the taking of the votes.

Given under my hand at....., this..... day of ....., 19.....

.....
Returning Officer.

Form No. 32.

OATH OF OFFICE OF DEPUTY RETURNING OFFICER.
(Sec. 26.)

I, the undersigned, appointed deputy returning officer for polling station No.....of the electoral district of.... ....., do swear (*or* solemnly affirm) that I am qualified as an elector in the said electoral district, that I will act faithfully in my said capacity of deputy returning officer, without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom the ballot paper of any elector is marked in my presence at the pending election. So help me God.

.....
Deputy Returning Officer.

CERTIFICATE OF THE DEPUTY RETURNING OFFICER HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that on the..... day of....., 19...., the deputy returning officer above named subscribed before me the above set forth oath (*or* affirmation) of office.

In testimony whereof I have issued this certificate under my hand.

.....
Returning Officer or Postmaster.
(or as the case may be)

Form No. 33.

APPOINTMENT AND OATH OF OFFICE OF POLL CLERK.
(Sec. 26.)

Appointment.

To....., whose occupation is..... .....and whose address is.....

Know you that, in my capacity of deputy returning officer for polling station No.....of the electoral district of ....., I hereby appoint you to be poll clerk for the said polling station.

Given under my hand at....., this .....day of....., 19....

.....
Deputy Returning Officer.

OATH OF OFFICE OF POLL CLERK.
(Sec. 26.)

I, the undersigned, appointed poll clerk for the above mentioned polling station, do swear (*or* solemnly affirm) that I am qualified as an elector in the said electoral district, that I will act faithfully in my capacity of poll clerk, or in that of deputy returning officer, if required to act as such, without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom the ballot paper of any elector is marked in my presence at the pending election. So help me God.

.....
Poll Clerk.

CERTIFICATE OF THE POLL CLERK HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, hereby certify that on the..... day of....., 19....., the poll clerk above named subscribed before me the above set forth oath (*or* affirmation) of office.

In testimony whereof I have issued this certificate under my hand.

.....
Deputy Returning Officer.

FORM No. 34.

APPOINTMENT OF A POLL CLERK BY A POLL CLERK ACTING AS DEPUTY RETURNING OFFICER. (Sec. 26.)

To....., whose occupation is.....,
(*insert name of poll clerk*) (*insert occupation*)

and whose address is.....
(*insert address*)

Know you, that in my capacity of acting deputy returning officer for polling station No. of the electoral district of , in consequence of the decease (*or* incapacity to act, *or as the case may be*) of the deputy returning officer for the said polling station whose poll clerk I was, I hereby appoint you to be poll clerk for the said polling station of the said electoral district.

Given under my hand at this day of , in the year 19 .

.....
Poll Clerk acting as Deputy Returning Officer.

(*The oath and certificate of its having been taken will be the same as in the case of a poll clerk appointed by the deputy returning officer.*)

FORM No. 35.

FORM OF BALLOT PAPER. (Sec. 28)

Front.

DOE, WILLIAM R.,
636 POWER ST., OTTAWA,
BARRISTER.

DOE, FRANK ARTHUR,
R.R. NO. 3, WESTBORO,
FARMER.

DOE, JOSEPH,
EASTVIEW,
GENTLEMAN.

DOE, JOHN THOMAS,
239 BANK ST., OTTAWA,
MERCHANT.

FORM No. 35.—(*Concluded*)

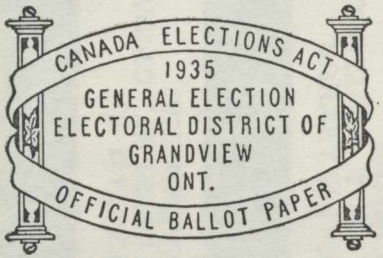
FORM OF BALLOT PAPER.

Back.

No. 325 (*Line of perforations here.*)

No. 325 (*Line of perforations here.*)

Space for initials of D.R.O.



POLLING DAY:

September 14th, 1935

Printed by JAMES BROWN,
260 Slater Street, Ottawa, Ont.

FORM No. 36.

AFFIDAVIT OF PRINTER. (Sec. 28 (6).)

I, ... of the .....
of ....., ..., make oath and say:
(*occupation*)

1. That I am.....
(*Insert "the sole member" or "one of the members of the*
.....
firm of" or "the of the Co. Ltd.", or as the case may be.)
hereinafter called "the printer" by whom or by which ballot papers have been printed for the pending election in the electoral district of.....for a member to serve in the House of Commons of Canada.

2. That.....sheets for ballot papers numbered as follows, namely:.....
were delivered to the said printer by the returning officer for the printing of the said ballot papers which were printed with the names of.....candidates,
(*Insert number of candidates*)
each of the said sheets thus cutting into.....
(*Insert number of ballots*)
ballot papers.

3. That the number of ballot papers properly printed and delivered to the said returning officer was.....
and that no other ballot papers have been supplied to any other person.

4. That.....sheets numbered as follows, namely .....were not required and have been returned to the returning officer in the condition in which they were received.

5. That.....sheets of ballot papers were spoilt in printing and that every such piece of spoilt ballot paper has been delivered to the returning officer.

*6. And that the ballot papers having been printed with the names of.....candidates, the cut off portions of all the sheets out of which ballot papers were cut have been returned to the said returning officer for return to the Chief Electoral Officer, the same being arranged in numerical order according to the numbers printed thereon

Sworn (*or* affirmed) before me at....., in the Province of....., this.....day of....., 19.. .....
Returning Officer
(*or as the case may be*)

.....
(*Signature of printer*)

*Strike out this paragraph unless six, eight, nine, ten, twelve or more candidates are running.

Form No. 37.

DIRECTIONS TO ELECTORS. (Sec. 36 (1).)

Each elector may vote at only one polling station and for only one candidate.

After being handed a ballot paper by the deputy returning officer, the elector will go into a voting compartment and, with a black lead pencil there provided, will make a cross thus ×, within the space on the ballot paper containing the name and particulars of the candidate for whom such elector desires to vote.

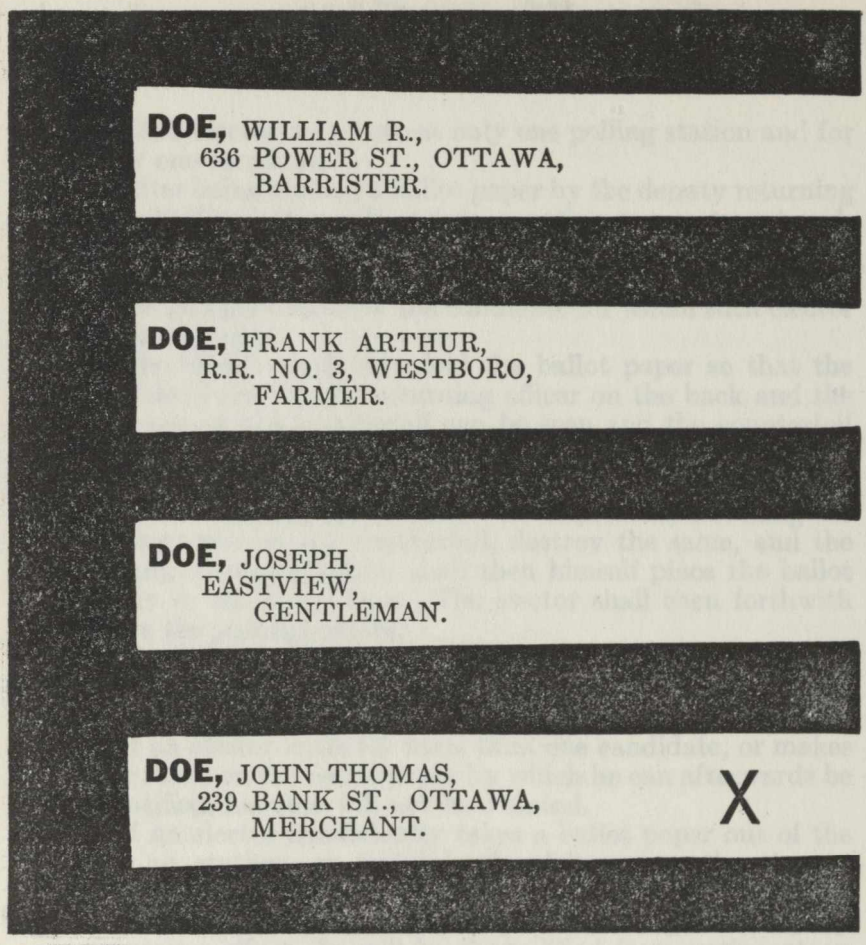
The elector shall then fold the ballot paper so that the initials of the deputy returning officer on the back and the number on the counterfoil can be seen and the counterfoil detached without unfolding the ballot paper; he shall then return the ballot paper so folded to the deputy returning officer who shall, in full view of those present, including the elector, remove the counterfoil, destroy the same, and the deputy returning officer shall then himself place the ballot paper in the ballot box. The elector shall then forthwith leave the polling station.

If an elector inadvertently spoils a ballot paper, he may return it to the deputy returning officer who, on being satisfied of the fact, will give him another.

If an elector votes for more than one candidate, or makes any mark on the ballot paper by which he can afterwards be identified, his vote will not be counted.

If an elector fraudulently takes a ballot paper out of the polling station, or fraudulently delivers to the deputy returning officer to be put into the ballot box any other paper than the ballot paper given him by the deputy returning officer, he will be disqualified from voting at an election for seven years thereafter and be liable, if he is a returning officer, election clerk, deputy returning officer, poll clerk, or other officer engaged in the conduct of such an election, to imprisonment without the alternative of a fine for a term not exceeding five years and not less than one year, with or without hard labour, and if he is any other person, to imprisonment for a term not exceeding three years and not less than one year with or without hard labour.

In the following specimen of ballot paper, given for illustration, the candidates are William R. Doe, Frank Arthur Doe, Joseph Doe, and John Thomas Doe, and the elector has marked his ballot paper in favour of John Thomas Doe.


DOE, WILLIAM R.,
636 POWER ST., OTTAWA,
BARRISTER.
DOE, FRANK ARTHUR,
R.R. NO. 3, WESTBORO,
FARMER.
DOE, JOSEPH,
EASTVIEW,
GENTLEMAN.
DOE, JOHN THOMAS,
239 BANK ST., OTTAWA,
MERCHANT.
X

Form No. 38.

DIRECTIONS TO ELECTORS. (Sec. 36 (1).)

APPLICABLE ONLY IN AN ELECTORAL DISTRICT IN WHICH TWO MEMBERS ARE TO BE RETURNED

Each elector may vote at only one polling station but he is entitled to vote for two candidates.

After being handed a ballot paper by the deputy returning officer, the elector will go into a voting compartment and, with a black lead pencil there provided, will make a cross, thus ×, within the space on the ballot paper containing the name and particulars of each of the two candidates for whom such elector desires to vote.

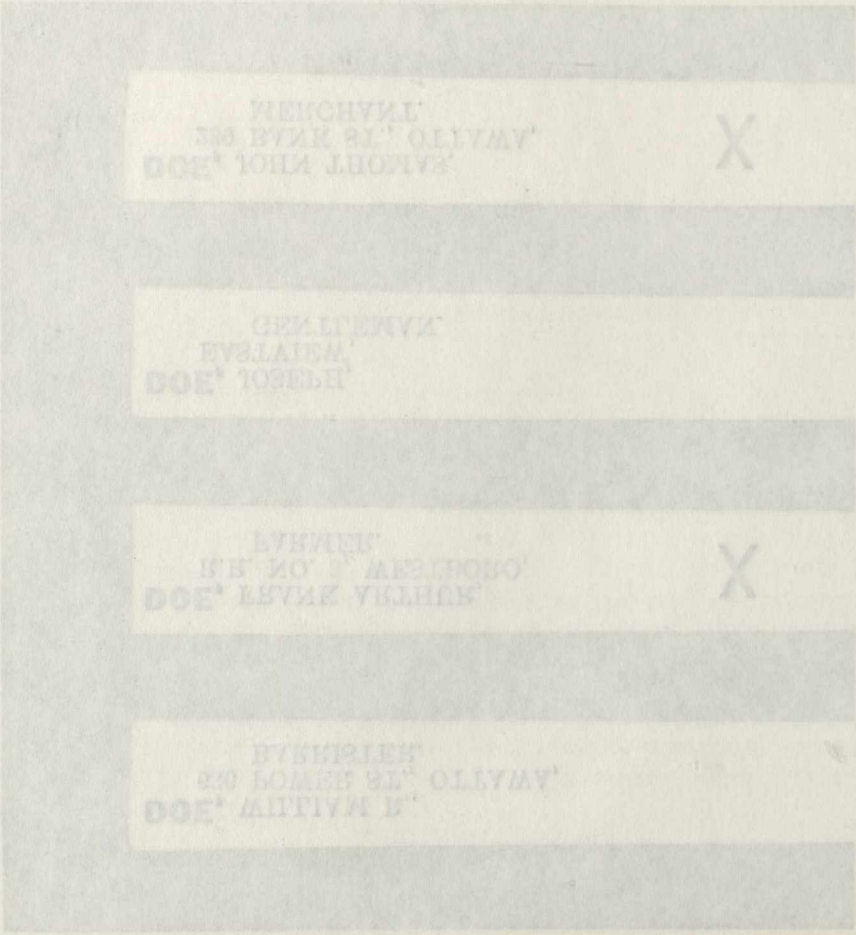
The elector shall then fold the ballot paper so that the initials of the deputy returning officer on the back and the number on the counterfoil can be seen and the counterfoil detached without unfolding the ballot paper; he shall then return the ballot paper so folded to the deputy returning officer who shall, in full view of those present, including the elector, remove the counterfoil, destroy the same, and the deputy returning officer shall then himself place the ballot paper in the ballot box. The elector shall then forthwith leave the polling station.

If an elector inadvertently spoils a ballot paper, he may return it to the deputy returning officer who, on being satisfied of the fact, will give him another.

If an elector votes for more than two candidates, or makes any mark on the ballot paper by which he can afterwards be identified, his ballot paper will not be counted.

If an elector fraudulently takes a ballot paper out of the polling station, or fraudulently delivers to the deputy returning officer to be put into the ballot box any other paper than the ballot paper given him by the deputy returning officer, he will be disqualified from voting at an election for seven years thereafter and be liable, if he is a returning officer, election clerk, deputy returning officer, poll clerk, or other officer engaged in the conduct of such an election, to imprisonment without the alternative of a fine for a term not exceeding five years and not less than one year, with or without hard labour, and if he is any other person, to imprisonment for a term not exceeding three years and not less than one year with or without hard labour.

In the following specimen of ballot paper, given for illustration, the candidates are William R. Doe, Frank Arthur Doe, Joseph Doe, and John Thomas Doe, and the elector has marked his ballot paper in favour of Frank Arthur Doe, and John Thomas Doe.



DOE, WILLIAM R.,
636 POWER ST., OTTAWA,
BARRISTER.

DOE, FRANK ARTHUR,
R.R. NO. 3, WESTBORO,
FARMER. X

DOE, JOSEPH,
EASTVIEW,
GENTLEMAN.

DOE, JOHN THOMAS,
239 BANK ST., OTTAWA,
MERCHANT. X

FORM No. 39.

OATH OF AGENT OR ELECTOR REPRESENTING CANDIDATE. (Sec. 34)

I, the undersigned (*insert name of candidate's agent*), agent of (*or* elector representing) (*insert name of candidate*), one of the candidates at the pending election in the electoral district of.....,
do swear (*or* solemnly affirm) that I will keep secret the name of the candidate for whom the ballot paper of any elector is marked in my presence at the said election. So help me God.

.....
(*Signature of agent or elector*)

Sworn (*or* affirmed) before me at.....,
this.....day of....., 19....

.....
Deputy Returning Officer.

FORM No. 40.

POLL BOOK. (Sec. 36 (6).)

Consecutive number given each elector as he applies for a ballot paper	Particulars of elector			
	Name of elector (*Family name first*)	Occupation (*No occupation will be inserted in the case of a woman who is not designated with an occupation on the official list*)	Post office address	Consecutive number of elector on official list
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Form numbers of oaths, if any, the elector is required to swear	Record that oaths sworn or refused (If sworn, insert "Sworn" or "Affirmed"; if refused, insert "Refused to be Sworn" or "Refused to Affirm" or "Refused to Answer")	Particulars of person vouching, *in a rural polling division only*, under section 46, for an elector whose name is not on the official list.		
		Name	Consecutive number of vouching elector on official list	Record that oath (Form No. 50) sworn (when sworn insert "Sworn")
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Record that elector has voted — (*When ballot paper put into ballot box, insert "Voted"*)	Remarks
.....	.....
.....	.....
.....	.....

FORM No. 41.

OATH OF QUALIFICATION. (Sec. 39 (1).)

You swear (*or* solemnly affirm)

(1) That you are (*name, address and occupation*) as given on the list of electors now shown you;

(2) That you are a Canadian citizen of the full age of twenty-one years;

(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;

(3) That you were ordinarily resident in this polling division on the.....day of....., 19.... (*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, that you have continued to be ordinarily resident in this electoral district until today);

(4) That, to the best of your knowledge and belief, you are not disqualified as an elector in this polling division, at the pending election, under any of the provisions of the *Canada Elections Act;*

(5) That you have not received anything nor has anything been promised to you directly or indirectly, in order to induce you to vote or to refrain from voting at the pending election; and

(6) That you have not already voted at the pending election or been guilty of any corrupt or illegal practice in relation thereto. So help you God.

FORM No. 42.

AFFIDAVIT OF QUALIFICATION. (Sec. 39 (2).)

Electoral district of.....

Urban polling division No.....

I, the undersigned, do swear (*or* solemnly affirm):

(1) That I am of the full age of twenty-one years;

(2) That I am a Canadian citizen;

(or)

That I am a British subject other than a Canadian citizen and have been ordinarily resident in Canada for the twelve months immediately preceding this polling day;

(3) That I was ordinarily resident in the above mentioned polling division on the.....day of....., 19.... (*naming the date of the issue of the writ ordering the pending election*); (and, at a by-election, that I have continued to be ordinarily resident in this electoral district until today);

(4) That I am not, to the best of my knowledge and belief, disqualified as an elector in the above mentioned polling division, at the pending election, under any of the provisions of the *Canada Elections Act;*

(5) That I have not received anything nor has anything been promised to me directly or indirectly, in order to induce me to vote or to refrain from voting at the pending election;

(6) That I have not already voted at the pending election nor have I been guilty of any corrupt or illegal practice in relation thereto;

(7) That I am the person intended to be referred to by the entry on the official list of electors for this polling station under consecutive No.....of the name of..... (*name as on list of electors*), whose occupation is given as .....(*occupation as on list of electors*), and whose address is given as..... (*address as on list of electors*); and

(8) That the name stated above is my true name and that the signature affixed hereto is in my usual handwriting (*or in the case of an illiterate person*—that the mark placed hereto is my usual method of signing my name).

Sworn (*or* affirmed) before me

at.....,

this.....day of.....,

19.....

.....
Deputy Returning Officer.

.....
(*Signature of deponent*)

FORM No. 43.

OATH AS TO ERROR ON LIST. (Sec. 41.)

You swear (*or* solemnly affirm) that you are qualified to vote at this election of a member to serve in the House of Commons of Canada and are not disqualified from voting thereat, and that you verily believe that you are the person intended to be referred to, by the entry, on the list of electors used at this polling station, of the name (*name as on list of electors*), whose occupation is given as (*occupation as on list of electors*) and whose address is given as (*address as on list of electors*). So help you God.

FORM No. 44.

TRANSFER CERTIFICATE. (Sec. 43.)

No.....

Electoral district of.....

This is to certify that (*insert name of elector*) , whose name appears on the official list of electors for polling station No.....in the above mentioned electoral district, whose occupation, as stated in the said list, is (*insert occupation*), and whose address, as stated therein, is (*insert address*).....

Strike out inapplicable lines

(1) is a candidate at the pending election desirous of voting
(2) has been appointed to act as deputy returning officer or poll clerk
(3) has shown to me his appointment to act as agent for a candidate

at polling station No.....of the said electoral district.

And that, instead of voting at the polling station on the official list of electors for which his name appears, he may vote at the last mentioned polling station, provided that he is a candidate at the pending election in the above mentioned electoral district, or is actually engaged at such polling station on polling day in the capacity aforesaid.

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

.....
Returning Officer or Election Clerk.

Form No. 45.

AFFIDAVIT OF A CANDIDATE'S AGENT TO BE SUBSCRIBED BEFORE VOTING ON A TRANSFER CERTIFICATE.
(Sec. 43 (2).)

Electoral district of.....

I, the undersigned, do swear (*or* solemnly affirm):

(1) That I am the person described in the above transfer certificate;

(2) That I am actually agent of.....;
(*insert name of candidate*)

(3) That it is my intention to act in that capacity until the poll is closed on this polling day, and that I have taken the oath of secrecy in Form No. 39 of the *Canada Elections Act;*

(4) That I am a Canadian citizen of the full age of twenty-one years;

(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;

(5) That I was ordinarily resident in this electoral district on the.....day of....., 19...(*naming the date of the issue of the writ ordering the pending election);* (and, at a by-election, that I have continued to be ordinarily resident in this electoral district until today);

(6) That I am not, to the best of my knowledge and belief, disqualified as an elector at the pending election in this electoral district, under any of the provisions of the *Canada Elections Act;*

(7) That I have not received anything nor has anything been promised to me directly or indirectly, in order to induce me to vote or to refrain from voting at the pending election; and

(8) That I have not already voted at the pending election nor have I been guilty of any corrupt or illegal practice in relation thereto. So help me God.

Sworn (*or* affirmed) before me
at.....,
this.....day of.....,
19.....

.....
Deputy Returning Officer.

.....
(*Signature of deponent*)

Form No. 46.

OATH OF A PERSONATED ELECTOR. (Sec. 45 (5).)

You swear (*or* solemnly affirm) that you are (*name as on list of electors*), of (*address as on list of electors*), whose name is entered on the list of electors now shown you. So help you God.

Form No. 47.

OATH OF INCAPACITATED ELECTOR (Sec. 45 (7).)

You swear (*or* solemnly affirm) that you are incapable of voting without assistance by reason of your being unable to read or by reason of physical incapacity. So help you God.

Form No. 48.

OATH OF FRIEND OF BLIND ELECTOR. (Sec. 45 (9).)

(1) You swear (*or* solemnly affirm) that you will keep secret the name of the candidate for whom you mark the ballot paper of the blind elector on whose behalf you act.

(2) That you have not already acted as the friend of a blind elector for the purpose of marking his ballot paper at this election. So help you God.

Form No. 49.

OATH OF AN APPLICANT RURAL ELECTOR. (Sec. 46.)

You swear (*or* solemnly affirm)

(1) That you are (*name, address and occupation*);

(2) That you are a Canadian citizen of the full age of twenty-one years;

(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;

(3) That you were ordinarily resident in this electoral district on the.....day of....., 19..... (*naming the date of the issue of the writ ordering the pending election*);

(4) That you are now ordinarily resident in this rural polling division;

(5) That, to the best of your knowledge and belief, you are not disqualified as an elector in this rural polling division, at the pending election, under any of the provisions of the *Canada Elections Act;*

(6) That you have not received anything nor has anything been promised to you directly or indirectly, in order to induce you to vote or to refrain from voting at the pending election; and

(7) That you have not already voted at the pending election or been guilty of any corrupt or illegal practice in relation thereto. So help you God.

Form No. 50.

OATH OF PERSON VOUCHING FOR AN APPLICANT RURAL ELECTOR. (Sec. 46.)

You swear (*or* solemnly affirm)

(1) That you are (*name, address and occupation*) as given on the list of electors now shown you;

(2) That you are now ordinarily resident in this rural polling division;

(3) That you know (*naming the applicant and stating his address and occupation*) who has applied to vote at the pending election in this polling station;

(4) That the said applicant is now ordinarily resident in this rural polling division;

(5) That you verily believe that the said applicant

(*a*) is a Canadian citizen of the full age of twenty-one years;

(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; and

(*b*) was ordinarily resident in this electoral district on the .....day of....., 19.... (*naming the date of the issue of the writ ordering the pending election*); and

(6) That you verily believe that the said applicant is qualified to vote in this rural polling division at the pending election. So help you God.

FORM No. 51.

INFORMATION FOR PERSONATION. (Sec. 48.)

Canada,
Province of.....,
County of.....

.....

The information of.....
taken this.....day of.....,
in the year....., before the undersigned, a deputy returning officer at a polling station in the.....
of.....for an election being held for the electoral district of.....
of a member of the House of Commons.

The said informant says that he believes that (*insert the name of the accused or, if it is not known then "a person whose name is to the informant unknown but who is now detained in the polling station by the order of the undersigned"*) on this day at the said polling place did commit the offence of personation by (*describe the offence in words following those of section 68 (a) or (b) of the Canada Elections Act*).

Taken and sworn before me at the said polling station, the day and year above mentioned.

.....
Deputy Returning Officer.

FORM No. 52.

INFORMATION FOR VOTING WITH KNOWLEDGE OF DISQUALIFICATION, NON-QUALIFICATION OR INCOMPETENCY. (Sec. 48.)

Canada,
Province of.....,
County of.....

.....

The information of.....
taken this.....day of.....,
in the year....., before the undersigned, a deputy returning officer at a polling station in the.....
of.....for an election being held for the electoral district of.....
of a member to serve in the House of Commons.

The said informant says that he believes that (*insert the name of accused*) who is now detained in the said polling station under my order, on this day at the said polling station did commit the offence of voting at said election then knowing that he was (*"disqualified," "non-qualified"* or *"incompetent"*) to vote at such election.

Taken and sworn before me at the said polling station, the day and year above mentioned.

.....
Deputy Returning Officer.

FORM No. 53.

WARRANT FOR ARREST OF PERSON CHARGED WITH PERSONATION. (Sec. 48.)

Canada,
Province of.....,
County of.....

To all or any of the constables and other peace officers in the County (*or* Province) of.....

Whereas, before the undersigned, a deputy returning officer at a polling station in the.....
of.....for an election being held for the electoral district of.....of a member to serve in the House of Commons (*insert name or description of person as stated in information*) has this day been charged upon oath with having committed the offence of personation on this day and at the said polling station by (*describe the offence as in the information*).

These are therefore to command you in Her Majesty's name forthwith to apprehend the said..... and to bring him before (*insert the name or names of the magistrate or magistrates before whom the accused is to be brought*) to answer unto the said charge and to be further dealt with according to law.

Given under my hand and seal under the *Canada Elections Act* this.....day of....., in the year 19.....

.....
Deputy Returning Officer.

FORM No. 54.

WARRANT FOR ARREST OF A PERSON CHARGED WITH VOTING WITH KNOWLEDGE OF DISQUALIFICATION OR INCOMPETENCY. (Sec. 48.)

Canada,
Province of.....,
County of.....

To all or any of the constables and other peace officers in the County (*or* Province) of.....

Whereas, before the undersigned, a deputy returning officer at a polling station in the.....
of.....for an election being held for the electoral district of.....of a member to serve in the House of Commons (*insert the name of the accused*) has this day been charged upon oath with having

committed on this day and at the said polling station the offence of having then and there voted at such election knowing that he was (*"disqualified," "non-qualified,"* or *"incompetent"*) to so vote.

These are therefore to command you in Her Majesty's name forthwith to apprehend the said
and to bring him before (*insert the name or names of the magistrate or magistrates before whom the accused is to be brought*) to answer unto the said charge and to be further dealt with according to law.

Given under my hand and seal under the *Canada Elections Act* this.....day of....., in the year 19.....

.....
Deputy Returning Officer.

FORM NO. 55.

APPOINTMENT AND OATH OF A CONSTABLE. (Sec. 48 (10).)

APPOINTMENT.

To.....
(*Insert full name of constable*)
of.....
(*Insert post office address of constable*)

Know you, that in my capacity of deputy returning officer for polling station No.....of the electoral district of ..... I hereby appoint you to be a constable to maintain order in and around the above mentioned polling station throughout polling day.

Given under my hand at.....this..... day of....., in the year 19.....

.....
Deputy Returning Officer.

OATH OF CONSTABLE.

I, the undersigned, appointed constable by the above named deputy returning officer, swear (*or* solemnly affirm) that I will act faithfully in my capacity of constable on this polling day.

.....
(*Signature of constable*)

SWORN (*or* affirmed) before me
on the above mentioned date.

.....
Deputy Returning Officer
(*or as the case may be*)

FORM No. 56.

OATH OF DEPUTY RETURNING OFFICER AT THE CLOSE OF THE POLL. (Sec. 50 (7).)

I, the undersigned, appointed deputy returning officer for polling station No.....of the electoral district of ....., do swear (*or* solemnly affirm) that, to the best of my knowledge and belief, the poll book used at the said polling station has been kept correctly; that I have faithfully counted the votes cast for each candidate; that I have faithfully performed all my other duties as deputy returning officer; and that the official statement of the poll, poll book, ballot papers, and other necessary documents will be correctly prepared and placed in the ballot box, to the end that the said ballot box, being first locked and sealed with a special metal seal, may be regularly transmitted to the returning officer for the above mentioned electoral district. So help me God.

.....
Deputy Returning Officer.

Sworn (*or* affirmed) before me at....., this.....day of....., 19.....

.....
Poll Clerk (*or as the case may be*)

FORM No. 57.

OATH OF POLL CLERK AT THE CLOSE OF THE POLL. (Sec. 50 (7).)

I, the undersigned, appointed poll clerk for polling station No.....of the electoral district of....., do swear (*or* solemnly affirm) that the poll book used at the said polling station has been kept to the best of my ability; that the total number of electors registered therein as having voted at this election is.....; that the said poll book contains a true and exact record of the taking of the votes at the said polling station; and that I have faithfully performed all my other duties as poll clerk. So help me God.

.....
Poll Clerk.

Sworn (*or* affirmed) before me at....., this.....day of....., 19.....

.....
Deputy Returning Officer
(*or as the case may be*)

FORM No. 58.

STATEMENT OF THE POLL AFTER COUNTING THE BALLOTS.
(Sec. 50 (8).)

Electoral District of.....Polling Station No.....

Number of ballot papers received from the returning officer.....		.....
Number of ballot papers cast for.....	.....	
" " "	.....	
" " "	.....	
" " "	.....	
" " "	.....	
" " "	.....	
" " "	.....	
Number of *REJECTED ballot papers.....	.....	
(*A REJECTED ballot paper means a ballot paper which has been handed by the deputy returning officer to an elector to cast his vote but which, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted.)		
Total number of ballot papers found in box.....	.....	
Number of unused ballot papers undetached from the books.....	.....	
Number of **SPOILED ballot papers.....	.....	
(**A SPOILED ballot paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the deputy returning officer to be soiled or improperly printed, or which has been handed by the deputy returning officer to an elector to cast his vote, and (*a*) has been spoiled in marking by the elector, and (*b*) has been handed back to the deputy returning officer and exhanged for another.)		
Total.....	.....	.....

Number of names on official list of electors used at the poll.....

I hereby certify that the above statement is correct.

Dated at.....

this.....day of....., 19....

.....
Deputy Returning Officer.

FORM No. 59.

OATH OF MESSENGER SENT TO COLLECT BALLOT BOXES, OR OF ANY CUSTODIAN OF BALLOT BOXES. (Sec. 50 (9).)

I, (*insert name, address and occupation of messenger or custodian*), messenger or custodian appointed by (*insert name of returning officer*), returning officer for the electoral district of swear (*or* solemnly affirm) that the several boxes to the number of which were used at polling stations Nos. of this electoral district on polling day, now delivered by me to were handed to me by (*insert names of D.R.O's or authorized custodian from whom ballot boxes have been received*), that they have not been opened by me or any other person; and that they are in the same state as they were in when they came into my possession.

.....
(*Signature of Messenger or Custodian*)

Sworn (*or* affirmed) before me at.....
this.....day of....., in the year 19.....

.....
Returning Officer
(*or as the case may be*)

FORM No. 60.

RETURN TO THE WRIT AFTER A POLL HAS BEEN TAKEN. (Sec. 56.)

I hereby certify that the member (*or* members) elected for the electoral district of , in pursuance of the within writ, as having received the largest number of the votes lawfully cast, is (*insert name, address, and occupation of member or members elected, as stated in the heading of the nomination paper*).

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

.....
Returning Officer

Form No. 61.

RETURN OF ELECTION EXPENSES. (Sec. 63.)

Electoral District of.....
On behalf of....., a Candidate.

CERTIFICATE OF PERSON BEFORE WHOM STATUTORY DECLARATION IS MADE.

This is the return of election expenses referred to in the statutory declaration of.....
which said statutory declaration (in Form Nos. 62, 63 and 64 in Schedule I to the *Canada Elections Act*) was declared before me at....., this.....
day of....., 19.....

.....
Returning Officer
(or as the case may be)

RETURN.

I,.....of.....,
in the Province of....., being official agent for....., a candidate at the election of a member to serve in the House of Commons of Canada, held on the (*insert date of poll*) day of....., 19....,
in the above mentioned electoral district, make the following return respecting the election expenses of the said candidate at the said election.

1—RECEIPTS.

(a) Money or its value received.

There are accurately set out hereunder the name and occupation of every person (including the candidate) and of every club, society, company or association, from whom any money, securities or the equivalent of money was received in respect of expenses incurred on account of or in connection with or incidental to the above election, showing in the case of each person the amount or value received as a contribution (including subscription or gift), loan, advance, deposit or otherwise:

Name	Address	Occupation	State whether contribution, loan, advance or deposit	Amount or value	
.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	....
			Total		

(b) Money or its value promised but not received.

In addition to the foregoing items, the persons (including the candidate), clubs, societies, companies or associations hereunder mentioned are all who have promised to pay but have not yet paid money or its equivalent for the purposes of expenses incurred, or to be incurred, on account of or in respect of the conduct or management of the said election, and the amount or value promised by them respectively, with its character, is set out after their names:

Name	Address	Occupation	State whether contribution, loan, advance, deposit, etc.	Amount or value	
.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	....
			Total		

2—Payments made not requiring a judge's order.

(a) Candidate's personal expenses, postage, telegrams and petty claims.

			Petty expenses paid under written authority under section 62 (17), (18), the statements of particulars being attached and numbered consecutively.		
Personal expenditure of candidate paid by him personally and notified to me under section 62 (4), (16)					
Paid by me as his official agent			Consec. No.	Name	Amount
Total.....			.....	.....	.....
Postage paid by me.....			.....	.....	.....
Telegrams paid by me.....			.....	.....	.....
				Total.....	.....

(b) Hire of premises.

There are set out below the name and address of every person, club, society, company and association from whom premises were hired for the purpose of the election, with a description of the premises so hired, the purpose for which and the length of time during which the same were used, and the amount paid therefor, vouchers for all the said payments for which vouchers have been received being attached hereto and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name of person from whom premises hired	Address	Description of premises hired	Purpose for which used	Time for which used	Amount paid	
.....	.....	.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	.....	.....	....
					Total		

(c) Advertising.

The following statement contains the name and address of every person, club, society, company and association to whom any payment (not already set out) was made for advertising, with a description of such advertising and the amount paid to each, vouchers for such payments being attached hereto, so far as the same have been received, and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Name of publication	Dates of issues	Amount	
.....	.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	.....	....
				Total		

3—Undisputed claims still unpaid or under a judge's order.

The following statement contains the names and addresses of all persons whose undisputed claims were received too late, or remained unpaid too long, to be payable without a judge's order and in respect of which such an order has been or is about to be applied for, together with particulars of the nature of the claim, its amount, etc.. as below set out:

Name	Address	Nature of claim	Paid or unpaid	If paid, date of order or judgment	Amount	
.....	.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	.....	....
				Total		

4—Disputed claims.

In addition to the above, I am aware as offical agent for the said candidate of the following (and only of the following) disputed and unpaid claims, the names and addresses of the claimants, the character of the claims respectively and the amount thereof being as set out below:

Name	Address	Character of disputed account	Amount	
.....	.....	.....	.....	....
.....	.....	.....	.....	....
		Total		

(a) Services.

The following statement contains the name and address of every person, club, society, company or association to whom any payment was made for work done, with a description of the nature of the work done and the amount paid to each, vouchers for such payments being attached hereto, so far as the same have been received, and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Nature of work done	Amount paid	
.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	....
			Total		

(b) Travelling expenses and hire of vehicles.

The following statement contains the name and address of every person, club, society, company or association to whom any payment was made for travelling expenses or the hire of vehicles with the amounts paid to each, vouchers for such payments being attached hereto, so far as the same have been received, and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Nature of claim	Amount	
.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	....
			Total		

(c) Goods supplied.

The following statement contains the name and address of every person, club, society, company or association to whom any payment (not already set out) was made, for goods supplied, with a description of the goods supplied and the amounts paid to each, vouchers for such payments being attached hereto so far as the same have been received and numbered consecutively as indicated in the proper column below:

Consec. No. of voucher	Name	Address	Description of goods supplied (If only hired, so state and give duration)	Amount paid	
.....	.....	.....	.....	.....	....
.....	.....	.....	.....	.....	....
			Total		

FORM No. 62.

OFFICIAL AGENT'S DECLARATION AS TO EXPENSES.
(Sec. 63 (2).)

I,....., being official agent of....., a candidate at the election held on the.....day of....., 19...., of a member to serve in the House of Commons of Canada, do hereby solemnly declare that I have examined the return of election expenses about to be transmitted by me to the returning officer at the said election and now shown to me by the officer before whom this declaration is made and to the best of my knowledge and belief that return is correct;

And I hereby further solemnly declare that except as appears from that return, I have not and to the best of my knowledge and belief no other person, nor any club, society, company or association has on behalf of the said candidate made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly declare that I have received from the said candidate the sum of (*insert "No" if the fact is so*) .....dollars and no more for the purposes of the said election, and that, except as specified in the said return sent by me, no money, security, or equivalent for money has been paid, advanced, given or deposited by any one to me or in my hands, or to the best of my knowledge and belief, to or in the hands of any other person for the purpose of defraying any expenses incurred on behalf of the said candidate on account of, or in respect of, the conduct or management of the said election;

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act.*

.....
(*Signature of declarant*)

Signed and declared before me by the above named declarant at....., in the Province of....., on the.....day of....., 19.....

.....
Returning Officer
(*or as the case may be*)

Form No. 63.

CANDIDATE'S DECLARATION AS TO EXPENSES. (Sec. 63 (3).)

(Ordinary Form)

1. I,....., whose address is.....and whose occupation is....., having been a candidate at the election of a member to serve in the House of Commons of Canada, for the electoral district of....., held on the (*insert date of poll*) day of....., 19...., do hereby solemnly declare that I have examined the return of election expenses transmitted or about to be transmitted by my official agent to the returning officer at the said election, a copy of which return is now shown by me and signed by the officer before whom this declaration is made, and to the best of my knowledge and belief that return is correct;

2. And I further solemnly declare that, except as appears from that return, I have not, and to the best of my knowledge and belief no person, nor any club, society, company or association has, on my behalf, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

3. And I further solemnly declare that I have paid to my said official agent the sum of.....and no more for the purpose of the said election, and that, except as specified in the return, no money, security, or equivalent for money has to my knowledge or belief been paid, advanced, given or deposited by any one to or in the hands of my official agent or any other person for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election;

4. And I further solemnly declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent for money for the purpose of defraying any such expenses;

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act.*

.....
(*Signature of declarant*)

Signed and declared before me by the above named declarant at....., in the Province of ....., on the..... day of....., 19.....

.....
Returning Officer
(*or as the case may be*)

FORM NO. 64.

CANDIDATE'S DECLARATION AS TO EXPENSES. (Sec. 63 (3).)

(*Alternative Form*)

1. I, ..., whose address is.....and whose occupation is ....., having been (*insert "in my absence nominated as" or "declared by others to be"*) a candidate at the election of a member to serve in the House of Commons of Canada for the electoral district of....., held on the (*insert the date of poll*) day of....., 19...., do hereby solemnly declare that I have taken no part whatever in the said election;

2. And I further solemnly declare that, with the exceptions undernoted, I have not, and no person, club, society, company or association on my behalf, has made any payment, or given, promised, or offered, any reward, office, employment or valuable consideration or incurred any liability on account of or in respect of the conduct or management of the said election;

Exceptions:

3. And I further solemnly declare that, with the exceptions undernoted, I have not paid any money or given any security or equivalent for money to the person acting as my official agent at the said election, or to any other person, club, society, company or association on account of or in respect of the conduct or management of the said election;

Exceptions:

4. And I further solemnly declare that, with the exceptions undernoted, I am entirely ignorant of any money, security, or

equivalent for money having been paid, advanced, given or deposited by any one for the purpose of defraying any expenses incurred on account of or in respect of the conduct or management of the said election;

Exceptions:

5. And I further solemnly declare that I will not, except so far as I may be permitted by law, at any future time, make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent of money for the purpose of defraying any such expenses.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act.*

.....

(*Signature of Declarant*)

Signed and declared before me by the above named declarant at....., in the Province of....., on the.....day of....., 19.....

.....

Returning Officer
(*or as the case may be*)

FORM No. 65.

NOTICE OF HOLDING OF ADVANCE POLL. (Sec. 92 (8).)

Electoral District of.....

Take notice that, pursuant to the provisions of sections 92 to 95, inclusive, of the *Canada Elections Act*, an advance poll will be opened in the undermentioned advance polling district(s).

FOR ADVANCE POLLING DISTRICT NO. 1, comprising polling divisions Nos.....of the above mentioned electoral district, the advance polling station will be located at (*Specify in capital letters the exact location of the advance polling station*), and the votes cast at such polling station will be counted on Monday, the ..... day of ....., 19....., being the ordinary polling day, at nine o'clock in the afternoon, at (*Specify in capital letters the exact location where the count will be held*).

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

And further take notice that the said advance polling station(s) will be open between the hours of eight o'clock in the forenoons and eight o'clock in the afternoons of Saturday and Monday, the..... and..... ..... days of ....., 19....., being the ninth and seventh days before the day fixed as the ordinary polling day at the pending election in the above mentioned electoral district.

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

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

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

(*Print name of returning officer*)
Returning Officer.

FORM No. 66.

AFFIDAVIT FOR VOTING AT AN ADVANCE POLL. (Sec. 93.)

Consecutive number of affidavit.....
Electoral District of.....
Advance Polling District No.....

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

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

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

Sworn (*or* affirmed) before me

at.....,

this.....

day of....., 19.....

.....
Deputy Returning Officer.

.....
(*Signature of deponent*)

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

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

23396-5—24

FORM No. 67.

APPOINTMENT OF REVISING AGENT.
(Sec. 17, Sched. A, Rule 46.)

To (*insert name of revising agent*), whose address is (*insert address*).

Know you that, in pursuance of the *Canada Elections Act*, I, the undersigned, in my capacity of returning officer for the electoral district of....., do hereby appoint you revising agent for urban revisal district No. .....of the said electoral district.

Given under my hand at....., this..... day of ....., 19.....

.....
Returning Officer.

FORM No. 68.

OATH OF OFFICE OF REVISING AGENT.
(Sec. 17, Sched. A, Rule 46.)

I, the undersigned, appointed revising agent for urban revisal district No.....of the electoral district of..... ....., do swear (*or* solemnly affirm) that I am qualified as an elector in the said electoral district and that I will act faithfully in my said capacity of revising agent, without partiality, fear, favour or affection. So help me God.

.....
Revising Agent.

CERTIFICATE OF THE REVISING AGENT HAVING TAKEN THE OATH OF OFFICE.

I, the undersigned, do hereby certify that on the..... day of....., 19....., the revising agent above named subscribed before me the above set forth oath (*or* affirmation) of office.

In testimony whereof I have issued this certificate under my hand.

.....
Returning Officer or Postmaster
(*or as the case may be*)

FORM No. 69.

NOTICE TO APPLICANT BY REVISING OFFICER.
(Sec. 17, Sched. A, Rule 38.)

Electoral district of.....

Revisal district No.....

To (*set out names, address and occupation of the person as these appear on the application in Form No. 71*).

As it appears to me that (*insert the ground of disqualification as hereinafter directed*),

Take notice that you may appear before me in person during my sittings for revision which will be held at No. .....street, in the City (or Town) of..... on Tuesday, the.....day of....., 19...., (*insert the date of the thirteenth day before polling day*) where I may be found from ten o'clock until eleven o'clock in the forenoon and from seven o'clock until ten o'clock in the evening, for the purpose of establishing your right, if any, to have your name entered in the official list of electors of the polling division where you reside.

This notice is given pursuant to Rule (38) of Schedule A to section 17 of the *Canada Elections Act.*

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

.....
Revising Officer.

NOTE.—If the person to whom this notice is addressed does not appear before the revising officer his name will not be added to the official list of electors.

Grounds of disqualification which may be set out in the Notice to Applicant by Revising Officer in Form No. 69 of the Canada Elections Act.

(1) "You are not a qualified elector in the electoral district."

(2) "Your application in Form No. 71 has not been properly completed."

Form No. 70.

SWORN APPLICATION TO BE MADE BY THE REVISING AGENTS ACTING FOR AN ELECTOR.
(Sec. 17, Sched. A, Rule 36.)

Electoral district of.....
To the Revising Officer for Revisal District No.....
comprised in the above mentioned electoral district.

We, the undersigned, (*insert name, address and occupation of each revising agent*), do swear (*or* solemnly affirm):

1. That we are qualified electors of the above mentioned electoral district.

2. That pursuant to the provisions of Rule (36) of Schedule A to section 17 of the *Canada Elections Act*, we hereby apply for the registration of the name of (*insert full name, address and occupation, in capital letters, with family name first, of the person on whose behalf the application is made*) on the official list of electors for urban polling division No.....comprised in the above mentioned revisal district.

3. That the name, address and occupation of the person on whose behalf this application is made, as set forth in the annexed application in Form No. 71, are, to the best of our knowledge and belief, correctly stated.

4. That the said annexed application in Form No. 71 was signed in our presence by the person on whose behalf this application is made.

Severally sworn (*or* affirmed) before me at....., this....day of....., 19.....	..... (*Signature of revising agent*)
..... *Revising Officer* (*or as the case may be*)	..... (*Signature of revising agent*)

Note.—This form must be signed and sworn to by both revising agents appointed to act in the above revisal district.

FORM No. 71.

APPLICATION TO BE MADE BY AN ELECTOR FOR REGISTRATION AS SUCH.
(Sec. 17, Sched. A, Rule 36.)

(To be presented to the revising officer by the revising agents acting for an elector.)

Electoral district of.....
Urban polling division No.....
Name of applicant.....
(in capital letters with family name first)

.....
(address)

.....
(occupation)

I, the undersigned, hereby apply to be registered at the now proceeding revision of preliminary lists as an elector in the above mentioned urban polling division.

I am of the full age of twenty-one years, or will attain such age on or before polling day at the pending election.

I am a Canadian citizen.

(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.

I was ordinarily resident in the above mentioned urban polling division on the.....day of..... ., 19..
(naming the date of the issue of the writ ordering the pending election); (and, at a by-election, I have continued to be ordinarily resident in this electoral district until this day).

I am not, to the best of my knowledge and belief, disqualified as an elector in the above mentioned urban polling division, at the pending election, under any of the provisions of the *Canada Elections Act.*

Dated at....., this.....day of

....., 19....

.....
(Signature of revising agent)

.....
(Signature of revising agent)

.....
(Signature of applicant)

SCHEDULE II

THE CANADIAN FORCES VOTING RULES

To enable Canadian Forces electors, and Veteran electors receiving treatment or domiciliary care in certain hospitals or institutions, to exercise their franchise at a general election.

SHORT TITLE.

Short title.

1. These Rules may be cited as *The Canadian Forces Voting Rules.*

APPLICATION.

Application.

2. These Rules apply only to a general election held in Canada and do not apply to a by-election.

ADMINISTRATION.

General direction.

3. (1) The Chief Electoral Officer shall exercise general direction and supervision over the administration of every detail prescribed in these Rules.

Special powers.

(2) For the purposes of carrying into effect the provisions of these Rules, or supplying any deficiency therein, the Chief Electoral Officer may issue such instructions, not inconsistent therewith, as may be deemed necessary to the execution of their intent.

INTERPRETATION.

Definitions.

4. In these Rules,

"Chief assistant."

(*a*) "chief assistant" means a person appointed by the Governor in Council, pursuant to paragraph 7, as chief assistant to a special returning officer;

"Chief Electoral Officer."

(*b*) "Chief Electoral Officer" means the person who holds office as Chief Electoral Officer under section 4 of the *Canada Elections Act;*

"Clerical assistant."

(*c*) "clerical assistant" means a person appointed by a special returning officer, pursuant to paragraph 12, for duty as clerical assistant in his headquarters;

"Commanding officer."

(*d*) "commanding officer" means the commanding officer of a unit, as hereinafter defined;

"Deputy returning officer."

(*e*) "deputy returning officer" means a Canadian Forces elector who has been designated by a commanding officer to take the votes of Canadian Forces electors, pursuant to paragraph 32;

"Deputy special returning officers."

(*f*) "deputy special returning officers" means the persons appointed by the Chief Electoral Officer, pursuant to paragraph 52 or 53, to take the votes of Veteran electors;

"Enrol."

(*g*) "enrol" means to cause any person

(i) to become a member of the Canadian Forces, or

(ii) to transfer to the regular forces from any other component of the Canadian Forces;

"Hours of the day."

(*h*) "hours of the day" and all other references to time in these Rules relate to standard time;

"Inner envelope."

(*i*) "inner envelope" means the plain envelope in which a ballot paper is to be placed after it has been marked by a Canadian Forces elector or a Veteran elector, before it is transmitted to the special returning officer in the outer envelope hereinafter defined;

"Liaison officer."

(*j*) "liaison officer" means the member of the naval, army, or air forces of Canada who has been designated by the Minister of National Defence to act as liaison officer between the special returning officer and the various commanding officers, pursuant to paragraph 27, with regard to the taking of the votes of Canadian Forces electors;

"Outer envelope."

(*k*) "outer envelope" means the envelope provided for the transmission of the ballot paper (after such ballot paper has been marked and enclosed in the inner envelope) of a Canadian Forces elector or a Veteran elector to the appropriate special returning officer, which envelope has been printed as follows: on the face with the full name and post office address of such special returning officer, and on the back with a blank declaration in Form No. 7, Form No. 8 or Form No. 13;

"Polling day."

(*l*) "polling day" means the date fixed, as prescribed in subsection (1) of section 21 of the *Canada Elections Act*, for holding the poll at a general election;

"Scrutineers."

(*m*) "scrutineers" means the persons appointed by the Chief Electoral Officer, pursuant to paragraph 9, for duty as scrutineers in the headquarters of the special returning officer;

"Special returning officer."

(*n*) "special returning officer" means a person appointed by the Governor in Council, pursuant to paragraph 5, as special returning officer in a given voting territory;

"Superintendent."

(*o*) "superintendent" means the person in charge of a hospital or institution where voting by Veteran electors is authorized in these Rules;

"Unit."

(*p*) "unit" means an individual body of the Canadian Forces that is organized as such pursuant to section 18 of the *National Defence Act;*

"Veteran elector."

(*q*) "Veteran elector" means a person as described in paragraph 44; and

"Voting territory."

(*r*) "voting territory" means a specified area where a special returning officer shall be stationed and where the votes of Canadian Forces electors and Veteran electors shall be taken, received, sorted, and counted, as prescribed in these Rules.

SPECIAL RETURNING OFFICERS AND THEIR STAFFS.

Appointment of special returning officers.

5. (1) For the purpose of these Rules, the Governor in Council shall, with respect to a general election, appoint a person as special returning officer to superintend the taking, receiving, sorting, and counting of the votes of Canadian Forces electors and Veteran electors in each of the following voting territories:

Ontario and Quebec.

(*a*) the Provinces of Ontario and Quebec shall constitute a voting territory, with the headquarters of the special returning officer located at Ottawa;

Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland.

(*b*) the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland shall constitute a voting territory, with the headquarters of the special returning officer located at Halifax;

Manitoba, Saskatchewan, Alberta, British Columbia, Yukon and Mackenzie River.

(*c*) the Provinces of Manitoba, Saskatchewan, Alberta, British Columbia, and the electoral districts of Yukon and Mackenzie River, shall constitute a voting territory, with the headquarters of the special returning officer located at Edmonton;

Outside of Canada.

(*d*) a voting territory established by the Chief Electoral Officer pursuant to subparagraph (3) with the headquarters of the special returning officer located at a place to be determined by the Chief Electoral Officer.

Canadian Forces electors stationed outside of Canada.

(2) If, at the time of a general election, there are Canadian Forces electors, as defined in paragraph 21, stationed outside of Canada, and the taking, receiving, sorting, and counting of the votes of such electors can be efficiently superintended from one of the voting territories mentioned in subparagraph (1), the Chief Electoral Officer shall direct the appropriate liaison officer and special returning officer for such voting territory to deal with such Canadian Forces electors as though they were stationed in their voting territory.

Establishment by Chief Electoral Officer of voting territory outside of Canada.

(3) If, at the time of a general election, there is a substantial number of Canadian Forces electors, as defined in paragraph 21, serving outside of Canada, and the taking, receiving, sorting, and counting of the votes of such electors cannot be efficiently superintended from one of the voting territories mentioned in subparagraph (1), the Chief Electoral Officer may, notwithstanding anything in these Rules, establish a voting territory in the area where such Canadian Forces electors are serving.

Oath and tenure of office of special returning officer.

6. Every special returning officer shall be sworn, in Form No. 1, before the Chief Electoral Officer, to the faithful performance of his duties; upon the completion of such duties the tenure of office of the special returning officer shall cease.

Appointment, oath and tenure of office of chief assistant.

7. The Governor in Council shall appoint a person to act as chief assistant to each special returning officer; after his appointment, the chief assistant shall be sworn, in Form No. 2, before the special returning officer, to the faithful performance of the duties imposed upon him in these Rules; the tenure of office of a chief assistant shall cease at the same time as that of the special returning officer.

When special returning officer unable to act.

8. If, during the general election, the special returning officer becomes unable to act, his chief assistant shall, until a new appointment is made, or until the special returning officer is able to resume his duties, assume and perform the duties of such special returning officer.

Nominating, appointment, oath and tenure of office of scrutineers.

9. The Chief Electoral Officer shall, whenever deemed necessary for the purpose of these Rules, appoint six persons to act as scrutineers in the headquarters of each special returning officer; three of such six scrutineers shall be nominated by the Leader of the Government, two by the Leader of the Opposition, and one by the Leader of the political group having the third largest recognized membership in the House of Commons; each scrutineer shall be appointed in Form No. 3, and shall be sworn according to the said Form No. 3, before the special returning officer, to the faithful performance of the duties imposed upon him in these Rules; the tenure of office of a scrutineer ceases immediately after the counting of the votes has been completed.

Nominating, appointment, etc., of additional scrutineers.

10. When, after the date of the issue of the writs ordering the general election, it appears that the number of scrutineers provided in paragraph 9 is not sufficient, the Chief Electoral Officer shall appoint the additional number of scrutineers required; such additional scrutineers shall be nominated in the same successive manner and, as near as may be, in the same proportion as prescribed in paragraph 9; every such additional scrutineer shall be appointed and sworn as prescribed in the said paragraph.

Remuneration.

11. (1) Special returning officers, deputy special returning officers, chief assistants, and scrutineers shall be paid for their services as the Governor in Council may provide; whenever one of these officials is called upon to act outside

of the place of his ordinary residence, he shall be reimbursed his actual travelling expenses and allowed living expenses at a rate to be fixed by the Governor in Council.

Voting by officials.

(2) Special returning officers, deputy special returning officers, chief assistants, and scrutineers, appointed pursuant to paragraph 5, 7, 9, 52 or 53, are entitled to vote in the same manner as Canadian Forces electors, if qualified to vote at the general election.

Procedure.

(3) For the purpose of the provision set out in subparagraph (2), the special returning officer and his chief assistant may act in the capacity of a deputy returning officer, as prescribed in paragraph 32, to take the votes of the special returning officer, deputy special returning officers, chief assistant, and scrutineers.

Appointment, oath of office, etc., of clerical assistants.

12. Each special returning officer shall, subject to the approval of the Chief Electoral Officer, select and appoint such clerical assistants as may be deemed necessary for the proper performance of his duties; clerical assistants shall be paid for their services at a rate to be fixed by the Governor in Council and shall be discharged as soon as their services are no longer needed; they shall be sworn before the special returning officer, and their appointment and oath of office shall be in Form No. 4.

Duties of special returning officers.

13. Every special returning officer, upon being instructed by the Chief Electoral Officer, shall

(*a*) secure suitable premises to be used as his headquarters for the proper performance of his duties;

(*b*) maintain such headquarters until all the duties imposed upon him in these Rules are completed;

(*c*) retain in his possession the oaths of office of deputy special returning officers, chief assistant, scrutineers, and clerical assistants, and, after the general election, transmit such oaths of office to the Chief Electoral Officer, as prescribed in paragraph 84;

(*d*) select and appoint the clerical assistants required for the proper performance of his duties, as prescribed in paragraph 12;

(*e*) secure from the various liaison officers the lists provided for in paragraph 29;

(*f*) secure, through the liaison officers, a list of the name, rank and number of every deputy returning officer designated by each commanding officer to take the votes of Canadian Forces electors as provided by paragraph 33;

(*g*) distribute a sufficient number of copies of these Rules, ballot papers, envelopes, books of key maps, books of excerpts from the Canadian Postal Guide, lists of names and surnames of candidates, and other

necessary supplies, to the commanding officers stationed in the voting territory under his jurisdiction, and to each pair of deputy special returning officers, as prescribed in paragraph 20;

(*h*) direct pairs of deputy special returning officers to take the votes of Veteran electors, as prescribed in these Rules;

(*i*) receive completed outer envelopes containing ballot papers marked by Canadian Forces electors and Veteran electors in the voting territory under his jurisdiction, as prescribed in paragraphs 69 and 70;

(*j*) stamp each completed outer envelope with the date of its receipt, as prescribed in paragraph 70;

(*k*) provide that each completed outer envelope shall be sorted to its correct electoral district, as prescribed in paragraph 70;

(*l*) on the day immediately following polling day, proceed with the counting of the votes cast by Canadian Forces electors and Veteran electors, as prescribed in paragraphs 75 to 83;

(*m*) communicate by telegraph, or otherwise, to the Chief Electoral Officer the number of votes cast by Canadian Forces electors and Veteran electors in the voting territory under his jurisdiction for each candidate officially nominated in the various electoral districts in Canada, as prescribed in paragraph 85;

(*n*) transmit to the Chief Electoral Officer the official statements of the count, the used outer envelopes, ballot papers and other documents, as prescribed in paragraph 84; and

(*o*) perform all other duties prescribed to be executed by a special returning officer in these Rules.

Liability of special returning officer and staff.

14. Every special returning officer, deputy special returning officer, chief assistant, scrutineer, or clerical assistant who wilfully omits to comply with the provisions of these Rules, is liable on summary conviction to a fine of not less than fifty dollars nor more than two hundred dollars, and every special returning officer, deputy special returning officer, chief assistant, scrutineer, or clerical assistant who refuses to comply with any of the provisions thereof, is, on summary conviction, liable to a fine of not less than two hundred dollars nor more than five hundred dollars.

General Provisions.

Supplies to special returning officer.

15. The Chief Electoral Officer shall, whenever deemed expedient, provide each special returning officer with a sufficient number of ballot papers, outer and inner envelopes, copies of these Rules, books of key maps, books of

excerpts from the Canadian Postal Guide, cards of instructions, and other supplies required for the taking of the votes of Canadian Forces electors and Veteran electors.

List of names and surnames, etc., of candidates.

16. (1) As soon as possible after the nominations of candidates at the general election have closed, on the fourteenth day before polling day, the Chief Electoral Officer shall transmit a sufficient number of copies of a list of the names and surnames of the candidates officially nominated in each electoral district to every special returning officer.

Idem.

(2) Upon the list referred to in subparagraph (1) shall be inserted after the names and surname of each candidate the designating letters currently used to indicate his political affiliations.

Idem.

(3) The designating letters shall be ascertained from the best sources of information available to the Chief Electoral Officer.

Form of ballot paper.

17. The ballot papers supplied by the Chief Electoral Officer for the taking of the votes of Canadian Forces electors and Veteran electors shall be in Form No. 6.

Books of key maps, etc.

18. The books of key maps referred to in paragraph 15 shall be used by Canadian Forces electors and Veteran electors entitled to vote in large centres in Canada to enable them to ascertain the correct electoral district in which they are qualified to vote at the general election, and the books of excerpts from the Canadian Postal Guide shall be used for the same purpose by Canadian Forces electors and Veteran electors entitled to vote in other places in Canada.

Special procedure in electoral district returning two members.

19. Each Canadian Forces elector and Veteran elector shall vote for one candidate only, unless he is entitled to vote in an electoral district returning two members, in which case the Canadian Forces elector and Veteran elector may vote for two candidates on the same ballot paper.

Distribution of supplies by special returning officer.

20. (1) Each special returning officer shall, as soon as possible, transmit a sufficient number of ballot papers, outer envelopes, inner envelopes, copies of these Rules, books of key maps, books of excerpts from the Canadian Postal Guide, cards of instructions, lists of names and surnames of candidates, and other necessary supplies, to the commanding officers stationed within his voting territory; and when deemed advisable, the special returning officer shall distribute a sufficient number of each of the above mentioned documents to every pair of deputy special returning officers appointed to take the votes of Veteran electors in his voting territory.

Record of distribution of ballot papers.

(2) Each special returning officer shall keep a record, on the special form prescribed by the Chief Electoral Officer, of the serial numbers of the ballot papers supplied by him to each commanding officer and to each pair of deputy special returning officers.

Record of unused ballot papers.

(3) Each special returning officer shall also keep a record, on the special form prescribed by the Chief Electoral Officer, of the serial numbers of the unused ballot papers returned to him by each commanding officer and by each pair of deputy special returning officers.

Transmitted to Chief Electoral Officer.

(4) After the general election, the special returning officer shall transmit to the Chief Electoral Officer the records referred to in subparagraphs (2) and (3), as prescribed in paragraph 84.

QUALIFICATIONS OF CANADIAN FORCES ELECTORS.

Qualifications of Canadian Forces elector.

21. (1) Every person, man or woman, who has attained the full age of twenty-one years and who is a Canadian citizen or other British subject, shall be deemed to be a Canadian Forces elector and entitled to vote, at a general election, under the procedure set forth in these Rules, while he or she

(*a*) is a member of the regular forces of the Canadian Forces;

(*b*) is a member of the reserve forces of the Canadian Forces and is on full-time training or service, or on active service; or

(*c*) is a member of the active service forces of the Canadian Forces.

Exception.

(2) Notwithstanding anything in these Rules, any person who, on or subsequent to the 9th day of September, 1950, served on active service as a member of the Canadian Forces and who, at a general election, has not attained the full age of twenty-one years, but is otherwise qualified under subparagraph (1), shall be deemed to be a Canadian Forces elector and is entitled to vote under the procedure set forth in these Rules.

Wives of members of Canadian Forces outside Canada deemed Canadian Forces electors.

22. The wife of a Canadian Forces elector, as defined in paragraph 21, who

(*a*) is of the full age of twenty-one years,

(*b*) is a Canadian citizen or other British subject,

(*c*) is residing with her husband when he is serving outside Canada, and

(*d*) is not a Canadian Forces elector, as defined in paragraph 21,

shall be deemed to be a Canadian Forces elector and is entitled to vote at a general election under the procedure set forth in these Rules.

Disqualifications.

23. Notwithstanding anything in these Rules, a Canadian Forces elector who is undergoing punishment as an inmate in a service prison, detention barrack or any other penal institution for the commission of any offence, or who is subject to any disqualification set out in section 14 of the *Canada Elections Act*, is disqualified from voting under the procedure set forth in these Rules.

Canadian Forces elector, as defined in paragraph 21, to complete statement and declaration of ordinary residence.

24. (1) Notwithstanding paragraph 21, a Canadian Forces elector, as defined in that paragraph, is not entitled to vote under the procedure set forth in these Rules, unless he or she

(*a*) completes a statement of ordinary residence as provided in paragraph 25 or subparagraph (1) of paragraph 36, and

(*b*) specifies in a declaration in Form No. 7 the name of the place of his or her ordinary residence in Canada as shown by the elector on the statement referred to in clause (*a*).

Canadian Forces elector, as defined in paragraph 22, to complete declaration of ordinary residence.

(2) Notwithstanding paragraph 22, a Canadian Forces elector, as defined in that paragraph, is not entitled to vote under the procedure set forth in these Rules, unless

(*a*) her husband has completed a statement of ordinary residence as provided in paragraph 25 or subparagraph (1) of paragraph 36, and

(*b*) she specifies in a declaration in Form No. 8 the name of the place of ordinary residence of her husband as shown by him on the statement referred to in clause (*a*).

Vote of Canadian Forces elector to be applied to place of residence.

(3) A Canadian Forces elector, as defined in paragraph 21, shall apply his or her vote only to the electoral district in which is situated his or her place of ordinary residence as shown on the statement made by such elector under paragraph 25 or subparagraph (1) of paragraph 36, and a Canadian Forces elector, as defined in paragraph 22, shall apply her vote only to the electoral district in which is situated the place of ordinary residence of her husband as shown by him on such statement.

Ordinary residence on enrolment in regular forces.

25. (1) Every person other than a person referred to in subparagraph (2) shall, forthwith upon his enrolment in the regular forces, complete in duplicate before a commissioned officer a statement of ordinary residence in Part I of Form No. 16 indicating the city, town, village or other place in Canada in which his place of ordinary residence immediately prior to enrolment was situated.

Idem.

(2) Every person who did not have a place of ordinary residence in Canada immediately prior to his enrolment in the regular forces shall, as soon thereafter as he acquires a place of ordinary residence in Canada as described in subclauses (i) or (ii) of clause (*a*) of subparagraph (3), complete

in duplicate before a commissioned officer, a statement of ordinary residence in Part II of Form No. 16.

Change of ordinary residence and statement of ordinary residence when not previously completed.

(3) A member of the regular forces who is not a member of the active service forces of the Canadian Forces may, in January or February of any year other than during the period commencing on the day writs ordering a general election are issued and ending on the day following polling day at that election,

(*a*) subject to subparagraph (4), by completing a statement of change of ordinary residence in Part III of Form No. 16, in duplicate, before a commissioned officer, change his place of ordinary residence to any one of the following:

(i) the city, town, village or other place in Canada, with street address, if any, in which is situated the residence of a person who is the spouse, dependant, relative, or next of kin of such member,

(ii) the city, town, village or other place in Canada, with street address, if any, where such member is residing as a result of the services performed by him in the forces, or

(iii) the city, town, village or other place in Canada, with street address, if any, in which was situated his place of ordinary residence immediately prior to enrolment, and

(*b*) if he has failed to complete a statement of ordinary residence as mentioned in subparagraph (1) or (2), complete such statement of ordinary residence in Part I or II of Form No. 16, as applicable.

Not effective during a by-election.

(4) Notwithstanding subparagraph (3), where a statement of change of ordinary residence is completed changing the member's place of ordinary residence to a place in an electoral district where a writ ordering a by-election has been issued, the statement shall not be effective to change the member's place of ordinary residence for the purpose of that by-election.

Ordinary residence of member of reserve forces on full-time service.

(5) Every member of the reserve forces of the Canadian Forces not on active service who, at any time during the period beginning on the date of the issue of writs ordering a general election and ending on the Saturday immediately preceding polling day, is on full-time training or service shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 17 indicating the city, town, village or other place in Canada where his or her place of ordinary residence was situated immediately prior to commencement of such period of full-time training or service.

Ordinary residence of member of reserve forces on active service.

(6) Every member of the reserve forces of the Canadian Forces who is placed on active service and who during a current period of full-time training or service has not completed a statement of ordinary residence pursuant to subparagraph (5) shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 17, in which will be stated

(*a*) in the case of a member on full-time training or service, his or her place of ordinary residence immediately prior to the commencement of such full-time training or service; or

(*b*) in the case of a member not on full-time training or service, his or her place of ordinary residence immediately prior to being placed on active service.

Ordinary residence on enrolment in active service forces.

(7) On enrolment in the active service forces, every person who is not a member of the regular forces or reserve forces shall complete, in duplicate, before a commissioned officer a statement of ordinary residence in Form No. 17 indicating the city, town, village or other place in Canada in which is situated his place of ordinary residence immediately prior to enrolment in the active service forces.

Filing of statements.

(8) The original of each statement of ordinary residence or statement of change of ordinary residence completed pursuant to the subparagraphs of this paragraph shall be forwarded to and filed at the appropriate service Headquarters and the duplicate shall be retained in the unit with the declarant's service documents.

Validity of previous statements.

(9) In lieu of the forms prescribed in this paragraph, the forms prescribed in paragraph 22 of *The Canadian Forces Voting Regulations* in Schedule Three to the *Canada Elections Act*, chapter 23, Revised Statutes of Canada 1952, may be used in the circumstances prescribed in that paragraph.

Voting by Canadian Forces electors.

26. Every Canadian Forces elector, as defined in paragraph 21, is entitled to vote at a general election only according to the procedure set forth in these Rules, unless such elector is, on polling day, at the place of his or her ordinary residence as shown on the statement made by the elector under paragraph 25, in which case the Canadian Forces elector may vote as a civilian elector, subject to the limitation set out in paragraph 42.

PROCEDURE FOR TAKING THE VOTES OF CANADIAN FORCES ELECTORS.

Communication with the Minister of National Defence.

27. (1) As soon as possible after the general election has been ordered, the Chief Electoral Officer shall inform the Minister of National Defence, of the names and addresses of the special returning officers appointed to superintend the

taking, receiving, sorting, and counting of the votes of Canadian Forces electors, setting out the voting territory assigned to each of them; in the case of each voting territory, the Minister shall designate a member of each of the naval, army and air forces of Canada to act as liaison officer in connection with the taking of the votes of Canadian Forces electors, and the Minister shall inform the Chief Electoral Officer of the name, rank, and post office address of each liaison officer so designated.

Communication with the special returning officers.

(2) The Chief Electoral Officer shall forthwith inform each special returning officer of the names, ranks, and post office addresses of the liaison officers designated as above provided, with whom arrangements shall be made for the taking of the votes of Canadian Forces electors; the Chief Electoral Officer shall at the same time direct each special returning officer to proceed with the duties imposed upon him in these Rules.

Duties of liaison officer.

(3) The liaison officer designated in each of the respective Forces shall, immediately upon receiving notice of his appointment, communicate with the commanding officer of every unit stationed in the voting territory, stating all necessary particulars not included in these Rules relating to the taking of the votes of Canadian Forces electors at the general election; during the period between the issue of the writs ordering the general election and polling day thereat, the liaison officer shall cooperate with the special returning officer, the various commanding officers and deputy returning officers designated pursuant to paragraph 32 in the taking of the votes of Canadian Forces electors.

Publication of notice of general election.

28. (1) Every commanding officer shall, forthwith upon being notified by the liaison officer that a general election has been ordered in Canada, publish as part of Daily Orders a notice in Form No. 5 informing all Canadian Forces electors under his command that a general election has been ordered in Canada and shall therein state the date fixed as polling day.

Idem.

(2) It shall be stated in the notice referred to in subparagraph (1) that every Canadian Forces elector may cast his vote before any deputy returning officer designated by the commanding officer for that purpose during such hours and on such days of the period of six days from Monday the seventh day before polling day to the Saturday immediately preceding polling day, both inclusive, as may be fixed by the commanding officer, which shall be not less than three hours a day on at least three days of that period.

Affording of necessary voting facilities.

(3) The commanding officer shall afford all necessary facilities to Canadian Forces electors of his unit, and to the wives of such electors who are Canadian Forces electors, as defined in paragraph 22, to cast their votes in the manner prescribed in these Rules.

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Mobile voting places.

(4) The commanding officer may establish mobile voting places in any area to take the votes of Canadian Forces electors who cannot conveniently reach other voting places established at his unit and such mobile voting places shall remain in the area and be open for the taking of votes of Canadian Forces electors during such hours and on such days of the service voting period as the commanding officer deems necessary to give all such electors in the area a reasonable opportunity to vote.

Notification of days, hours and places of voting.

(5) On at least three days before the period fixed for voting by Canadian Forces electors as provided in sub-paragraph (2) and on every day on which such voting takes place, every commanding officer shall publish in Daily Orders, with the necessary modifications, a notice stating

(*a*) the days and dates upon which Canadian Forces electors may cast their votes;

(*b*) the exact location of the voting places established for each unit;

(*c*) in the case of a mobile voting place, the area in which such mobile voting place will operate; and

(*d*) the hours during which Canadian Forces electors may cast their votes at each of such voting places.

List of names, etc., of Canadian Forces electors.

29. Within two weeks after the publication of a notice in Daily Orders, in Form No. 5, each commanding officer shall, through the liaison officer, furnish to the special returning officer for the appropriate voting territory, a list of

(*a*) the names, ranks, numbers and, in the case of those who completed statements under paragraph 25, places of ordinary residence, as shown on such statements, of Canadian Forces electors, as defined in paragraph 21, attached to his unit; and

(*b*) the names of Canadian Forces electors, as defined in paragraph 22, who are married to Canadian Forces electors described in clause (*a*), and the names, ranks, numbers and, in the case of those whose husbands completed statements under paragraph 25, places of ordinary residence as shown on such statements of their husbands;

the commanding officer shall also furnish to the deputy returning officer a copy of such list for the taking of the votes of the Canadian Forces electors described in clauses (*a*) and (*b*); at any reasonable time during an election, such list and the statements referred to in paragraph 25 shall be open to inspection by any officially nominated candidate or his accredited representative and such persons shall be permitted to make extracts therefrom.

Canadian Forces elector in hospital, etc.

30. (1) Every Canadian Forces elector, as defined in paragraph 21, who is undergoing treatment in a Service hospital or convalescent institution during the period prescribed in subparagraph (1) of paragraph 28 for the taking of the votes of Canadian Forces electors at a general election shall be deemed to be a member of the unit under the command of the officer in charge of such hospital or convalescent institution, and a Canadian Forces elector, as defined in paragraph 22, whose husband is in such hospital or institution may vote at the place where her husband may vote or at the place where he could have voted before he went in such hospital or institution.

Voting by bed-ridden Canadian Forces electors.

(2) Whenever deemed advisable by the deputy returning officer who is authorized under these Rules to take the votes at a Service hospital or convalescent institution, he shall, with the approval of the officer commanding such hospital or institution, go from room to room to take the votes of the bed-ridden Canadian Forces electors.

When no deputy returning officer appointed for Service hospital, etc.

(3) If a deputy returning officer is not appointed specifically for a Service hospital or convalescent institution, the deputy returning officer appointed for the unit to which such hospital or institution belongs may take the votes of Canadian Forces electors confined in such hospital or institution.

31. Forthwith upon receiving the supplies mentioned in paragraph 20, the commanding officer shall

Distribution of supplies by commanding officer.

(*a*) distribute the supplies in sufficient quantities to every deputy returning officer designated by him to take the votes of Canadian Forces electors; and

Posting up of list of names of candidates.

(*b*) cause copies of the list of names and surnames of candidates to be posted up on the bulletin boards of his unit and in other conspicuous places.

Before whom votes of Canadian Forces electors to be cast.

32. The vote of every Canadian Forces elector shall be cast before a Canadian Forces elector, as defined in paragraph 21, who has been designated by a commanding officer to act as a deputy returning officer.

Name, etc., sent to special returning officer.

33. (1) As soon as a deputy returning officer has been designated, as provided in paragraph 32, to take the votes of Canadian Forces electors, the commanding officer shall, through the liaison officer, communicate the name, rank, and number of such deputy returning officer to the appropriate special returning officer.

Power to administer affidavit of qualification.

(2) The deputy returning officer has, during the hours of voting by Canadian Forces electors, the power to administer the affidavit of qualification, in Form No. 15.

Posting up of card of instructions.

34. (1) In any voting place, and at any time during which Canadian Forces electors are casting their votes, the deputy returning officer before whom the votes are cast shall cause at least two copies of the card of instructions, in Form No. 10, to be posted up in conspicuous places.

Information to be made available.

(2) The deputy returning officer, in the place and at the time referred to in subparagraph (1), shall keep readily available for consultation by Canadian Forces electors one copy of these Rules, one book of key maps, one book of excerpts from the Canadian Postal Guide, and one list of the names and surnames of candidates.

Representative of political group.

35. (1) Any Canadian citizen, other than a member of the Canadian Forces, may, upon delivering to the deputy returning officer who is taking the votes of Canadian Forces electors a declaration, in Form No. 11, completed and signed by a candidate at a general election, act as a representative of the political group to which the candidate belongs at the taking of such votes.

Disposition of declarations.

(2) After the voting period has ended the deputy returning officer shall transmit every completed declaration in Form No. 11 to the appropriate commanding officer.

Declaration by Canadian Forces elector, as defined in paragraph 21.

36. (1) Before delivering a ballot paper to a Canadian Forces elector, as defined in paragraph 21, the deputy returning officer before whom the vote is to be cast shall require such elector to make a declaration, in Form No. 7, which shall be printed on the back of the outer envelope in which the inner envelope containing the ballot paper, when marked, is to be placed, such declaration to state such Canadian Forces elector's name, rank and number, that he is a Canadian citizen or other British subject, that he has attained the full age of twenty-one years (except in the case referred to in subparagraph (2) of paragraph 21), that he has not previously voted at the general election, and the name of the place in Canada, with street address, if any, of his ordinary residence as shown on the statement made by him under paragraph 25, or, if no such statement appears to have been made, he shall subscribe to a statement, in Form No. 16, if he is a member of the regular forces, or in Form No. 17, if he is a member of the reserve forces or the active service forces, before a commissioned officer or a deputy returning officer, and the place of ordinary residence to be declared in Form No. 7 shall be the place of ordinary residence shown on Form No. 16 or Form No. 17; the name of the electoral district and of the province in which such place of ordinary residence is situated may be stated in such declaration in Form No. 7; the deputy returning officer shall cause such Canadian Forces elector to

affix his signature to the said declaration and the certificate printed thereunder shall then be completed and signed by the deputy returning officer.

Declaration by Canadian Forces elector, as defined in paragraph 22.

(2) Before delivering a ballot paper to a Canadian Forces elector, as defined in paragraph 22, the deputy returning officer before whom the vote is to be cast shall require such elector to make a declaration, in Form No. 8, which shall be printed on the back of the outer envelope in which the inner envelope containing the ballot paper, when marked, is to be placed, such declaration to state such Canadian Forces elector's name and the name, rank and number of her husband, that she is a Canadian citizen or other British subject, that she has attained the full age of twenty-one years, that she has not previously voted at the general election, and the name of the place in Canada, with a street address, if any, of the ordinary residence of her husband as shown on the statement made by him under paragraph 25 or subparagraph (1) of this paragraph; the name of the electoral district and of the province in which such place of ordinary residence is situated may be stated in such declaration in Form No. 8; the deputy returning officer shall cause such Canadian Forces elector to affix her signature to the said declaration, and the certificate printed thereunder shall then be completed and signed by the deputy returning officer.

Warning to Canadian Forces elector and deputy returning officer.

(3) At this stage, the Canadian Forces elector and the deputy returning officer shall bear in mind that, as prescribed in paragraph 73, any outer envelope which does not bear the signatures of both the Canadian Forces elector and the deputy returning officer concerned (except in the cases referred to in paragraphs 39 and 41), or any outer envelope upon which a sufficient description of the place of ordinary residence of the Canadian Forces elector does not appear, shall be laid aside unopened in the headquarters of the special returning officer, and that the ballot paper contained in such outer envelope shall not be counted.

Affidavit of qualification by Canadian Forces elector.

(4) A Canadian Forces elector, if required by the deputy returning officer, or by an accredited representative of a political group, shall, before receiving a ballot paper, subscribe to an affidavit of qualification, in Form No. 15, and if such elector refuses to subscribe to such affidavit, he shall not be allowed to vote, nor again be admitted to the voting place; the said affidavit of qualification shall be subscribed to before the deputy returning officer.

Procedure in case of refusal.

(5) If a Canadian Forces elector has refused to subscribe to the affidavit of qualification mentioned in subparagraph (4), the deputy returning officer shall endorse, upon the outer envelope completed by such elector, the words "refused to subscribe to the affidavit of qualification" and lay the outer envelope aside.

Disposition of completed affidavits and outer envelopes.

(6) At the conclusion of the voting period, all such outer envelopes together with all completed affidavits of qualification mentioned in subparagraphs (4) and (5), shall be forwarded by the deputy returning officer to the appropriate special returning officer.

Filing of statements.

(7) The original of each statement of ordinary residence completed pursuant to this paragraph shall be forwarded to and filed at the appropriate service Headquarters and the duplicate shall be retained in the unit with the declarant's service documents.

Manner of voting by Canadian Forces elector.

37. After a Canadian Forces elector has completed and signed a declaration in Form No. 7 or Form No. 8 and the deputy returning officer has completed and signed the certificate printed thereunder, as prescribed in subparagraph (1) or (2) of paragraph 36, the deputy returning officer shall hand a ballot paper to such elector, who shall cast his vote secretly by writing thereon, with ink or with a pencil of any colour, the names (or initials) and surname of the candidate of his choice; the ballot paper shall then be folded by the Canadian Forces elector; when this has been done, the deputy returning officer shall hand an inner envelope to the Canadian Forces elector, who shall place the ballot paper so folded in the inner envelope, seal such inner envelope and hand it to the deputy returning officer, who shall, in full view of the Canadian Forces elector, place it in the outer envelope addressed to the special returning officer, seal the said outer envelope and hand it to the Canadian Forces elector.

Disposition of completed outer envelope.

38. (1) When, under paragraph 37, the deputy returning officer before whom the vote of a Canadian Forces elector has been cast hands the outer envelope containing the ballot paper to the Canadian Forces elector, the Canadian Forces elector shall forthwith despatch it by ordinary mail or by such other facilities as may be available and expeditious to the special returning officer whose name and address have been printed on the face of the outer envelope.

Warning to Canadian Forces elector.

(2) The deputy returning officer shall at the same time inform the Canadian Forces elector that his outer envelope must be received by the special returning officer, to whom the envelope is addressed, not later than nine o'clock in the forenoon of the day immediately following polling day, otherwise the ballot paper enclosed in such outer envelope shall not be counted.

Mailing of outer envelopes.

(3) Every such envelope despatched by ordinary mail in Canada shall be carried free of postage; whenever it appears to be expedient to despatch an outer envelope by air mail to the special returning officer, the necessary postage stamps shall be affixed to such envelope by the

deputy returning officer before whom the vote is taken; the appropriate special returning officer shall, upon a written request, refund to such deputy returning officer ny expenditure properly incurred for the purchase of such air mail postage stamps.

Postal facilities.

(4) Every commanding officer shall, whenever possible, provide that the voting place established for taking the votes of Canadian Forces electors shall be located in close proximity to a post office, mail box or other receptacle provided for mail; the deputy returning officer before whom a Canadian Forces elector has cast his vote shall direct such elector to the nearest post office, mail box or other receptacle provided for mail from which outer envelopes may be despatched to the special returning officer.

Voting by deputy returning officer.

39. A deputy returning officer before whom Canadian Forces electors have cast their votes may cast his own vote after completing the declaration in Form No. 7 printed on the back of the outer envelope; in such case, it is not necessary for the deputy returning officer to complete the certificate printed at the foot of such declaration.

Spoiled ballot papers.

40. (1) A Canadian Forces elector who, when casting his vote, has inadvertently dealt with a ballot paper in such manner that it cannot be used, shall return it to the deputy returning officer, who shall deface it and deliver another to the Canadian Forces elector in its place.

Disposition of declarations and unused supplies, etc.

(2) Any ballot paper that has been defaced pursuant to subparagraph (1) shall be classified as a spoiled ballot paper, and when the voting is completed, shall be transmitted to the commanding officer, together with all counterfoils, declarations completed by representatives of political parties and unused ballot papers and envelopes.

Idem.

(3) The commanding officer shall forthwith transmit to the appropriate special returning officer all spoiled ballot papers, counterfoils, declarations made by representatives of political groups, unused ballot papers and envelopes in his possession or received from deputy returning officers.

Incapacitated Canadian Forces elector.

41. When a Canadian Forces elector is incapacitated from any physical cause, and is unable to vote according to the ordinary procedure prescribed in these Rules, the deputy returning officer before whom the vote is to be cast, shall assist such elector by filling in the back of the outer envelope, including the writing of the name of the elector, in the space provided for his signature, and by marking the ballot paper in the manner directed by the elector, in his presence, and in the presence of another Canadian Forces elector; such other elector shall be selected by the incapacitated Canadian Forces elector; such persons before whom the

ballot paper of an incapacitated Canadian Forces elector is marked shall keep secret the name of the candidate for whom the ballot paper is marked; whenever the name of the incapacitated Canadian Forces elector has been written on the back of the outer envelope, as above directed, the deputy returning officer and the other Canadian Forces elector shall insert a note to that effect on the back of the outer envelope and affix their signatures thereto.

Canadian Forces elector voting as civilian.

42. (1) A member of the Canadian Forces who

(*a*) has completed a statement of ordinary residence as provided in paragraph 25, and

(*b*) has not voted under the procedure set forth in these Rules,

may cast his vote at the place of his ordinary residence as shown on such statement in the manner prescribed in the *Canada Elections Act* for civilian electors; but nothing in this subparagraph shall be deemed to entitle a Canadian Forces elector to vote in an urban polling division unless his name appears on the official list of electors used at the poll.

Voting by Canadian Forces elector on duty, leave or furlough.

(2) A Canadian Forces elector, as defined in paragraph 21, who is absent from his unit, on duty, leave or on furlough, during the voting period prescribed in subparagraph (1) of paragraph 28, may, on production of documentary proof that he is on duty, leave or on furlough, cast his vote elsewhere before any deputy returning officer, when such person is actually engaged in the taking of the votes, and a Canadian Forces elector, as defined in paragraph 22, who is accompanying her husband during such absence may on producing documentary proof of her identity cast her vote at the same place as her husband.

Canadian Forces elector may vote only once.

43. (1) No elector, whether Canadian Forces or civilian, is entitled, because of anything in these Rules, to vote more than once at the general election.

Application of certain paragraphs and forms.

(2) Paragraphs 44 to 68 and Forms Nos. 12, 13 and 14 do not apply to the taking of the votes of Canadian Forces electors.

PROCEDURE FOR TAKING THE VOTES AT A GENERAL ELECTION OF VETERANS OF THE WAR 1914-1918 AND THE WAR THAT BEGAN ON THE 10TH DAY OF SEPTEMBER, 1939, AND OF VETERANS WHO SERVED ON ACTIVE SERVICE SUBSEQUENT TO THE 9TH DAY OF SEPTEMBER, 1950, WHO ARE RECEIVING TREATMENT OR DOMICILIARY CARE IN CERTAIN HOSPITALS OR INSTITUTIONS.

Qualifications.

44. Except as hereinafter provided, every person, irrespective of age, who

(*a*) is a Canadian citizen or other British subject;

(*b*) 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;
(*c*) was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950;
(*d*) has been discharged from such forces; and
(*e*) is receiving treatment or domiciliary care in a hospital or institution operated under the direct control of the Department of Veterans Affairs or is receiving treatment or domiciliary care in another hospital or institution at the request or on behalf of the said Department;

shall be deemed to be a Canadian Forces elector and entitled to vote at the general election under the procedure set forth in these Rules; for the purpose of these Rules, the above mentioned persons shall be known as Veteran electors.

Veteran electors.

Ordinary residence requirements of Veteran electors.

45. In order to be entitled to vote under the procedure set forth in these Rules, a Veteran elector shall specify, in a declaration in Form No. 13, the name of the place of his ordinary residence in Canada, with street address, if any, as declared by the Veteran elector on the date of his admission to the hospital or institution, and the vote of such Veteran elector shall be applied to the electoral district in which such place of ordinary residence is situated.

Procedure in mental cases.

46. No person as described in paragraph 44 who, during the days or hours of voting prescribed in paragraphs 56 and 57, is confined by lawful departmental medical authority in a mental ward of any hospital or institution, is eligible to vote under the procedure set forth in these Rules.

Voting by Veteran electors in departmental hospitals or institutions.

47. Except as provided in paragraph 46, every Veteran elector who is receiving treatment or domiciliary care in a hospital or institution operated under the direct control of the Department of Veterans Affairs, is eligible to vote under the procedure set forth in these Rules.

Limitation.

48. The only hospitals or institutions in which persons are receiving treatment or domiciliary care at the request or on behalf of the Department of Veterans Affairs, where such persons are entitled to vote under the procedure set forth in these Rules, are those in which, on the date of the issue of the writs ordering the general election, as determined by that Department, a total of twenty-five persons or more are receiving such treatment or domiciliary care.

Veteran elector voting as civilian.

49. Any person, as described in paragraph 44, who is receiving treatment or domiciliary care in a hospital or institution, at the request or on behalf of the Department of Veterans Affairs, where less than twenty-five of such persons are receiving such treatment or care, on the date of the issue of the writs ordering the general election, is entitled to vote at such election as a civilian elector in the polling division in which such hospital or institution is situated, as provided in subsection (4) of section 14 of the *Canada Elections Act*.

Facilities for voting by Veteran electors.

50. The superintendent of any hospital or institution, in which voting under the procedure set forth in these Rules is authorized, shall afford all necessary facilities to Veteran electors receiving treatment or domiciliary care therein to cast their votes before two deputy special returning officers, as prescribed in paragraph 59.

Names and addresses of hospitals or institutions.

51. As soon as possible after the date of the issue of the writs ordering the general election, the Minister of Veterans Affairs shall inform the Chief Electoral Officer, as at such date, of the name and address of every hospital or institution in Canada operated under the direct control of the Department of Veterans Affairs, and the name and address of every other hospital or institution where twenty-five or more persons were receiving treatment or domiciliary care at the request or on behalf of the said Department; the Minister shall at the same time furnish to the Chief Electoral Officer a statement giving the number of such persons in each of such hospitals or institutions as at the date aforesaid.

Nominating, appointment, and oath of office of deputy special returning officers.

52. For the purpose of taking the votes of Veteran electors at the general election, the Chief Electoral Officer shall appoint six persons to act as deputy special returning officers in each voting territory; three of such six deputy special returning officers shall be nominated by the Leader of the Government, two by the Leader of the Opposition, and one by the Leader of the political group having the third largest recognized membership in the House of Commons; each deputy special returning officer shall be appointed on Form No. 12, and shall be sworn according to the said Form No. 12, before a special returning officer, or a justice of the peace, or a commissioner for taking affidavits in the province, to the faithful performance of the duties imposed upon him in these Rules.

Nominating, appointment etc., of additional deputy special returning officers.

53. When, after the date of the issue of the writs ordering the general election, it appears that the number of deputy special returning officers provided in paragraph 52 is not sufficient to take the votes of all the Veteran electors in any voting territory, the Chief Electoral Officer shall

appoint the additional number of deputy special returning officers required; such additional deputy special returning officers shall be nominated in the same successive manner and, as near as may be, in the same proportion as prescribed in paragraph 52; every such additional deputy special returning officer shall be appointed and sworn as prescribed in the said paragraph.

Duties of deputy special returning officers.

54. The duties of deputy special returning officers consist of

(*a*) attending at the headquarters of the appropriate special returning officer when requested so to do by the Chief Electoral Officer;

(*b*) familiarizing themselves with the procedure to be followed in the taking of the votes of Veteran electors;

(*c*) travelling in pairs from place to place, during the voting period prescribed in paragraph 56, as directed by the special returning officer, to take the votes of Veteran electors in compliance with the procedure set forth in these Rules; and

(*d*) keeping a record, in the form prescribed by the Chief Electoral Officer, of the names, surname, and place of ordinary residence of every Veteran elector who has cast his vote in a given hospital or institution, and transmitting such record to the special returning officer immediately after the voting is completed in such hospital or institution;

Tenure of office.

the tenure of office of deputy special returning officers shall cease immediately after the Saturday preceding polling day.

Designation of departmental representative.

55. As soon as possible after the general election has been ordered, the Minister of Veterans Affairs shall designate an official to represent the Department of Veterans Affairs in dealing with the Chief Electoral Officer in the carrying out of these Rules.

Period of voting by Veteran electors.

56. The period of voting by Veteran electors shall commence on Monday the seventh day before polling day, and be concluded on the Saturday immediately preceding polling day, both inclusive.

Days and hours of voting by Veteran electors.

57. The voting by Veteran electors shall take place in every hospital or institution where such voting is authorized in these Rules; such voting shall continue only for such days or hours as may be necessary to take the vote of every Veteran elector in the hospital or institution who is eligible to exercise his franchise at the general election; when all eligible Veteran electors in a given hospital or

institution have been furnished with an opportunity of casting their votes, the voting in such hospital or institution shall cease.

Advance notification to superintendent.

58. At least two days before a pair of deputy special returning officers are scheduled to attend at any hospital or institution to take the votes of Veteran electors, the special returning officer shall notify the superintendent of such hospital or institution, and the superintendent shall forthwith post up a notice to that effect in conspicuous places in such hospital or institution.

Before whom votes of Veteran electors to be taken.

59. (1) The votes of Veteran electors shall be cast according to the procedure set forth in these Rules before a pair of deputy special returning officers appointed pursuant to paragraph 52 or 53, and each pair consisting of persons representing different and opposed political interests.

Spoiled ballot papers.

(2) A Veteran elector who, when casting his vote, has inadvertently dealt with a ballot paper in such manner that it cannot be used, shall return it to the deputy special returning officers, who shall deface it and deliver another in its place; all ballot papers thus defaced shall be classified as spoiled ballot papers, and, when the voting is completed in a given hospital or institution, shall be transmitted to the special returning officer.

Posting up of card of instructions.

60. (1) In any place, and at any time during which Veteran electors are casting their votes, the deputy special returning officers before whom the votes are cast shall cause at least one copy of the card of instructions, in Form No. 14, to be posted up in a conspicuous place, or shown to every Veteran elector as he applies to vote.

Information to be made available.

(2) The deputy special returning officers, in the place and at the time referred to in subparagraph (1), shall keep readily available for consultation by Veteran electors one copy of these Rules, one book of key maps, one book of excerpts from the Canadian Postal Guide, and one list of the names and surnames of candidates.

Incapacitated Veteran elector.

61. When a Veteran elector is unable to read or to write, or is incapacitated from any physical cause, and therefore unable to vote according to the ordinary procedure prescribed in these Rules, the deputy special returning officers before whom the vote is to be cast, shall assist such elector by filling in the back of the outer envelope, including the writing of the name of the elector, in the space provided for his signature, and by marking the ballot paper in the manner directed by the elector, in his presence, and in the presence of another Veteran elector who is able to read and to write; such other elector shall be selected

by the incapacitated Veteran elector and he shall keep secret the name of the candidate for whom the ballot paper is marked; whenever the name of the incapacitated Veteran elector has been written on the back of the outer envelope, as above directed, the deputy special returning officers shall insert a note to that effect on the back of the outer envelope and affix their signatures thereto.

Blind Veteran elector.

62. The vote of a blind Veteran elector may be taken in the same manner as the votes of other incapacitated Veteran electors, as provided in paragraph 61, or through the medium of a friend who is also a Veteran elector and who is acting at the request of the blind Veteran elector; in such case the friend may fill in the back of the outer envelope, including the writing of the name of the elector in the space provided for his signature, and mark the blind elector's ballot paper in the presence only of such blind elector; such friend shall keep secret the name of the candidate for whom the ballot paper is marked; whenever the name of a blind Veteran elector has been written on the back of the outer envelope, as above directed, the deputy special returning officers shall insert a note to that effect on the back of the outer envelope and affix their signatures thereto; no person shall at a general election be allowed to act as the friend of more than one blind Veteran elector.

Voting by bed-ridden Veteran electors.

63. Whenever deemed advisable, the deputy special returning officers shall, with the approval of the superintendent, go from room to room in the hospital or institution to take the votes of bed-ridden Veteran electors.

Declaration by Veteran elector.

64. (1) Before delivering a ballot paper to a Veteran elector, the deputy special returning officers before whom the vote is to be cast shall require such elector to make a declaration in Form No. 13, which shall be printed on the back of the outer envelope in which the inner envelope containing the ballot paper, when marked, is to be placed, such declaration to state the Veteran elector's name, that he is a Canadian citizen 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, that he was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950, that he has been discharged from such Forces, and that he has not previously voted at the general election; it shall also be stated in the said declaration the name of the place of his ordinary residence in Canada, with street address, if any, as declared by the Veteran

elector on the date of his admission to the hospital or institution; the name of the electoral district and of the province in which such place of ordinary residence is situated may be stated in such declaration; the deputy special returning officers shall cause the Veteran elector to affix his signature to the said declaration (except in the case of an incapacitated or blind Veteran elector referred to in paragraphs 61 and 62), and the certificate printed thereunder shall then be signed by both deputy special returning officers.

Warning to Veteran elector and deputy special returning officers.

(2) At this stage, the Veteran elector and the deputy special returning officers shall bear in mind that, as prescribed in paragraph 73 (except in the cases referred to in paragraphs 61 and 62), any outer envelope which does not bear the signatures of the Veteran elector and the two deputy special returning officers concerned, or any outer envelope upon which a sufficient description of the place of ordinary residence of the Veteran elector does not appear, shall be laid aside unopened in the headquarters of the special returning officer, and that the ballot paper contained in such outer envelope shall not be counted.

Manner of voting by Veteran elector.

65. After the declaration has been completed and signed by the Veteran elector, and the certificate printed thereunder has been signed by both deputy special returning officers, as prescribed in subparagraph (1) of paragraph 64, the deputy special returning officers shall hand a ballot paper to such elector, who shall cast his vote secretly by writing thereon, with ink or with a pencil of any colour, the names (or initials) and surname of the candidate of his choice; the ballot paper shall then be folded by the Veteran elector; when this has been done, the deputy special returning officers shall hand an inner envelope to the Veteran elector, who shall place the ballot paper so folded in the inner envelope, seal such inner envelope, and hand it to the deputy special returning officers who shall, in full view of the Veteran elector, place it in the outer envelope addressed to the special returning officer, seal the said outer envelope and hand it to the Veteran elector.

Disposition of completed outer envelope.

66. (1) The deputy special returning officers before whom the vote of a Veteran elector has been cast shall, as prescribed in paragraph 65, hand the outer envelope containing the ballot paper to the Veteran elector, who shall himself forthwith despatch it by ordinary mail or by such other postal facilities as may be available and expeditious, to the special returning officer whose name and address have been printed on the face of the outer envelope.

Warning to Veteran elector.

(2) The deputy special returning officers shall at the same time inform the Veteran elector that his outer envelope must be received by the special returning officer to whom the envelope is addressed not later than nine o'clock in the forenoon of the day immediately following polling day, otherwise the ballot paper enclosed in such outer envelope shall not be counted.

Mailing of outer envelopes.

(3) Every such outer envelope despatched by ordinary mail in Canada shall be carried free of postage; whenever it appears to be expedient to despatch an outer envelope by air mail, the necessary postage stamps shall be affixed to such envelope by the deputy special returning officers before whom the vote is cast; the special returning officer shall, upon the receipt of a written request, refund to any deputy special returning officer the expenditure properly incurred in the purchase of such air mail postage stamps.

Veteran elector may vote only once.

67. No elector, whether Veteran or Canadian Forces or civilian, is entitled, because of anything in these Rules, to vote more than once at the general election.

Application of certain paragraphs and forms.

68. Paragraphs 21 to 43 and Forms Nos. 5, 7, 10, 11 and 15 to 17 do not apply to the taking of the votes of Veteran electors.

PROCEDURE TO BE FOLLOWED IN THE RECEIVING AND SORTING OF THE VOTES CAST BY CANADIAN FORCES ELECTORS AND VETERAN ELECTORS.

Supervision, etc.

69. (1) Every operation relating to the receiving and sorting to the proper electoral districts of outer envelopes containing ballot papers marked by Canadian Forces electors and Veteran electors, shall be conducted under the supervision of the special returning officer or his chief assistant, by scrutineers, who shall work in pairs, each pair consisting of persons representing different and opposed political interests.

Marking and initialling outer envelopes.

(2) Whenever an outer envelope has been sorted to its electoral district, the name of such electoral district shall be written by the scrutineers in the lower left hand corner of the back of the outer envelope and both scrutineers shall affix their initials thereto.

Disposition of completed outer envelopes.

70. On receipt of outer envelopes containing ballot papers marked by Canadian Forces electors and Veteran electors, the special returning officer or his chief assistant shall

(*a*) stamp each outer envelope with the date of its receipt;

(*b*) examine each outer envelope in order to ascertain that the declaration on the back thereof is signed by

both the Canadian Forces elector and the deputy returning officer concerned (except in the cases referred to in paragraphs 39 and 41), or by the Veteran elector and the two deputy special returning officers concerned (except in the cases referred to in paragraphs 61 and 62);

(*c*) ascertain that all the necessary details are given in the declaration made on the back of the outer envelope;

(*d*) direct the scrutineers to ascertain, from the details given on the back of each outer envelope, the correct electoral district containing the place of ordinary residence of the Canadian Forces elector, or Veteran elector, and to sort such outer envelope thereto; and

(*e*) make sure that each outer envelope is sorted to its proper electoral district, and has been duly marked and initialled by the scrutineers.

Packaging used outer envelopes.

71. (1) At the end of each day upon which outer envelopes are received, the special returning officer, or his chief assistant, shall, in the presence of at least two scrutineers, place in a special large envelope provided for that purpose, all the outer envelopes sorted by his staff to each electoral district separately.

Completing special large envelopes.

(2) Every such special large envelope shall be endorsed with the name of the applicable electoral district, the day of the week and the date of the month upon which it was used, and the number of sorted outer envelopes enclosed therein.

Sealing special large envelopes.

(3) Upon the completion of the above requirements, the special returning officer or his chief assistant shall close the special large envelope, and affix a gummed paper seal, provided for that purpose, over the sealed flap; the special returning officer or his chief assistant, and at least two scrutineers, shall affix their signatures to such seal.

Safe-keeping of special large envelopes.

(4) When this has been done, the special returning officer shall keep the sealed special large envelopes in safe custody, unopened, until the time has arrived to count the votes sorted to the electoral district to which such envelopes appertain, as prescribed in paragraphs 75 to 83; in the meantime, the scrutineers shall be permitted to inspect any or all such sealed special large envelopes whenever they wish to do so.

Disposition of outer envelopes not sorted at end of day.

72. All used outer envelopes that have not been sorted, as prescribed in paragraph 70, to their proper electoral districts at the end of each day, shall be placed in one or more of the ballot boxes provided for the counting of the votes; such ballot boxes shall be locked with a padlock and sealed with gummed paper seals provided for that purpose,

until the sorting of outer envelopes is proceeded with on the following day; the signatures of at least two scrutineers shall be affixed to such seals.

Disposition of outer envelope when declaration incomplete.

73. (1) An outer envelope which does not bear the signatures of both the Canadian Forces elector and the deputy returning officer concerned (except in the cases referred to in paragraphs 39 and 41), or the signatures of the Veteran elector and the two deputy special returning officers concerned (except in the cases referred to in paragraphs 61 and 62), or upon which a sufficient description of the place of ordinary residence of such elector does not appear, shall be laid aside, unopened; the special returning officer shall endorse upon each such outer envelope the reason why it has been so laid aside, and such endorsement shall be initialled by at least two scrutineers; the ballot paper contained in such outer envelope shall be deemed to be a rejected ballot paper.

Disposition of outer envelope received too late.

(2) Any outer envelope received by a special returning officer after nine o'clock in the forenoon of the day immediately following polling day, shall also be laid aside unopened; the special returning officer shall endorse upon such envelope the reason why it has been so laid aside, and such endorsement shall be initialled by at least two scrutineers; the ballot paper contained in such outer envelope shall be deemed to be a rejected ballot paper.

Transmission to the Chief Electoral Officer.

(3) The special returning officer shall retain all unopened outer envelopes mentioned in subparagraphs (1) and (2) in safe custody, and, after the counting of the votes is completed, transmit them to the Chief Electoral Officer, as prescribed in paragraph 84.

Procedure when Canadian Forces elector or Veteran elector votes more than once.

74. Where, during the receiving and sorting of the outer envelopes, as prescribed in paragraphs 70 to 73, or the counting of the votes, as prescribed in paragraphs 75 to 83, it is ascertained that a Canadian Forces elector or a Veteran elector has voted on more than one occasion, the outer envelopes relating to such elector shall be laid aside unopened; the special returning officer shall endorse on such envelopes the reason why they have been so laid aside, and such endorsement shall be initialled by at least two scrutineers; the ballot papers contained in such outer envelopes shall be deemed to be rejected ballot papers. After the counting of the votes has been completed, the special returning officer shall send such unopened outer envelopes to the Chief Electoral Officer with the other parcels and documents mentioned in paragraph 84; the special returning officer shall at the same time send to the Chief Electoral Officer a detailed report in every case in

which it has been ascertained that a Canadian Forces elector or a Veteran elector has voted on more than one occasion.

PROCEDURE TO BE FOLLOWED IN THE COUNTING OF THE VOTES CAST BY CANADIAN FORCES ELECTORS AND VETERAN ELECTORS.

Commencement of the counting.

75. On the day immediately following polling day, after all the outer envelopes received before 9 o'clock in the forenoon have been sorted, the special returning officer shall cause the counting of the votes cast by Canadian Forces electors and Veteran electors to be commenced; such counting shall be carried out with all possible despatch, and shall be completed not later than the Saturday next following such polling day.

Scrutineers to work in pairs.

76. In the counting of votes, the scrutineers shall work in pairs, each pair consisting of persons representing different and opposed political interests; the special returning officer shall direct each pair of scrutineers to count the votes for only one electoral district at a time; in the performance of these duties, each pair of scrutineers shall be furnished by the special returning officer with the services of at least one clerical assistant.

Ballot box used at the counting of the votes.

77. For the counting of the votes, the Chief Electoral Officer shall furnish each special returning officer with a sufficient number of specially made ballot boxes; before the counting of the votes for any given electoral district begins, the ballot box used at such counting shall be examined by the scrutineers, and, when found empty, shall be locked and the key thereof retained by either the special returning officer or his chief assistant.

Opening special large envelopes.

78. All the special large envelopes containing outer envelopes sorted to a given electoral district shall be opened and their contents placed upon a table; the scrutineers shall examine every outer envelope taken out of such special large envelope in order to ascertain that it belongs to the electoral district for which the ballot papers are about to be counted; if it appears that any outer envelope belongs to another electoral district, the special returning officer shall sort such outer envelope to its proper electoral district and, if the counting of the votes attributed to such electoral district has been completed, the special returning officer shall keep such outer envelope in safe custody until the counting of the votes has been completed in every other electoral district; the special returning officer shall then

re-open the counting of the votes in the electoral district to which the misplaced outer envelope belongs and direct the scrutineers to count the ballot paper enclosed in such outer envelope in the manner prescribed in these Rules;

Opening outer envelopes.

when all the outer envelopes sorted to a given electoral district have been checked as above prescribed, they shall be opened, and the inner envelopes shall be removed therefrom and immediately placed, unopened, in the ballot box referred to in paragraph 77.

Procedure when counting votes.

79. When all the outer envelopes for a given electoral district have been opened and the inner envelopes placed in the ballot box, as prescribed in paragraph 78, the ballot box shall be opened and its contents placed upon a table; the scrutineers shall then count the inner envelopes found in the ballot box in order to ascertain that the number of such inner envelopes corresponds with the number of outer envelopes opened for such electoral district; if the number of inner envelopes does not correspond with the number of such opened outer envelopes, the scrutineers shall make a report to that effect to the special returning officer, stating all particulars, and shall attach such report to the official statement of the count referred to hereunder; the scrutineers shall then proceed to open the inner envelopes and count the votes cast for each candidate and when this has been done, shall prepare copies of a statement of the count on Form No. 9; one copy of such statement, to be called the official statement of the count, shall be forthwith delivered to the special returning officer, and the two scrutineers may each retain a copy thereof; the ballot papers counted for each candidate shall then be placed separately in the special envelopes provided for that purpose; the empty inner envelopes relating to such electoral district shall then be destroyed.

Application of votes cast.

80. Subject to the provisions of paragraph 81, a ballot paper marked for a candidate shall be counted for such candidate if he has been officially nominated in the electoral district to which, in accordance with the declaration made on the back of the outer envelope, such ballot paper has been attributed.

Rejection of ballot papers.

81. (1) In the counting of the votes, the scrutineers shall, with the approval of the special returning officer, reject all ballot papers

(*a*) that do not appear to have been supplied by the special returning officer for the pending general election;

(*b*) that have not been marked with the name of any candidate;

(*c*) that have been marked for more than one candidate except in the electoral districts returning two members;

(*d*) that have been marked for more than two candidates in the electoral districts returning two members;

(*e*) that have been marked with the name of a person who has not been officially nominated as a candidate in the electoral district to which the ballot paper has been attributed; or

(*f*) upon which the Canadian Forces elector or the Veteran elector appears to have intentionally made a mark by which he might afterwards be identified.

Ballot paper not to be rejected for uncertainty.

(2) No ballot paper shall be rejected for uncertainty as to the candidate intended to be voted for, if it is possible to ascertain, with a reasonable degree of certainty, for which candidate the Canadian Forces elector or the Veteran elector intended to vote.

Exception in case of designating letters.

(3) No ballot paper shall be rejected if, in addition to the names and surname of the candidate of his choice, a Canadian Forces elector or a Veteran elector has written on such ballot paper any of the designating letters appearing on the list of names and surnames of candidates prescribed in paragraph 16.

Disposition of rejected ballot papers.

82. After the counting of the votes attributed to a given electoral district is completed, the scrutineers shall place all rejected ballot papers in the special envelope supplied for that purpose and, after inserting the necessary details thereon, shall package such envelope with the other documents, as prescribed in paragraph 83.

Disposition of ballot papers, etc.

83. The outer envelopes from which the ballot papers have been taken out, the envelopes containing the ballot papers counted for each candidate, and the envelope containing ballot papers rejected during the counting of the votes, relating to each individual electoral district, shall be parcelled by the scrutineers and delivered to the special returning officer after the name of such electoral district has been plainly written on the parcel; the scrutineers, the special returning officer, and the chief assistant shall exercise the utmost care in dealing with used outer envelopes; there shall be no poll book kept at the counting of the votes, and the used outer envelopes themselves shall constitute the official record of the votes cast by Canadian Forces electors and Veteran electors in each electoral district; the procedure prescribed in this and paragraphs 77 to 82 relating to the counting of the votes shall be repeated in the case of every electoral district.

Transmission of ballot papers, etc., to Chief Electoral Officer.

84. Immediately after the counting of the votes has been completed for every electoral district, the special returning officer shall transmit to the Chief Electoral Officer, the following parcels and documents:

(*a*) the parcels containing the outer envelopes from which ballot papers have been taken out, the envelopes containing the ballot papers counted for each candidate, and the envelope containing the ballot papers rejected during the counting of the votes, as prepared by the scrutineers pursuant to paragraph 83;

(*b*) the official statements of the count completed by the scrutineers, pursuant to paragraph 79;

(*c*) the outer envelopes laid aside pursuant to subparagraph (6) of paragraph 36 and of paragraphs 73 and 74;

(*d*) the oaths of office of deputy special returning officers, chief assistant, scrutineers, and clerical assistants, as prescribed in clause (*c*) of paragraph 13;

(*e*) the complete files of correspondence, reports and records in the headquarters of the special returning officer;

(*f*) the spoiled ballot papers and the declarations in Form No. 11 received from the commanding officers and deputy special returning officers, pursuant to paragraphs 40 and 59;

(*g*) the record of ballot papers distributed to commanding officers and deputy special returning officers and the record of unused ballot papers returned by commanding officers and deputy special returning officers, pursuant to paragraph 20;

(*h*) the records of the names, surnames, and places of ordinary residences of Veteran electors, completed by each pair of deputy special returning officers, pursuant to paragraph 54;

(*i*) the completed affidavits of qualifications (Form 15), if any; and

(*j*) the lists of Canadian Forces electors prepared and furnished to the special returning officer pursuant to paragraph 29.

Result of the counting of the votes to be communicated to Chief Electoral Officer.

85. Immediately after the counting of the votes has been completed for every electoral district, but not later than the Saturday next following polling day, the special returning officer shall inform the Chief Electoral Officer by telegraph, or otherwise, of the number of votes counted in his headquarters for each candidate in every electoral district in Canada; the special returning officer shall at the same time inform the Chief Electoral Officer of the total number of votes counted for each electoral district.

Disposition of results by Chief Electoral Officer.

86. Upon receipt of the result of the votes cast by Canadian Forces electors and Veteran electors from every special returning officer, as prescribed in paragraph 85, the Chief Electoral Officer shall compute the total number of votes counted for each candidate officially nominated in every electoral district, and forthwith communicate by telegraph or otherwise such result to the appropriate returning officer.

OFFENCES AND PENALTIES.

Liability of Canadian Forces elector or Veteran elector.

87. Any Canadian Forces elector or Veteran elector who

(*a*) attempts to obtain or communicate any information as to the candidate for whom any ballot paper has been marked by a Canadian Forces elector or a Veteran elector;

(*b*) prevents or endeavours to prevent any Canadian Forces elector or Veteran elector from voting at a general election;

(*c*) knowingly applies for a ballot paper to which he is not entitled;

(*d*) makes any untrue statement in the declaration in Form No. 7 or Form No. 8 signed by him or her before a deputy returning officer or, in the case of a Veteran elector in Form No. 13 signed by him before two deputy special returning officers; or

(*e*) makes any untrue declaration in the statement of ordinary residence completed pursuant to paragraph 25 or subparagraph (1) of paragraph 36;

is guilty of an offence against these Rules punishable as provided in these Rules.

Penalty for intimidation, etc., of Canadian Forces elector or Veteran elector.

88. Every person is guilty of an offence against these Rules punishable as provided in these Rules, who, directly or indirectly, by himself, or by any other person, makes use, or threatens to make use, of any force, violence or restraint, or inflicts, or threatens the infliction by himself or by or through any other person, of any temporal or spiritual injury, damage, harm or loss, or in any manner practises intimidation upon or against any Canadian Forces elector or Veteran elector, in order to induce or compel such elector to vote for any candidate or to refrain from voting or on account of such elector having voted for any candidate or refrained from voting at the general election or who, by abduction, duress, or any false or fraudulent pretence, device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of any such elector, or thereby compels or induces or prevails upon any such elector either to vote for any candidate or to refrain from voting at the general election.

Procedure.

89. (1) Any offence against these Rules may be prosecuted alternatively on indictment or by way of summary conviction.

Penalty for offence.

(2) Any person who is guilty of an offence against these Rules is liable on indictment or on summary conviction to a fine not exceeding five hundred dollars and costs of prosecution or to imprisonment for a term not exceeding six months, with or without hard labour, or to both such fine and costs and such imprisonment, and if the fine and costs imposed are not paid forthwith, in case only a fine and costs are imposed, or are not paid before the expiration of the term of imprisonment imposed, in case imprisonment, as well as fine and costs, is imposed, to imprisonment with or without hard labour for such term or such further term, as such fine and costs or either of them remain unpaid, not exceeding three months.

SUPPLEMENTAL PROVISIONS.

Procedure on withdrawal of candidate.

90. Where after nomination day a candidate withdraws, the Chief Electoral Officer shall, by the most expeditious means, notify every special returning officer of such withdrawal; the special returning officer shall forthwith so notify every commanding officer stationed in his voting territory and every deputy special returning officer who has been appointed to take the votes of Veteran electors in such voting territory; the commanding officer shall, as much as possible, notify every deputy returning officer designated by him to take the votes of Canadian Forces electors of such withdrawal, and such deputy returning officer or the deputy special returning officers shall inform the Canadian Forces electors or Veteran electors concerned as to the name of the candidate who has withdrawn when such electors are applying to vote; any votes cast by Canadian Forces electors or Veteran electors for a candidate who has withdrawn are null and void.

Procedure on death of candidate.

91. In the case of the death of a candidate between nomination day and polling day, and the subsequent postponement of the election in the electoral district in which such candidate was officially nominated, the outer envelopes containing the ballot papers cast by Canadian Forces electors and Veteran electors to be sorted or sorted to such electoral district shall remain unopened, and the ballot papers contained in such envelopes shall be deemed to be rejected ballot papers; all such unopened outer envelopes shall be transmitted to the Chief Electoral Officer with the other documents mentioned in paragraph 84.

Validity of election not affected by non-compliance.

92. The validity of the election of a member to serve in the House of Commons shall not be questioned on the ground of any omission or irregularity in connection with the administration of these Rules, if it appears that such omission or irregularity did not affect the result of the election, nor on the ground that, for any reason, it was found impossible to secure the vote of any Canadian Forces elector or Veteran elector under the procedure set forth in the said Rules.

Recounting by a judge.

93. Sections 54 and 55 of the *Canada Elections Act*, relating to a recount by a judge apply, *mutatis mutandis*, to all ballot papers counted and rejected after being cast by Canadian Forces electors and Veteran electors under the procedure set forth in these Rules, which have been transmitted by the special returning officers to the Chief Electoral Officer, pursuant to paragraph 84.

Custody, inspection, or production of documents.

94. Sections 59 and 86 of the *Canada Elections Act*, relating to the custody, inspection, and production of election documents, apply, *mutatis mutandis*, to such documents received by the Chief Electoral Officer from the special returning officers, pursuant to paragraph 84.

Taxation and payment of accounts.

95. All accounts for services and expenses incurred in connection with the administration of these Rules, shall be taxed by the Chief Electoral Officer, and paid by the Comptroller of the Treasury out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

FORM NO. 1

OATH OF OFFICE OF SPECIAL RETURNING OFFICER. (Par. 6)

I, the undersigned, appointed special returning officer for the voting territory consisting of the Provinces of.....
.....pursuant to the provisions of paragraph 5 of *The Canadian Forces Voting Rules*, do swear (*or* solemnly affirm) that I will act faithfully in my said capacity of special returning officer, without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom any Canadian Forces elector or Veteran elector has marked his ballot paper at the general election, should I acquire any information with respect thereto during my tenure of office as special returning officer. So help me God.

.....

Signature of special returning officer.

CERTIFICATE OF OATH OF OFFICE OF SPECIAL RETURNING OFFICER.

I, the undersigned, do hereby certify that on the..... day of....., 19....., the special returning officer above named made and subscribed before me the above set forth oath (*or* affirmation). In testimony whereof I have issued this certificate under my hand.

.....
Chief Electoral Officer.

FORM No. 2

OATH OF OFFICE OF CHIEF ASSISTANT. (Par. 7)

I, the undersigned, appointed chief assistant for duty in the headquarters of the special returning officer for the voting territory consisting of the Provinces of....., pursuant to paragraph 7 of *The Canadian Forces Voting Rules*, do swear (*or* solemnly affirm) that I will act faithfully in my said capacity of chief assistant without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom any Canadian Forces elector or Veteran elector has marked his ballot paper at the general election, should I acquire any information with respect thereto during my tenure of office as such chief assistant. So help me God.

.....
Signature of chief assistant.

CERTIFICATE OF OATH OF OFFICE OF CHIEF ASSISTANT.

I, the undersigned, do hereby certify that on the..... day of....., 19....., the chief assistant above named made and subscribed before me the above set forth oath (*or* affirmation). In testimony whereof I have issued this certificate under my hand.

.....
Special returning officer.

23396-5—29

FORM No. 3

APPOINTMENT OF SCRUTINEER. (Par. 9)

To.....whose address is.....
.....and whose occupation is.....

Know you that, pursuant to the authority vested in me in paragraph 9 of *The Canadian Forces Voting Rules*, I do hereby appoint you as scrutineer for duty in the headquarters of the special returning officer for the voting territory consisting of the Provinces of.....
.....

Dated at Ottawa this.....day of....., 19....

.....
Chief Electoral Officer.

OATH OF OFFICE OF SCRUTINEER. (Par. 9)

I, the undersigned, appointed scrutineer as above mentioned, pursuant to paragraph 9 of *The Canadian Forces Voting Rules*, do swear (*or* solemnly affirm) that I will act faithfully in my said capacity of scrutineer, without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom any Canadian Forces elector or Veteran elector has marked his ballot paper at the general election, should I acquire any information with respect thereto during my tenure of office as such scrutineer. So help me God.

.....
Signature of scrutineer.

CERTIFICATE OF OATH OF OFFICE OF SCRUTINEER.

I, the undersigned, do hereby certify that on the.....
day of....., 19....., the scrutineer above named made and subscribed before me the above set forth oath (*or* affirmation). In testimony whereof I have issued this certificate under my hand

.....
Special returning officer.

23396-5—29

Form No. 4.

APPOINTMENT AND OATH OF OFFICE OF CLERICAL ASSISTANT. (Par. 12)

Appointment

To.....whose address is.....
.....and whose occupation is.....

Know you that, pursuant to the authority vested in me in paragraph 12 of *The Canadian Forces Voting Rules*, I do hereby appoint you as clerical assistant for duty in my headquarters.

.....
Special returning officer.

OATH OF OFFICE OF CLERICAL ASSISTANT.

I, the undersigned, appointed clerical assistant for duty in the headquarters of the special returning officer for the voting territory consisting of the Provinces of....., pursuant to paragraph 12 of *The Canadian Forces Voting Rules*, do swear (*or* solemnly affirm) that I will act faithfully in my said capacity of clerical assistant without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom any Canadian Forces elector or Veteran elector has marked his ballot paper at the general election, should I acquire any information with respect thereto during my tenure of office as such clerical assistant. So help me God.

.....
Signature of clerical assistant.

CERTIFICATE OF OATH OF OFFICE OF CLERICAL ASSISTANT.

I, the undersigned, appointed clerical assistant for duty in day of....., 19....., the clerical assistant above named made and subscribed before me the above set forth oath (*or* affirmation). In testimony whereof I have issued this certificate under my hand.

.....
Special returning officer.

Form No. 5.

NOTICE TO CANADIAN FORCES ELECTORS THAT A GENERAL ELECTION HAS BEEN ORDERED IN CANADA. (Par. 28)

Notice is hereby given that writs have been issued ordering that a general election be held in Canada, and that the date fixed as polling day is....., the..... day of....., 19.....

Notice is further given that, pursuant to *The Canadian Forces Voting Rules*, all Canadian Forces electors, as defined in paragraph 21 of the said Rules,* and the wives of such Canadian Forces electors residing with their husbands outside Canada* are entitled to vote at such general election upon application to any deputy returning officer designated for the purpose of taking such votes.

And that voting by Canadian Forces electors in this unit will take place during the six day period commencing on Monday, the.....day of....., 19....

And that a notice giving the exact location of each voting place established in the unit under my command, together with the days and hours fixed for voting in such voting places, will be published in Daily Orders on at least three days before commencement of the voting period and on every day that voting takes place.

Given under my hand at....., this.....day of ....., 19....

.....

Commanding Officer.

---

*Note: Strike out the words between asterisks when the unit is stationed in Canada.

FORM No. 6

FORM OF BALLOT PAPER. (Par. 17)

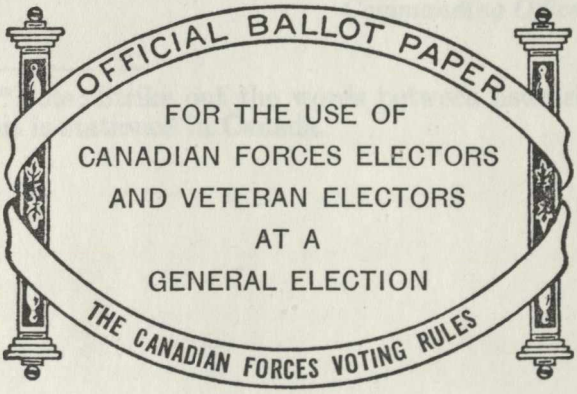
Front of ballot paper

THE ELECTOR WILL WRITE HEREUNDER THE NAMES (OR INITIALS) AND SURNAME OF THE CANDIDATE FOR WHOM HE WISHES TO VOTE

I VOTE FOR.....

(Write as above directed—Surname last.)

Back of ballot paper



Supplied by the Chief Electoral Officer, pursuant to paragraph 15 of *The Canadian Forces Voting Rules*.

(Print name and address of printer)

Printed by.....

FORM No. 7

DECLARATION TO BE MADE BY A CANADIAN FORCES ELECTOR, AS DEFINED IN PARAGRAPH 21 OF *The Canadian Forces Voting Rules*, BEFORE BEING ALLOWED TO VOTE.
(Par. 36)

I hereby declare

1. That my name is.....
(*Insert full name, surname last*)
2. That my rank is.....
3. That my number is.....
4. That I am a Canadian citizen or other British subject.
*5. That I have attained the full age of twenty-one years.
6. That I have not previously voted as a Canadian Forces elector at the pending general election.
7. That the place of my ordinary residence in Canada, as shown on the statement made by me under paragraph 25 or subparagraph (1) of paragraph 36 of *The Canadian Forces Voting Rules*, is

.....
(*Here insert the name of the city, town, village or other place in*
.....
Canada, with street address, if any)
.....
(*Here insert name of electoral district*)
.....
(*Here insert name of province*)

I hereby declare that the above statements are true in substance and in fact.

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

.....
Signature of Canadian Forces elector.

CERTIFICATE OF DEPUTY RETURNING OFFICER.

I hereby certify that the above named Canadian Forces elector did this day make before me the above set forth declaration.

.....
Signature of deputy returning officer.

.....
(*Here insert rank, number, and name of unit*)

---

*Strike out this line if it is not applicable pursuant to paragraph 21 (2) of *The Canadian Forces Voting Rules*.

Form No. 8.

DECLARATION TO BE MADE BY A CANADIAN FORCES ELECTOR, AS DEFINED IN PARAGRAPH 22 OF *The Canadian Forces Voting Rules*, BEFORE BEING ALLOWED TO VOTE. (Par. 36)

I hereby declare

1. That my name is.....
(*Insert full name, surname last*)
2. That my husband's name is.....
(*Insert full name of husband, surname last*)
3. That his rank is.....
4. That his number is.....
5. That I am a Canadian citizen or other British subject.
6. That I have attained the full age of twenty-one years.
7. That I have not previously voted as a Canadian Forces elector at the pending general election.
8. That the place of my husband's ordinary residence in Canada as shown by him on the statement made under paragraph 25 or subparagraph (1) of paragraph 36 of *The Canadian Forces Voting Rules* is.....

(*Here insert the name of the city, town, village or other place in*

.....

Canada, with street address, if any)

.....

(*Here insert name of electoral district*)

.....

(*Here insert name of province*)

I hereby declare that the above statements are true in substance and in fact.

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

.....

Signature of wife of Canadian Forces elector.

CERTIFICATE OF DEPUTY RETURNING OFFICER.

I hereby certify that the above named Canadian Forces elector did this day make before me the above set forth declaration.

.....

Signature of deputy returning officer.

.....

(*Here insert rank, number, and name of unit*)

Form No. 9.

STATEMENT OF THE COUNT TO BE COMPLETED AFTER THE BALLOT PAPERS ATTRIBUTED TO A GIVEN ELECTORAL DISTRICT HAVE BEEN COUNTED. (Par. 79)

Electoral district of.....

	Insert name of candidate	*Insert number*
Number of ballot papers counted for	.....	.....
" " "	.....	.....
" " "	.....	.....
" " "	.....	.....
" " "	.....	.....
" " "	.....	.....
" " "	.....	.....

Number of ballot papers rejected during the counting.....
Total number of ballot papers found in ballot box.....

CERTIFICATE OF SCRUTINEERS.

We, the undersigned scrutineers, hereby jointly and severally certify that the above statement is correct.
Dated at.....this.....day of....., 19....

.....
Scrutineer.

.....
Scrutineer.

Form No. 10.

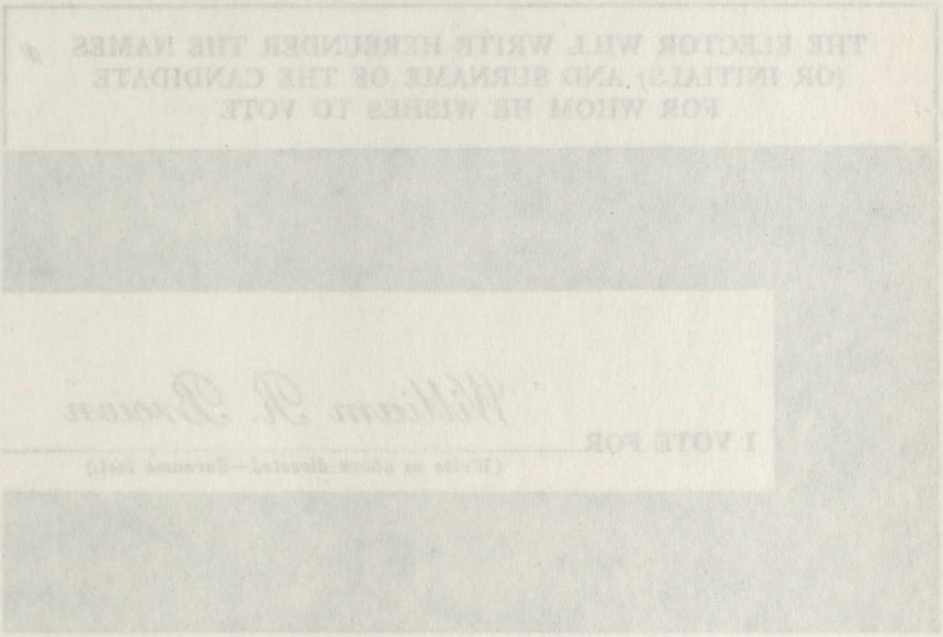
CARD OF INSTRUCTIONS. (Par. 34)

A CANADIAN FORCES ELECTOR HAS THE RIGHT TO VOTE ONLY ONCE AT A GENERAL ELECTION.

1. A Canadian Forces elector (including the wife of a Canadian Forces elector residing with her husband outside Canada)* is entitled to vote for the candidate of his choice, officially nominated in the electoral district in which is situated the place of his (or her husband's)* ordinary residence as shown on the statement made by him (or her husband)* under paragraph 25 or subparagraph (1) of paragraph 36 of *The Canadian Forces Voting Rules.*

* Strike out the words in brackets where the unit is stationed in Canada.

2. During the hours fixed by the commanding officer for voting, a Canadian Forces elector may cast his vote before the deputy returning officer designated for that purpose.
3. The deputy returning officer shall require each Canadian Forces elector to complete the declaration printed on the back of the outer envelope.
4. A Canadian Forces elector, if required by the deputy returning officer, or an accredited representative of a political group, shall, before receiving a ballot paper, subscribe to an affidavit of qualification in Form No. 15 of *The Canadian Forces Voting Rules*, and if such elector refuses so to subscribe to such affidavit he shall not be allowed to vote, or be again admitted to the voting place.
5. Each Canadian Forces elector shall vote for one candidate only, unless he is entitled to vote in an electoral district returning two members, in which case he may vote for two candidates on the same ballot paper.
6. After the declaration has been completed and signed by the Canadian Forces elector and the certificate printed thereunder is completed and signed by the deputy returning officer, the Canadian Forces elector shall be allowed to cast his vote in the following manner:
7. Upon receiving a ballot paper from the deputy returning officer, the Canadian Forces elector shall secretly cast his vote by writing, with ink or with a pencil of any colour, the names (or initials) and surname of the candidate of his choice in the space provided for that purpose on the ballot paper, and shall then fold the ballot paper.
8. The Canadian Forces elector shall place the folded ballot paper in the inner envelope which will then be supplied to him by the deputy returning officer, seal such inner envelope, and hand it to the deputy returning officer.
9. The deputy returning officer shall then, in full view of the Canadian Forces elector, place the inner envelope in the completed outer envelope and seal such outer envelope.
10. The deputy returning officer shall then hand the completed outer envelope to the Canadian Forces elector.
11. The Canadian Forces elector shall then mail the completed outer envelope in the nearest post office, mail box, or by such other facilities as may be available and expeditious.



In the following specimen of ballot paper, given for illustration, the Canadian Forces elector has marked his ballot paper for William R. Brown.

THE ELECTOR WILL WRITE HEREUNDER THE NAMES (OR INITIALS) AND SURNAME OF THE CANDIDATE FOR WHOM HE WISHES TO VOTE

I VOTE FOR *William R. Brown*

(Write as above directed—Surname last.)

FORM No. 11

DECLARATION NOMINATING REPRESENTATIVE OF POLITICAL GROUP. (Par. 35)

To the deputy returning officer designated to take the votes of Canadian Forces electors at.....

Pursuant to the provisions of paragraph 35 of *The Canadian Forces Voting Rules*, I hereby declare that..... is nominated to represent the interests of the..... political group during the taking of the votes of Canadian Forces electors in the above mentioned voting place.

Given under my hand at....., this..... day of....., 19....

.....

Candidate in the electoral district of.....

FORM No. 12.

APPOINTMENT OF DEPUTY SPECIAL RETURNING OFFICER.
(Par. 52 or 53)

To.....whose address is.....
and whose occupation is.....

Know you that, pursuant to the authority vested in me in paragraph 52 or 53 of *The Canadian Forces Voting Rules*, I do hereby appoint you as deputy special returning officer to take the votes of Veteran electors receiving treatment or domiciliary care in certain hospitals or institutions located in the voting territory consisting of the Provinces of.....

.....

Dated at Ottawa this.....day of....., 19....

.....
Chief Electoral Officer.

OATH OF OFFICE OF DEPUTY SPECIAL RETURNING OFFICER.
(Par. 52 or 53)

I, the undersigned, appointed deputy special returning officer as above mentioned, pursuant to paragraph 52 or 53 of *The Canadian Forces Voting Rules*, do swear (*or* solemnly affirm) that I will act faithfully in my said capacity of deputy special returning officer, without partiality, fear, favour or affection, and that I will keep secret the name of the candidate for whom any Veteran elector has marked his ballot paper at the general election, should I acquire any information with respect thereto during my tenure of office as such deputy special returning officer. So help me God.

.....
Signature of deputy special returning officer.

CERTIFICATE OF OATH OF OFFICE OF DEPUTY SPECIAL RETURNING OFFICER.

I, the undersigned, do hereby certify that on the.....
day of....., 19...., the deputy special returning officer above named made and subscribed before me the above set forth oath (*or* affirmation). In testimony whereof I have issued this certificate under my hand.

.....
Special returning officer (or as the case may be)

FORM No. 13.

DECLARATION TO BE MADE BY A VETERAN ELECTOR BEFORE BEING ALLOWED TO VOTE. (Par. 64)

I hereby declare

1. That my name is.....
(*Insert full name, surname last*)
2. That I am a Canadian citizen.
(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.
3. That I was a member of His Majesty's Forces during World War I or World War II, or was a member of the Canadian Forces who served on active service subsequent to the 9th day of September, 1950.
4. That I have been discharged from such Forces.
5. That I have not previously voted as a Veteran elector at the pending general election.
6. That the place of my ordinary residence in Canada, as declared by me on the date of my admission to this hospital or institution, is

.....
(*Here insert the name of the city, town, village or*
.....
other place in Canada, with street address, if any)
.....
(*Here insert name of electoral district*)
.....
(*Here insert name of province*)

I hereby declare that the above statements are true in substance and in fact.

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

.....
(*Signature of Veteran elector*)

CERTIFICATE OF DEPUTY SPECIAL RETURNING OFFICERS.

We, the undersigned deputy special returning officers, hereby jointly and severally certify that the above named Veteran elector did this day make the above set forth declaration.

.....
(*Signature of deputy special returning officer*)

.....
(*Signature of deputy special returning officer*)

Form No. 14.

CARD OF INSTRUCTIONS. (Par. 60)

A VETERAN ELECTOR HAS THE RIGHT TO VOTE ONLY ONCE AT A GENERAL ELECTION.

1. A Veteran elector is entitled to vote for the candidate of his choice, officially nominated in the electoral district in which is situated the place of his ordinary residence as declared by the Veteran elector on the date of his admission to the hospital or institution.
2. During the days or hours of voting in a hospital or institution, a Veteran elector may cast his vote before the two deputy special returning officers appointed by the Chief Electoral Officer for that purpose.
3. The deputy special returning officers shall require each Veteran elector to complete the declaration printed on the back of the outer envelope.
4. After the declaration has been completed and signed by the Veteran elector and the certificate printed thereunder is signed by the two deputy special returning officers, the Veteran elector shall be allowed to cast his vote in the following manner:
5. Each Veteran elector shall vote for one candidate only, unless he is entitled to vote in an electoral district returning two members, in which case he may vote for two candidates on the same ballot paper.
6. Upon receiving a ballot paper from the deputy special returning officers, the Veteran elector shall secretly cast his vote by writing, with ink or with a pencil of any colour, the names (or initials) and surname of the candidate of his choice in the space provided for that purpose on the ballot paper, and shall then fold the ballot paper.
7. The Veteran elector shall place the folded ballot paper in the inner envelope which will then be supplied to him by the deputy special returning officers, seal such inner envelope, and hand it to the deputy special returning officers.
8. The deputy special returning officers shall then, in full view of the Veteran elector, place the inner envelope in the completed outer envelope and seal such outer envelope.
9. The deputy special returning officers shall then hand the completed outer envelope to the Veteran elector.
10. The Veteran elector shall then mail the completed outer envelope in the nearest post office or mail box.

In the following specimen of ballot paper, given for illustration, the Veteran elector has marked his ballot paper for William R. Brown.

THE ELECTOR WILL WRITE HEREUNDER THE NAMES (OR INITIALS) AND SURNAME OF THE CANDIDATE FOR WHOM HE WISHES TO VOTE

I VOTE FOR *William R. Brown*

(Write as above directed—Surname last.)

FORM No. 15.

AFFIDAVIT OF QUALIFICATION. (Par. 36 (4).)

I, the undersigned, do swear (*or* solemnly affirm)

1. That my name is.....
(*Insert full name, surname last*)

*2. That my husband's name is.....
(*Insert full name of husband, surname last*)

3. That my (his) rank is.....

4. That my (his) number is.....

5. That I am a Canadian citizen or other British subject.

†6. That I have attained the full age of twenty-one years.

7. That I have not previously voted as a Canadian Forces elector at the pending general election.

8. That the place of my (husband's) ordinary residence in Canada, as shown on the statement made by me (him) under paragraph 25 or subparagraph (1) of paragraph 36 of *The Candian Forces Voting Rules*, is

.....
(*Here insert the name of the city, town, village or other*
.....
place in Canada, with street address, if any)
.....
(*Here insert name of electoral district*)
.....
(*Here insert name of province*)

SWORN (*or* affirmed) before me at....., this.....day of..... 19....

.....
Deputy returning officer.

.....
Signature of Canadian Forces elector.

---

*Strike out this line except in the case of a Canadian Forces elector, as defined in paragraph 22 of *The Canadian Forces Voting Rules.*

†Strike out this line if it is not applicable pursuant to paragraph 21(2) of *The Canadian Forces Voting Rules.*

Form No. 16.

STATEMENT OF ORDINARY RESIDENCE.

REGULAR FORCES.

I hereby declare
That my name is.....,
that my age is....., that my rank is
.....and that my number is.....

PART I.

(This Part applies only to a member of the regular forces on and subsequent to enrolment if he had a place of ordinary residence in Canada immediately prior to enrolment)

That my place of ordinary residence in Canada immediately prior to the date of my enrolment (as prescribed in paragraph 25 of *The Canadian Forces Voting Rules*) was

.....
(*Insert name of city, town, village or other place in Canada*

.....
with street address, if any, and province)

PART II.

(This Part applies only to a member of the regular forces who did not have a place of ordinary residence in Canada immediately prior to enrolment)

That the place of my ordinary residence in Canada (as prescribed in paragraph 25 of *The Canadian Forces Voting Rules*) is.....
(*Insert name of city, town, village or other place*

.....
in Canada with street address, if any, and province)

PART III.

(This Part applies only to a member of the regular forces who has previously completed Part I or Part II above. Such member may change his ordinary residence to one of

the places mentioned in clauses (i), (ii) or (iii) of subparagraph (3)(*a*) of paragraph 25. This Part may be completed in January or February of any year other than during the period commencing on the day writs ordering a general election are issued and ending on the day following polling day at that election)

That I wish to change my place of ordinary residence from

.....

(*Insert name of city, town, village or other place in Canada,*

.....

with street address, if any, and province)

to.....

(*Insert name of city, town, village or other place in Canada,*

.....

with street address, if any, and province)

I further declare that what is stated above is true in substance and in fact.

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

.....

Signature of member of the regular forces.

CERTIFICATE OF COMMISSIONED OFFICER OR OF DEPUTY RETURNING OFFICER.

I hereby certify that the above mentioned member of the regular forces of the Canadian Forces, on the date stated above, did make before me the above set forth declaration.

.....

Signature of commissioned officer or of deputy returning officer.

.....

(*Insert rank, number and name of unit*)

FORM NO. 17.

STATEMENT OF ORDINARY RESIDENCE.

(Par. 25(5), (6) and (7) and par. 36(1).)

(Applicable to

(*a*) members of the reserve forces

(i) on full-time training or service not on active service during period commencing on date of ordering of general election, or

(ii) on being placed on active service,

(*b*) persons enrolled in the active service forces, and
(*c*) persons required to complete this Form pursuant to paragraph 36(1).)

I hereby declare

That my name is....., that my age is....., that my rank is..... ....., and that my number is.....

That my place of ordinary residence in Canada immediately prior to:

the commencement of my current continuous period of full-time training or service/and active service,

or

being placed on active service not immediately preceded by a period of full-time training or service,

or

the date of my enrolment in the active services forces as prescribed in paragraph 25 of *The Canadian Forces Voting Rules*, is.....

(*Insert name of city, town, village or*

.....

other place in Canada, with street address, if any, and province)

I hereby declare that what is stated above is true in substance and in fact.

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

.....

Signature of member of reserve forces or active service forces.

CERTIFICATE OF COMMISSIONED OFFICER OR OF DEPUTY RETURNING OFFICER.

I hereby certify that the above mentioned member of the reserve forces or the active service forces of the Canadian Forces, on the date stated above, did make before me the above set forth declaration.

.....

Signature of commissioned officer or of deputy returning officer.

.....

(*Insert rank, number and name of unit*)

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SCHEDULE III.

List of electoral districts in which nomination day is the twenty-eighth day before polling day.

Province of Ontario
Cochrane
Kenora-Rainy River
Port Arthur

Province of Quebec
Chapleau
Saguenay

Province of Newfoundland
Bonavista-Twillingate
Burin-Burgeo
Grand Falls-White Bay-Labrador
Humber-St. George's
Trinity-Conception

Province of Manitoba
Churchill

Province of Saskatchewan
Mackenzie
Meadow Lake
Prince Albert

Province of Alberta
Athabasca
Jasper-Edson
Peace River

Province of British Columbia
Cariboo
Skeena

Yukon Territory
Yukon

Northwest Territories
Mackenzie River

SCHEDULE IV.

THE CANADIAN PRISONERS OF WAR VOTING RULES.

To enable persons eligible to vote under *The Canadian Forces Voting Rules*, who become prisoners of war, to vote by proxy at a general election, notwithstanding anything to the contrary in the *Canada Elections Act* contained.

Short title.

1. These Rules may be cited as *The Canadian Prisoners of War Voting Rules.*

Application.

2. These Rules apply only to a general election held in Canada and do not apply to a by-election.

General direction.

3. (1) The Chief Electoral Officer shall exercise general direction and supervision over the administration of every detail prescribed by these Rules.

Special powers to Chief Electoral Officer.

(2) For the purpose of carrying into effect the provisions of these Rules, or supplying any deficiency therein, the Chief Electoral Officer may issue such instructions, not inconsistent therewith, as may be deemed necessary to the execution of their intent.

Definitions. "Ballot paper."

4. In these Rules, the expression

(*a*) "ballot paper" means the ballot paper printed with the names, addresses, and occupations of the candidates officially nominated in an electoral district, pursuant to section 28 of the *Canada Elections Act;*

"Chief Electoral Officer."

(*b*) "Chief Electoral Officer" means the person who holds office as Chief Electoral Officer under sections 3 and 4 of the *Canada Elections Act;*

"Deputy returning officer."

(*c*) "deputy returning officer" means the person appointed as deputy returning officer for a polling station, under section 26 of the *Canada Elections Act;*

"Headquarters."

(*d*) "Headquarters" means the headquarters of the naval, army or air forces of Canada, located at Ottawa, Ontario;

"Next of kin."

(*e*) "next of kin" means a person officially recorded at Headquarters as the next of kin of a prisoner of war, as hereinafter defined;

"Prisoner of war."

(*f*) "prisoner of war" means a Canadian Forces elector who is a prisoner of war and is officially recorded as such at Headquarters at the time of a general election;

"Qualified elector."

(*g*) "qualified elector" means a person duly entitled to vote in a polling division at a general election, pursuant to the provisions of the *Canada Elections Act;*

"Returning officer."

(*h*) "returning officer" means the person who holds office as returning officer for an electoral district, under section 8 of the *Canada Elections Act;*

"Special proxy certificate."

(*i*) "special proxy certificate" means the certificate prescribed by the Chief Electoral Officer entitling the next of kin of a prisoner of war to vote by proxy on the latter's behalf; and

"Canadian Forces elector."

(*j*) "Canadian Forces elector" means a person having the qualifications prescribed in paragraph 21 of *The Canadian Forces Voting Rules.*

Who may vote by proxy.

5. Every prisoner of war, as herein defined, is entitled to vote by proxy at a general election, such proxy being his next of kin who is officially recorded as such at Headquarters, and such vote shall be cast in the polling division in which such next of kin is a qualified elector.

Voting to be on certificate.

6. The vote of a prisoner of war shall be cast by proxy on a special proxy certificate prescribed and issued by the Chief Electoral Officer; every special proxy certificate shall bear the printed signature of the Chief Electoral Officer and shall be countersigned by a member of his staff specially designated for that purpose.

Proxy may vote in own right.

7. Any person to whom a special proxy certificate has been issued is entitled to vote in his own right in the polling division in which such person is a qualified elector, notwithstanding that he has voted, or is about to vote, as proxy for one or more prisoners of war.

Names and addresses of prisoners of war and their next of kin supplied by Headquarters.

8. Whenever deemed expedient, the Chief Electoral Officer shall be furnished by Headquarters with the names and surname, rank and regimental number of every member of the naval, army or air forces of Canada who is officially recorded at Headquarters as a prisoner of war, as herein defined; at the same time, the Chief Electoral Officer shall be furnished with the names and surname of the next of kin of such prisoner of war as officially recorded at Headquarters, together with the last known place of residence of such next of kin, with street address, if any.

Qualification as elector of next of kin ascertained by returning officer.

9. As soon as possible after a general election has been ordered, the Chief Electoral Officer shall communicate with the returning officer for the electoral district in which is situated the place of residence of the next of kin of a prisoner of war, as stated by Headquarters pursuant to paragraph 8, and direct such returning officer to ascertain whether or not such next of kin is a qualified elector at such place of residence at the pending general election and to advise the Chief Electoral Officer accordingly.

Dispatch of certificates to next of kin.

10. Beginning on Monday of the second week before polling day at a general election, the Chief Electoral Officer shall issue the special proxy certificates to the next of kin of prisoners of war who are entitled to receive them; these certificates shall be dispatched to such next of kin by registered mail and shall be accompanied with such instructions as are deemed advisable by the Chief Electoral Officer as to the manner in which such certificates shall be used.

Notification to returning officer.

11. Whenever special proxy certificates are dispatched to next of kin of prisoners of war residing in a given electoral district, the Chief Electoral Officer shall advise the returning officer for such electoral district of the names and post office addresses of the persons to whom such certificates are issued.

Notification to deputy returning officer.

12. Upon the receipt of such notification, or as soon as possible thereafter, the returning officer shall, on the form prescribed by the Chief Electoral Officer, accordingly advise the deputy returning officer appointed for the polling station at which the holder of any special proxy certificate is a qualified elector.

Manner of voting by proxy.

13. Before being allowed to cast the vote of a prisoner of war the next of kin shall deliver his special proxy certificate to the deputy returning officer and shall satisfy that officer that he is the person mentioned as next of kin on such certificate; the deputy returning officer shall cause the usual entries to be made in the poll book, and shall record in the remarks column of such poll book, opposite such entries, the name of the prisoner of war and the fact that the next of kin has voted as proxy on his behalf; when this has been done the deputy returning officer shall hand a ballot paper to the next of kin who will proceed to one of the voting compartments and secretly mark such ballot paper for the candidate of his choice whose name, address and occupation are printed on such ballot paper.

Ballot paper initialled and dealt with in ordinary manner.

14. With the exception of the deputy returning officer's initials, which must be affixed in the space provided for that purpose on the back of the ballot paper, there shall not be any marks written or made by any election officer on either the front or the back of the ballot paper handed to a next of kin who is voting as proxy for a prisoner of war; when the ballot paper has been duly marked it shall be handed by the next of kin to the deputy returning officer who shall remove the counterfoil and place the ballot paper in the ballot box or otherwise deal with such ballot paper as if it had been cast by a qualified elector in the polling division.

Offences and penalties.

15. Every person who votes or attempts to vote at a general election under the authority of a special proxy certificate issued pursuant to these Rules, when he knows or has reasonable grounds for supposing that he is not entitled to receive any such certificate, is guilty of an illegal practice within the meaning of the *Canada Elections Act*, and is liable to the penalties imposed by the said Act for such an offence.

C-84.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-84.

An Act to amend the Income Tax Act.

First reading, July 15, 1960.

THE MINISTER OF FINANCE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23448-4—1

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-84.

An Act to amend the Income Tax Act.

R.S.,c.148; 1952-53,c.40; 1953-54,c.57; 1955,cc.54,55; 1956,c.39; 1957,c.29; 1957-58,c.17; 1958,c.32; 1959,c.45; 1960,c.

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

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

"(*a*) the value of board, lodging and other benefits of any kind whatsoever (except the benefit he derives from his employer's contributions to or under a registered pension fund or plan, group life, sickness or accident insurance plan, medical services plan, supplementary unemployment benefit plan or deferred profit sharing plan) received or enjoyed by him in the year in respect of, in the course of or by virtue of the office or employment; and"

(2) This section is applicable to the 1961 and subsequent taxation years.

2. (1) Subsection (1) of section 6 of the said Act is amended by striking out the word "and" at the end of paragraph (*m*) thereof, by adding the word "and" at the end of paragraph (*n*) thereof and by adding thereto the following paragraph:

Deferred profit sharing plan.

"(*o*) amounts received by the taxpayer in the year under a deferred profit sharing plan as provided by section 79c."

(2) This section is applicable to the 1961 and subsequent taxation years.

3. (1) Subsection (1) of section 11 of the said Act is amended by adding thereto, immediately after paragraph (*t*) thereof, the following paragraph:

Explanatory Notes

The purpose of this Bill is to implement the Income Tax Resolution which reads as follows:

> That it is expedient to introduce a measure to amend the Income Tax Act to make provision in respect of a new class of profit sharing plans under which
>
> (*a*) amounts allocated by the trustee shall not be included in the income of an individual who is a beneficiary under the plan until the year in which they are received,
>
> (*b*) no tax shall be payable by the trustee under the plan on the taxable income of the trust,
>
> (*c*) an employer may deduct in computing income for the year an amount which when added to his contribution, if any, under a registered pension fund or plan does not exceed $1,500 per employee."

Clause 9 of the Bill adds a new section 79c to make provision for a new class of profit sharing plans referred to as deferred profit sharing plans. All the other clauses of the Bill are consequential upon the addition of this new section.

Clause 1: This amendment adds the underlined words to provide that in computing income from an office or employment, an employee will not be required to include the benefit he derives from his employer's contributions under a deferred profit sharing plan.

Clause 2: This new paragraph adds a reference to amounts received under a deferred profit sharing plan to the list of items in section 6 of the Act that must be included in computing income.

Clause 3 (1): This new paragraph adds a reference to an amount paid by an employer under a deferred profit sharing plan to the list of items in section 11 of the Act that are deductible in computing income.

Employer's contribution under deferred profit sharing plan.

"(*ta*) an amount paid by the taxpayer to a trustee under a deferred profit sharing plan as permitted by subsection (6) of section 79C;"

(2) All that portion of paragraph (*u*) of subsection (1) of section 11 of the said Act preceding subparagraph (i) thereof is repealed and the following substituted therefor:

Transfer of pension fund contributions.

"(*u*) such part of any amount included in computing the income of the taxpayer by virtue of subparagraph (iv) of paragraph (*a*) of section 6 or subsection (8) of section 79C as does not exceed the amount by which"

(3) All that portion of paragraph (*v*) of subsection (1) of section 11 of the said Act preceding subparagraph (i) thereof is repealed and the following substituted therefor:

Estate tax and succession duties applicable to certain property.

"(*v*) that proportion of any superannuation or pension benefit, death benefit, benefit under a registered retirement savings plan (other than a refund of premiums as defined in section 79B) or benefit under a deferred profit sharing plan received by the taxpayer in the year, upon or after the death of a predecessor, in payment of or on account of property to which the taxpayer is the successor the value of which was required to be included in computing the aggregate net value of the property passing on the death of the predecessor for the purpose of Part I of the *Estate Tax Act* (or would have been so required to be included if the predecessor had been domiciled in Canada at the time of his death), that"

(4) This section is applicable to the 1961 and subsequent taxation years.

4. (1) Subsection (1) of section 12 of the said Act is amended by striking out the word "or" at the end of paragraph (*f*) thereof and by adding thereto the following paragraphs:

Limitation re employer's contribution under deferred profit sharing plan.

"(*i*) an amount paid by an employer to a trustee under a deferred profit sharing plan except as expressly permitted by section 79C, or

Limitation re employer's contribution under profit sharing plan.

(*j*) an amount paid by an employer to a trustee under a profit sharing plan that is not

(i) an employees profit sharing plan,

(ii) a deferred profit sharing plan, or

(iii) a registered pension fund or plan."

(2) This section is applicable to the 1961 and subsequent taxation years.

(2) This amendment adds the underlined words to permit a taxpayer to deduct an amount that would otherwise be included in his income as a benefit under a deferred profit sharing plan if such an amount is paid by him in the year, or within 60 days after the end of the year, as a contribution to a registered pension plan or as a premium, under a registered retirement savings plan.

(3) This amendment adds the underlined words to permit a taxpayer who receives a benefit under a deferred profit sharing plan in respect of which estate tax or succession duty has been paid to deduct a portion thereof determined by reference to the tax and duty applicable to that benefit.

The expression "benefit under a deferred profit sharing plan" is defined by clause 10 to mean the portion of any amount received by a beneficiary under a deferred profit sharing plan that must be included in computing his income.

Clause 4: The new paragraph (*i*) provides that no deduction shall be made for an amount paid by an employer to a trustee under a deferred profit sharing plan except as expressly permitted by the new section 79c.

The new paragraph (*j*) provides that no deduction shall be made for any amount paid by an employer under a profit sharing plan unless such a plan is an employees profit sharing plan, a deferred profit sharing plan, or a registered pension fund or plan.

5. (1) Paragraph (*a*) of subsection (5) of section 32 of the said Act is repealed and the following substituted therefor:

"(*a*) salary or wages, superannuation or pension benefits, retiring allowances, death benefits, royalties in respect of a work or invention of which the taxpayer was the author or inventor, amounts included in computing the income of the taxpayer by virtue of paragraph (*d*), (*da*) or (*db*) of section 6, amounts allocated to the taxpayer by a trustee under an employees profit sharing plan, amounts received by the taxpayer from a trustee under a supplementary unemployment benefit plan, amounts included in computing the income of the taxpayer by virtue of section 79B and amounts included in computing the income of the taxpayer by virtue of subsection (8) of section 79C,"

(2) This section is applicable to the 1961 and subsequent taxation years.

6. (1) Paragraph (*a*) of subsection (1) of section 36 of the said Act is amended by striking out the word "or" at the end of subparagraph (ii) thereof, by adding the word "or" at the end of subparagraph (iii) thereof and by adding thereto the following subparagraph:

Deferred profit sharing plan.

"(iv) pursuant to a deferred profit sharing plan upon the death, withdrawal or retirement from employment of an employee or former employee, to the extent that the amount thereof would otherwise be included in computing the payee's income for the year in which the payment was received,"

(2) All that portion of subsection (3) of section 36 preceding paragraph (*a*) thereof is repealed and the following substituted therefor:

Amounts to be subtracted from payments out of pension fund or deferred profit sharing plan.

"(3) In determining the amount of any payment or payments made in a taxation year out of or under a superannuation or pension fund or plan or under a deferred profit sharing plan that shall be deemed, for the purpose of this section, not to be income of the taxpayer by whom it is or they are received, there shall be subtracted from the amount of the payment or payments so made"

(3) This section is applicable to the 1961 and subsequent taxation years.

Clause 5: This amendment adds the underlined words to provide that a benefit under a deferred profit sharing plan shall be classed as earned income.

Clause 6: (1) This amendment adds a new paragraph to permit certain single payments under a deferred profit sharing plan to be taxed under the special formula available under section 36 of the Act.

(2) This amendment adds the underlined words to provide that if a taxpayer may deduct an amount under section 11 of the Act from a benefit under a deferred profit sharing plan on account of estate tax or succession duty, or because all or a part of the benefit was paid by him as a contribution under a registered pension plan or as a premium under a registered retirement savings plan, the taxpayer does not also have the right to have an equal amount excluded from income and taxed under the special formula available under section 36 of the Act.

7. Subsection (1) of section 47 of the said Act is amended by striking out the word "or" at the end of paragraph (*e*) thereof, by adding the word "or" at the end of paragraph (*f*) thereof and by adding thereto the following paragraph:

"(*g*) a payment under a deferred profit sharing plan or a plan referred to in section 79c as a revoked plan,"

8. Subsection (1) of section 62 of the said Act is amended by striking out the word "or" at the end of paragraph (*rb*) thereof and by adding thereto, immediately after paragraph (*rb*) thereof, the following paragraph:

Trust under deferred profit sharing plan.

"(*rc*) a trust under a deferred profit sharing plan to the extent provided by section 79c; or"

9. (1) The said Act is further amended by adding thereto, immediately after section 79B thereof, the following heading and section:

"Deferred Profit Sharing Plan.

Definitions.

"Deferred profit sharing plan."

"Profit sharing plan."

79c. (1) In this Act,

(*a*) "deferred profit sharing plan" means a profit sharing plan accepted by the Minister for registration for the purposes of this Act, upon application therefor in prescribed manner by a trustee under the plan, as complying with the requirements of this section; and

(*b*) "profit sharing plan" means an arrangement under which payments computed by reference to his profits from his business or by reference to his profits from his business and the profits, if any, from the business of a corporation with whom he does not deal at arm's length are made by an employer to a trustee in trust for the benefit of employees of the employer or of a corporation with whom the employer does not deal at arm's length (whether or not payments are also made to the trustee by the employees).

Acceptance of plan for registration.

(2) The Minister shall not accept for registration for the purposes of this Act any profit sharing plan unless, in his opinion, it complies with the following conditions:

(*a*) the plan provides that each payment made by an employer to a trustee in trust for the benefit of employees of the employer or of a corporation with whom the employer does not deal at arm's length who are beneficiaries thereunder, is an amount that is the aggregate of amounts each of which is identifiable as a specified amount in respect of an individual employee;

(*b*) the plan does not provide for the payment of any amount to an employee or other beneficiary thereunder, except for reasonable cause, before

Clause 7: This new paragraph provides that the rules for withholding tax at the source shall apply to payments made to beneficiaries under a deferred profit sharing plan and to payments made under a plan referred to as a revoked plan.

Clause 8: This new paragraph adds a reference to a trust under a deferred profit sharing plan to the list of persons and organizations exempt from tax under section 62.

Clause 9: This new heading and section makes provision for a new class of profit sharing plans.

Subsection (1) of the new section 79c defines a deferred profit sharing plan.

Subsection (2) states the conditions with which plans must comply in order to be accepted for registration.

(i) the death, withdrawal or retirement from employment of the employee or former employee, or

(ii) the winding up of the plan,

and does not provide for the payment of any amount to an employee or other beneficiary thereunder by way of loan;

(*c*) the plan provides that no part of the funds of the trust governed by the plan may be invested in notes, bonds, debentures or similar obligations of

(i) an employer by whom payments are made in trust to a trustee under the plan for the benefit of beneficiaries thereunder, or

(ii) a corporation with whom that employer does not deal at arm's length;

(*d*) the plan provides that no part of the funds of the trust governed by the plan may be invested in shares of a corporation at least fifty per cent of the property of which consists of notes, bonds, debentures or similar obligations of an employer or a corporation described in paragraph (*c*);

(*e*) the plan includes a provision stipulating that no right or interest under the plan of an employee who is a beneficiary thereunder is capable, either in whole or in part, of surrender or assignment;

(*f*) the plan includes a provision stipulating that each of the trustees under the plan shall be resident in Canada; and

(*g*) the plan, in all other respects, complies with regulations of the Governor in Council made on the recommendation of the Minister of Finance.

Acceptance of employees profit sharing plan for registration.

(3) Where an employees profit sharing plan is accepted by the Minister for registration as a deferred profit sharing plan, the plan shall be deemed to have become registered as a deferred profit sharing plan on the first day of the year immediately following the year in which the application was made.

Deferred plan not employees profit sharing plan.

(4) For a period during which a plan is a deferred profit sharing plan, the plan shall be deemed, for the purposes of this Act, not to be an employees profit sharing plan.

No tax while trust governed by plan.

(5) No tax is payable under this Part by a trust on the taxable income of the trust for a period during which the trust was governed by a deferred profit sharing plan.

Amount of employer's contribution deductible.

(6) There may be deducted in computing the income of an employer for a taxation year the aggregate of each amount paid by the employer in the year or within one hundred and twenty days after the end of the year, to a trustee under a deferred profit sharing plan for the benefit of

Subsection (3) fixes the time at which an employees profit sharing plan that is accepted for registration as a deferred profit sharing plan shall be deemed to have become registered as such.

Subsection (4) provides that a deferred profit sharing plan shall be deemed not to be an employees profit sharing plan.

Subsection (5) exempts from tax a trust governed by a deferred profit sharing plan.

Subsection (6) fixes the maximum amount deductible on account of employer contributions under a deferred profit sharing plan.

employees of the employer who are beneficiaries under the plan, not exceeding, however, in respect of each individual employee in respect of whom the amounts so paid by the employer were paid by him, an amount equal to the lesser of

(*a*) the aggregate of each amount so paid by the employer in respect of that employee, or

(*b*) $1,500 minus the amount, if any, deductible under paragraph (*g*) of subsection (1) of section 11 in respect of that employee in computing the income of the employer for the taxation year,

to the extent that such amount was not deductible in computing the income of the employer for a previous taxation year.

Limitation on deduction.

(7) Where each of two or more taxpayers not dealing at arm's length would, but for this subsection, be entitled to a deduction under subsection (6) in computing his income for a taxation year in respect of amounts paid by him to a trustee under one or more deferred profit sharing plans in respect of the same person, not more than one of the taxpayers is entitled, in computing his income for that year, to a deduction under that subsection in respect of that person, and in the event of failure on the part of the taxpayers otherwise entitled to a deduction under that subsection to agree as to the taxpayer by whom the deduction may be made, no deduction thereunder may be made by either or any of them in computing his income for that year.

Amounts received taxable.

(8) There shall be included in computing the income of a beneficiary under a deferred profit sharing plan for a taxation year each amount received by him in the year from a trustee under the plan, minus any amounts deductible under subsections (9) and (10) in computing the income of the beneficiary for the year.

Portion of receipts deductible.

(9) For the purpose of subsection (8), where an amount was received in a taxation year from a trustee under a deferred profit sharing plan by an employee or other beneficiary thereunder, and the employee was a beneficiary under the plan at a time when the plan was an employees profit sharing plan, the amount deductible under this subsection in computing the income of the beneficiary for the taxation year is such portion of the aggregate of the amounts so received in the year as does not exceed

(*a*) the aggregate of

(i) each amount included in computing the income of the employee for a previous taxation year by virtue of section 79, and

Subsection (7) provides that if two or more taxpayers not dealing at arm's length are contributing under one or more deferred profit sharing plans in respect of the same person only one of the taxpayers is entitled to claim a deduction on account of his contribution.

Subsection (8) provides that subject to the deduction of certain non-taxable portions all amounts received by a beneficiary under a deferred profit sharing plan shall be included in income in the year received.

Subsections (9) and (10) provide for the determination of the non-taxable portions of amounts received by a beneficiary under a deferred profit sharing plan. The beneficiary will be allowed to receive tax-free an amount equal to the aggregate of the amounts that he was required to include in computing income in previous years by virtue of an allocation made to the employee under an employees profit sharing plan but which he has not previously received. He will also be allowed to receive tax-free the return of all his own contributions not previously received.

(ii) each amount paid by the employee to a trustee under the plan at a time when it was an employees profit sharing plan,

minus

(*b*) the aggregate of

(i) each amount received by the employee or other beneficiary in a previous taxation year from a trustee under the plan at a time when it was an employees profit sharing plan, and

(ii) each amount received by the employee or other beneficiary in a previous taxation year from a trustee under the plan at a time when it was a deferred profit sharing plan.

Idem.

(10) For the purpose of subsection (8), where an amount was received in a taxation year from a trustee under a deferred profit sharing plan by an employee or other beneficiary thereunder, and the employee has made a payment in the year or a previous year to a trustee under the plan at a time when the plan was a deferred profit sharing plan, the amount deductible under this subsection in computing the income of the beneficiary for the taxation year is such portion of the aggregate of the amounts so received in the year (minus any deduction allowed for the year by subsection (9)) as does not exceed

(*a*) the aggregate of each amount so paid by the employee in the year or a previous year,

minus

(*b*) the aggregate of each amount received by the employee from a trustee under the plan, at a time when it was a deferred profit sharing plan, that was deductible under this subsection in computing his income for a previous taxation year.

Appropriation of trust property by employer.

(11) Where funds or property of a trust governed by a deferred profit sharing plan have been appropriated in any manner whatsoever to or for the benefit of a taxpayer who is

(*a*) an employer by whom payments are made in trust to a trustee under the plan for the benefit of beneficiaries thereunder, or

(*b*) a corporation with whom that employer does not deal at arm's length,

otherwise than in payment of or on account of shares of the taxpayer purchased by the trust, the amount or value of the funds or property so appropriated shall be included in computing the income of the taxpayer for the taxation year of the taxpayer in which the funds or property were so appropriated, unless such funds or property or an amount in lieu thereof equal to the amount or value of such funds or property was repaid to the trust within one year from the

Subsection (11) provides that where property of a trust governed by a deferred profit sharing plan has been appropriated to or for the benefit of the employer the value of such property may be included in his income.

end of the taxation year, and it is established by subsequent events or otherwise that the repayment was not made as part of a series of appropriations and repayments.

Revocation of registration.

(12) Where, at any time after a profit sharing plan has been accepted by the Minister for registration for the purposes of this Act,

(*a*) the plan has been revised or amended or a new plan has been substituted therefor, and the plan as revised or amended or the new plan substituted therefor, as the case may be, ceased to comply with the requirements of this section for its acceptance by the Minister for registration for the purposes of this Act, or

(*b*) any provision of the plan has not been complied with,

the Minister may revoke the registration of the plan as of any date following the date that the plan ceased so to comply or that any provision of the plan was not so complied with and he shall thereupon notify a trustee under the plan of his action by registered mail.

Rules applicable to revoked plan.

(13) Where the Minister revokes the registration of a deferred profit sharing plan, the plan (hereinafter referred to as the "revoked plan") shall be deemed, for the purposes of the Act, not to be a deferred profit sharing plan, and notwithstanding any other provision of this Act, the following rules shall apply:

(*a*) the revoked plan shall not be accepted for registration for the purposes of this Act at any time within a period of one year commencing on the date the plan became a revoked plan;

(*b*) subsection (5) does not apply to exempt the trust governed by the plan from tax under this Part upon the taxable income of the trust for a taxation year in which, at any time therein, the trust was governed by the revoked plan;

(*c*) no deduction shall be made by an employer in computing his income for a taxation year in respect of an amount paid by him to a trustee under the plan at a time when it was a revoked plan;

(*d*) there shall be included in computing the income of a taxpayer for a taxation year

(i) all amounts received by him in the year from a trustee under the revoked plan that, by virtue of subsection (8), would have been so included if the revoked plan had been a deferred profit sharing plan at the time he received those amounts, and

(ii) the amount or value of any funds or property appropriated to or for the benefit of the taxpayer in the year that, by virtue of subsection (11),

Subsection (12) provides that the Minister may revoke the registration of a deferred profit sharing plan under certain circumstances.

Subsection (13) provides rules to apply in the case of revoked plans.

would have been so included if the revoked plan had been a deferred profit sharing plan at the time of the appropriation of the funds or property; and

(*e*) the revoked plan shall be deemed, for the purposes of this Act, not to be an employees profit sharing plan.

Payments out of profits.

(14) Where the terms of an arrangement under which an employer makes payments to a trustee specifically provide that the payments shall be made "out of profits", such arrangement shall be deemed, for the purpose of subsection (1), to be an arrangement for payments "computed by reference to his profits from his business".

"Other beneficiary" defined.

(15) Where the expression "employee or other beneficiary" under a profit sharing plan occurs in this section, the words "other beneficiary" shall be construed as meaning any person, other than the employee, to whom any amount is or may become payable by a trustee under the plan as a result of payments made to the trustee under the plan in trust for the benefit of employees including the employee."

(2) This section is applicable to the 1961 and subsequent taxation years.

10. Subsection (1) of section 139 of the said Act is amended by adding thereto, immediately after paragraph (*d*) thereof, the following paragraph:

"Benefit under a deferred profit sharing plan."

"(*da*) "benefit under a deferred profit sharing plan" received by a taxpayer in a taxation year means the aggregate of each amount received by the taxpayer in the year from a trustee under the plan minus any amounts deductible under subsections (9) and (10) of section 79c in computing the income of the taxpayer for the year;"

Subsection (14) provides that a payment "out of profits", even although it is not expressed as a percentage of profits, may be deemed to be a payment computed by reference to profits.

Subsection (15) defines the phrase "other beneficiary" when used in the expression "employee or other beneficiary".

Clause 10: This new paragraph defines the expression "benefit under a deferred profit sharing plan" to mean the portion of any amount received by a beneficiary under a deferred profit sharing plan that must be included in computing his income.

C-85.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-85.

An Act to amend the Indian Act
(Section 112 Repealed).

First reading, July 18, 1960.

Mr. Howard.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23516-8

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-85.

An Act to amend the Indian Act
(Section 112 Repealed).

R.S., c. 149; 1952-53, c. 41; 1956, c. 40; 1958, c. 19; 1960, c. 8.

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

Repeal of s. 112.

1. Section 112 of the *Indian Act* is repealed.

Explanatory Note.

The present section 112 reads as follows:

"**112.** (1) The Minister may appoint a committee to inquire into and report upon the desirability of enfranchising within the meaning of this Act an Indian or a band, whether or not the Indian or the band has applied for enfranchisement.

(2) A committee appointed under subsection (1) shall consist of

(*a*) a judge or retired judge of a superior, surrogate, district or county court,

(*b*) an officer of the Department, and

(*c*) a member of the band to be appointed by the council of the band, but if no appointment is made by the council of the band within thirty days after a request therefor is sent by the Minister to the band, a member of the band appointed by the Minister.

(3) Where the committee or a majority thereof reports

(*a*) in the case of an Indian, that in its opinion the Indian is qualified under paragraphs (*a*), (*b*) and (*c*) of subsection (1) of section 108 to be enfranchised,

(*b*) in the case of a band, that in the opinion of the committee the band is capable of managing its own affairs as a municipality or part of a municipality, and the committee has submitted a plan for the disposal or division of the funds of the band and the lands in the reserve, and

(*c*) that it is desirable that the Indian or band, as the case may be, should be enfranchised,

the report, if approved by the Minister, shall be deemed to be an application for enfranchisement by the Indian or by the band and shall be dealt with as such in accordance with this Act, except that, in the case of a band, the provisions of subsection (2) of section 111 are not applicable.

(4) An Indian or the members of a band shall not be enfranchised under this section contrary to the terms of any treaty, agreement or undertaking between a band and Her Majesty that is applicable."

Under the provisions of this section, the Minister of Citizenship and Immigration may enfranchise an Indian or a band by compulsory means and against the will of the Indian or the band.

On the 6th July, 1960, the Joint Committee of the Senate and House of Commons on Indian Affairs, in its 2nd report to the House, unanimously recommended "that at the first opportunity the Government introduce legislation to remove the compulsory enfranchisement provision from the *Indian Act.*"

The compulsory feature of section 112 is opposed by virtually all the Indians and many non-Indians. It is felt that such compulsion is not beneficial to our relationship with the Indian people.

The purpose of this Bill, therefore, is to remove section 112 and so carry out the unanimous recommendation of the Joint Committee.

C-86.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-86.

An Act to Regulate Extra-provincial Transport.

First reading, July 21, 1960.

MR. CHOWN.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23524-2

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-86.

An Act to Regulate Extra-provincial Transport.

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 *Highway Transport Act of Canada.*

Definitions.

2. In this Act,

"Commercial vehicle."

(*a*) "commercial vehicle" means a motor vehicle, trailer, or semi-trailer used for the carriage of passengers or goods for hire or reward;

"Extra-provincial transport."

(*b*) "extra-provincial transport" means the transport of passengers or goods for hire or reward by commercial vehicle over the highway by an undertaking extending beyond the limits of a province;

"Hire or reward."

(*c*) "hire or reward" means a toll, rate, charge, compensation, remuneration, reimbursement or reward of any kind, paid, payable or promised or received or demanded directly or indirectly for transport service;

"International transport."

(*d*) "international transport" means extra-provincial transport extending beyond the limits of a province into a foreign country;

"Interprovincial transport."

(*e*) "interprovincial transport" means extra-provincial transport connecting a province or provinces with any other of the provinces;

"Joint Transport Board."

(*f*) "Joint Transport Board" means a Board composed of a representative of the Provincial Transport Boards of every province through which an extra-provincial undertaking seeks to operate an extra-provincial transport;

"Local undertaking."

(*g*) "local undertaking" means the transport of passengers or goods for hire or reward by commercial vehicle by an undertaking operating solely within the limits of a province;

Explanatory Note.

The purpose of this Bill is to provide for the regulation of the extra-provincial trucking industry in order to obtain the maximum public benefit from a truly competitive enterprise system. The policy is based upon control of entry into the extra-provincial trucking industry by the licensing of services and the control of tariffs. This control of licensing and tariffs is to be exercised by a federal regulatory mechanism which is referred to in the bill as a Joint Control Board. This Board is constituted, as occasion may require, by members from the transport boards of those provinces which have an interest in an extra-provincial licence application. The Joint Transport Board determines whether a licence shall issue and, if issued, sets the tariff for the service. The Board weighs its actions on the scale of public convenience and necessity. Its members, as members of the provincial boards, are experienced in applying the public interest to the practical necessities of the trucking industry. Federal control over and guidance of the Joint-Control Board in the national public interest is provided through regulation by the Governor in Council.

The bill provides for the repeal of the *Motor Vehicle Transport Act* which is the present federal regulatory control.

"Minister."
"Provincial Transport Board."

(*h*) "Minister" means the Minister of Transport.
(*i*) "Provincial Transport Board" means the board, commission, body, person, or department having under the law of a province power to authorize and regulate a local undertaking;

Licence required.

3. No person shall operate extra-provincial transport in any province or provinces unless he holds a license issued to him under the authority of this Act.

Conditions.

4. No person shall operate extra-provincial transport in contravention of the conditions of his licence.

Considerations applicable to issue of licence.

5. In determining whether a licence is to be issued, the Provincial Transport Board, or the Joint Transport Board, as the case may be, may consider among other things;

(*a*) whether public necessity and convenience require such a licence;
(*b*) the fitness and financial ability of the applicant;
(*c*) whether existing extra-provincial transport previously licenced under this Act or any other Act is adequate to meet present and future public convenience and necessity for such transport.

Inter-provincial application.

6. (1) The application for an interprovincial transport licence, extension or amendment shall be made to the Provincial Transport Board of the province in which the applicant has its head office, in the case of a corporation or partnership, or of residence in the case of an individual, and such Provincial Transport Board may notify the Provincial Transport Board of any other province or provinces affected by the application.

Joint Transport Board.

(2) Each Provincial Transport Board so notified may forthwith appoint one of its members to a Joint Transport Board which shall be constituted by so many members as are so appointed; a Joint Transport Board may exercise the powers conferred upon a Provincial Transport Board by this Act, and for the purpose of this Act and the consideration of any application before it, shall have sole and exclusive jurisdiction over interprovincial transport in those provinces that are represented on the Joint Transport Board.

Appeal to Minister.

(3) If a Joint Transport Board is unable to reach a majority decision with respect to an application, the applicant may apply to the Minister by way of appeal from the deadlock, and the decision of the Minister shall be final.

International application.

7. An application for an international transport licence, extension or amendment shall be made to the Provincial Transport Board of the province in which the applicant has its head office, if a corporation or partnership or of residence

in the case of an individual, and such Provincial Transport Board may exercise the powers conferred under this Act with respect to the application as to that portion of the international transport undertaking within the province.

Powers of Boards.

8. (1) A Joint Transport Board, or a Provincial Transport Board sitting as provided in section 7 above, may determine and approve the extensions, amendments, suspensions, cancellations or transfers of existing licences issued under this Act or changes in the share-ownership of the persons licenced herein, subject to the same considerations as are set forth in section 5 wherever applicable.

Restrictions on non-commercial vehicle carriers.

(2) No licence may be issued under this Act in respect of a commercial service, owned, leased, controlled or operated by any person who is engaged in the transport of goods for hire or reward by means other than commercial vehicle unless the Provincial Transport Board or the Joint Transport Board, as the case may be, is of opinion it is in the public interest such licence be issued.

Licence transfers and share control changes.

(3) No transfer of licence or change in share-ownership which may or will affect the control of incorporated licencees, if the transfer or change in share-ownership results in control of the licencee by any person engaged in the transport of goods for hire or reward by means other than commercial vehicle, may be approved unless the Provincial Transport Board or the Joint Transport Board, as the case may be, is of opinion it is in the public interest such transfer or change be approved.

Unauthorized advertising.

9. No person shall solicit by means of advertising or otherwise, or undertake to arrange, extra-provincial transport unless the person by, for, or on behalf of whom the extra-provincial transport is operated is licensed under this Act to perform the transport that is the object of such advertising or undertaking in the province or provinces in or through which the transport is or is to be undertaken.

Public hearing.

10. (1) Public hearing of an application or other proceeding may be held by a Provincial Transport Board or a Joint Transport Board, as the case may be, upon its own motion, or upon written request therefor by an applicant or person whose licence is under consideration, or by any other licencee under this Act, or by any user of extra-provincial transport having, in the opinion of the said Board, an interest therein, or by any association of carriers or association whose members are users of extra-provincial transport.

Time and place of hearing.

(2) Public hearing shall be held at such times and place as may be fixed by the Provincial Transport Board of the province in which the application is made, after consultation and agreement with other Provincial Transport Boards affected by the application as provided herein.

Emergency temporary licence.

(3) Emergency temporary authority to operate extra-provincial transport may be issued for a period not exceeding 90 days by the Provincial Transport Board to whom the application is made, without a public hearing, providing no other motor carrier service is available.

Public hearing decisions.

11. (1) The members of the Provincial Transport Board, or the Joint Transport Board, as the case may be, may issue written reasons for the decision on any application or proceeding which is considered at a public hearing.

Appeal to court.

(2) An appeal shall lie from the decision of the Provincial Transport Board or Joint Transport Board to the court of appeal of the province in which the application is filed upon any question of jurisdiction or upon any question of law, but no such appeal lies unless leave to appeal is obtained from the said court within one month of the making of the order or decision sought to be appealed from, or within such other time as the court, under the special circumstances of the case, allows after notice to all parties, stating the grounds of appeal.

Filing of extra-provincial tariffs.

12. (1) Every operator of extra-provincial transport shall file with the Provincial Transport Board of the province in which the operator has its head office, if a corporation, or his residence, if an individual, the tariffs showing all the rates or charges for transport, and all services incidental thereto, to and from points to which extra-provincial transport service is provided, whether by the licencee or by arrangements with any other commercial vehicle transport.

Filing of inter-provincial tariffs.

(2) In the case of interprovincial transport, such tariffs shall also be filed with the Provincial Transport Board of each province into or through which the licencee is authorized to operate. If such Provincial Transport Board wishes to adjust or amend such tariffs, it may request a joint hearing with the Provincial Transport Board with whom the tariff is filed, and a Joint Transport Board may be convened to meet with the operator concerned in order to adjust or amend the said tariffs. In the event the Joint Transport Board cannot agree by majority decision on the adjustment or amendment, an appeal may be had to the Minister from the deadlock and the decision of the Minister shall be final.

Tariff review.

13. Upon complaint by a licencee under this Act or by a shipper or receiver, or an association of licencees, or an association of shippers or receivers, or an association of carriers, or upon its own initiative, the Provincial Transport Board of any province into or through which the extra-provincial transport operates may request a joint hearing of Provincial Transport Boards and at such joint hearing the Joint Transport Board so convened may adjust, amend, reject, suspend or disallow any tariff as filed herein.

Non-tariff extra-provincial compensation prohibited.

14. (1) No operator of extra-provincial transport shall, subject to the provisions of subsection 2, after a date to be prescribed by the Provincial Transport Board or Joint Transport Board, as the case may be, charge or demand or collect or receive a greater or different compensation for transportation or for any service incidental thereto other than the rate or charge specified in its tariffs filed with the Provincial Transport Board, and no operator of extra-provincial transport shall refund or remit in any manner by any device, directly or indirectly or otherwise, any portion of the rates or charges so specified, or extend to any person any privilege or facilities for transport except such as are so specified.

Competitive extra-provincial rate.

(2) Nothing herein contained shall prevent an operator of extra-provincial transport from making a competitive rate, less than its tariffs filed, in order to meet the competition of any person who is engaged in the transport of goods for hire or reward by means other than commercial vehicle and such competitive rate shall be filed with the Provincial Transport Board within 3 days.

Prohibited extra-provincial agreement.

15. No operator of extra-provincial transport shall enter into any agreement with a shipper or receiver, or an association of shippers or receivers, under which such shipper or receiver is required by the agreement to transport more than fifty per cent of the goods of such shipper or receiver with such operator.

Tariff factors.

16. (1) In the exercise of its power to approve, suspend and disallow rates and charges for the transport of goods, and the classifications, regulations and practices relating thereto, a Provincial Transport Board or Joint Transport Board may give due consideration, among other factors, to any inherent conditions of transport by commercial vehicles: to the effect of transport costs upon the movement of traffic by the operator of the extra-provincial transport whose rates are under consideration by the said Board; to the need in the public interest of adequate and efficient transport service by such carriers at the lowest cost consistent with the furnishing of such service; and to the need of revenue to enable an operator of extra-provincial transport to operate under economical and efficient management in order to provide extra-provincial transport.

Inter-provincial tariffs to be filed.

(2) No carrier by commercial vehicle shall transport inter-provincial traffic unless its tariffs are filed as provided in sections 12 to 14.

Penalty.

17. Every person who contravenes any of the provisions of sections 14 and 15 by charging or accepting rates which

differ from those on file shall be guilty of an offence and shall be liable to a penalty of not less than $10.00 and not more than $25.00 on the first offence, $25.00 to $50.00 on the second offence and $50.00 to $200.00 on subsequent offences.

Regulations.

18. The Governor-in-Council may make regulations for carrying into effect the purposes and provisions of this Act and, without restricting the generality of the foregoing, may make regulations.

(*a*) prescribing forms for use by licencees and the information to be given therewith;

(*b*) prescribing fees for filing applications and tariffs and for the payment and disposition thereof;

(*c*) prescribing terms and conditions applicable generally to all licences issued under this Act;

(*d*) prescribing returns, reports or statements to be filed;

(*e*) prescribing rules and regulations of practice and procedure;

(*f*) prescribing the classification or classifications of goods;

(*g*) providing for the examination of books, records and documents of any licencee or any shipper or receiver of goods by extra-provincial transport;

(*h*) providing for filing insurance and guarantee bonds for the protection of the public or of the national revenue;

(*i*) providing for the safe operation of extra-provincial transport;

(*j*) providing for the exemption of the whole or any part of any extra-provincial transport from all or any provisions of this Act where exemptions exist under provincial laws for the transport of products of the farm or forest moving direct from the farm or forest;

(*k*) providing for the manner in which joint hearings may be conducted;

(*l*) providing for rules of carriage;

(*m*) respecting any other matter necessary or advisable to carry out the intent and purpose of this Act and all transport performed thereunder.

Penalty.

19. (1) Subject to section 17, every person who violates any provision of this Act or fails to comply with any written order or direction made by a Provincial Transport Board or by a Joint Transport Board under the authority of this Act is guilty of an offence and is liable on summary conviction to a fine of not more than $1,000 or to imprisonment for a term of one year, or to both fine and imprisonment.

(2) A fine imposed under subsection (1) shall be paid over by the magistrate or officer receiving it to Her Majesty the Queen in right of the province in which the fine was imposed.

Repeal, 1953-54, c.59.

20. The *Motor Vehicle Transport Act* is repealed.

Coming into force.

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

C-87

Third Session, Twenty-Fourth Parliament, 34 Elizabeth II, 1985

THE HOUSE OF COMMONS OF CANADA

BILL C-87.

An Act to amend the National Energy Board Act (Drainage Works).

First reading, July 22, 1985.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1985

85335-7

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-87.

An Act to amend the National Energy Board Act (Drainage Works).

First reading, July 22, 1960.

MR. THOMAS.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23550-7

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-87.

An Act to amend the National Energy Board Act (Drainage Works).

1959, c. 46.
1960, c. 9.

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 75 of the *National Energy Board Act* is repealed and the following substituted therefor:

Expropriation and drainage provisions of *Railway Act* incorporated.

"**75.** (1) Sections 207 to 246, section 248 and section 273 of the *Railway Act*, in so far as they are reasonably applicable and not inconsistent with this Act, apply *mutatis mutandis* to companies and their works and undertakings."

2. Subsection (1) of section 77 of the said Act is repealed and the following substituted therefor:

Leave to construct highways, etc., across pipe lines.

"**77.** (1) A highway, private road, railway, telegraph, telephone line or a line for the transmission of hydrocarbons, power or any other substance may, by leave of the Board, be carried across any pipe line and for such purposes may be constructed upon, along, under or across such pipe line."

Explanatory Notes.

Section 273 of the *Railway Act* incorporates drainage proceedings under provincial Acts. This section was inserted in *The Railway Act, 1903*, when the railway laws were amended and consolidated. As the law then stood,—and as proposed in the 1903 Bill,—municipal authorities and individual landowners applied to the Railway Committee of the Privy Council or to the Board of Railway Commissioners for permission to construct a drainage system across railway lands; and, if permission were granted, the conditions,—financial, mechanical, and otherwise,—upon which the system might be constructed. This method of constituting a federal authority as arbiter to apportion rights as between railways and municipal authorities and landowners was debated in Committee of the Whole. *see 1903 Debates vol. II, pp. 4728-4765.* As a result, the Bill was amended to incorporate the provincial statutes so that the railways were subject to the provincial drainage laws and to the judicial interpretation of these laws by the Courts. The *Pipe Lines Act*, 1949 Acts, ch. 20, was enacted to control interprovincial and international oil and gas pipe lines. As with the railways, control was entrusted to the Board of Transport Commissioners. Many provisions of the *Railway Act* were made applicable to pipe lines including entry upon, use and expropriation of lands. *See section 30.* However, section 273 of the *Railway Act*, to apply provincial drainage laws to pipe line companies, was not incorporated. Instead, the Board of Transport Commissioners was given authority over drain rights of way that crossed interprovincial or international pipe lines. This section 32 was carried forward, except for non-material changes into the *National Energy Board Act* as section 77, which is as follows:

> "**77.** (1) A highway, private road, railway, irrigation ditch, drain, telegraph, telephone line or a line for the transmission of hydrocarbons, power or any other substance may, by leave of the Board, be carried across any pipe line and for such purposes may be constructed upon, along, under or across such pipe line.
>
> (2) Upon application for leave, the Board may grant the application in whole or in part and upon such terms and conditions as the Board considers proper."

Firstly: It is suggested that the arguments that were valid and successful in 1903 are equally valid today. Additionally, the result of the present laws is that the railway utilities, interprovincial and provincial, and the provincial pipe lines utilities are subject to provincial drainage authorities while the interprovincial and international pipe line utilities are subject to the National Energy Board.

Secondly: Although the present section 77 substitutes the National Energy Board as the drainage authority in place of the provincial authorities, the Board is not given the broad jurisdiction of the provincial authorities. The Board is only given jurisdiction over an "irrigation ditch" or a "drain". The drainage problem is much wider in scope than a ditch or drain. Prior to 1903, when the Railway Commissioners had jurisdiction, the phrase used was "means of drainage"; the Ontario *Municipal Drainage Act* uses "drainage work". This phrase has been judicially interpreted as wide enough to require the temporary removal of a railway bridge. *Pere Marquette Ry. v. Sombra.* (1923) 25 O.W.N. 502. It is suggested the words "irrigation ditch" and "drain" do not give the National Energy Board sufficient authority to deal with the drainage problems.

This Bill, therefore, proposes to incorporate the provincial drainage laws in the *National Energy Board Act* so as to apply these laws to interprovincial and international pipe lines. This is done by clause one which incorporates section 273 of the *Railway Act.* Clause two consequently removes the Board's authority over an irrigation ditch or a drain.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-88.

An Act to amend the Expropriation Act.

First reading, August 1, 1960.

MR. MARTIN,
(Essex East).

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23598-6

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-88.

An Act to amend the Expropriation Act.

R.S., c. 106.

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

1. The *Expropriation Act* is amended by inserting therein immediately before section 9 thereof the following section as section 8A:

Deposit, etc., not to be effective unless section complied with.

8A. (1) The deposit of a plan and description of lands under section 9 shall not be effective to vest lands or any interest therein in Her Majesty unless before the deposit the provisions of this section have been complied with.

Notice of intention by the Minister.

(2) Where the Minister proposes to take or acquire lands or any interest therein for Her Majesty by the deposit of the plan and description under section 9 he shall before the plan and description are deposited give notice to the owner of the lands and every person having any interest therein which interest is to be taken of his intention so to do or if the whereabouts of the owner or any such person are unknown to the occupant of the lands or if there is no occupant the Minister shall publish a notice of his intention so to do in at least three consecutive issues of a newspaper circulating in the area in which the lands are situated.

Contents and time of notice.

(3) A notice under subsection (2) shall inform the owner and every person having any interest in the lands which interest is to be taken of the Minister's intention to vest the lands or interest in Her Majesty and shall be given at least thirty days prior to the deposit of the plan and description.

Explanatory Note.

The purpose of this Bill is to amend the *Expropriation Act* so as to require the Minister, in the name of the Crown, to give notice of intention to all interested parties of the Crown's intention to take or acquire lands or any interest therein.

This procedure would be in accordance with the principles recognized and declared in the *Canadian Bill of Rights*.

Opportunity to make representations.

(4) The Minister shall, if the owner or a person having an interest in the lands which interest is to be taken so requests, give the owner or person an opportunity to make representations that the lands or interest should not be vested in Her Majesty and if thereafter the Minister decides that the lands or interest be vested in Her Majesty the Minister shall inform the owner or person of his reasons for the decision before filing the plan and description.

Reason for decision.

When section not to apply.

(5) The provisions of this section shall not apply where the Governor in Council has passed an order in council authorizing the immediate taking of lands or any interest therein on grounds of public urgency and any such order in council shall be tabled in the House of Commons within 14 days after the passing thereof if Parliament is then sitting or within 14 days after commencement of the next Session of Parliament if Parliament is not then sitting.

C-89.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-89.

An Act to amend the Judges Act.

First reading, August 1, 1960.

THE MINISTER OF JUSTICE.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

23602-6

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-89.

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, c. .

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:

1955, c. 48, s.3.

1. Section 14 of the *Judges Act* is amended by adding thereto the following paragraph:

"(*d*) One other judge of the Court.....16,900.00"

Explanatory Note.

The purpose of this Bill is to authorize salary for one additional judge of the Supreme Court of Judicature of Prince Edward Island.

Third Session, Twenty-Fourth Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-90.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1961.

AS PASSED BY THE HOUSE OF COMMONS, 10th AUGUST, 1960.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1960

22446-9

3rd Session, 24th Parliament, 8-9 Elizabeth II, 1960.

THE HOUSE OF COMMONS OF CANADA.

BILL C-90.

An Act for granting to Her Majesty certain sums of money for the public service of the financial year ending the 31st March, 1961.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency, Major-General Georges Philias Vanier, D.S.O., M.C., Governor General of Canada and His Excellency the Honorable Patrick Kerwin, P.C., Administrator of the Government 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, 1961, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:

Short title.

1. This Act may be cited as the *Appropriation Act No. 6, 1960*.

$2,452,983,811.56 granted for 1960-61.

2. From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole two billion, four hundred and fifty-two million, nine hundred and eighty-three thousand, eight hundred and eleven dollars and fifty-six cents towards defraying the several charges and expenses of the public service, from the 1st day of April, 1960, to the 31st day of March, 1961, 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, 1961, as contained in Schedule A, less the amounts voted on account of the said items by the *Appropriation Act No. 2, 1960*, and the *Appropriation Act No. 4, 1960*, $2,334,958,326.56;

(*b*) the amount of the item set forth in the Supplementary Estimates for the fiscal year ending the 31st day of March, 1961, as contained in Schedule B, less the amount voted on account of the said item by the *Appropriation Act No. 4, 1960*, $10,000,000.00;

(*c*) the total of the amounts of the items set forth in the Further Supplementary Estimates (2) for the fiscal year ending the 31st day of March, 1961, as contained in Schedule C, $65,025,485.00; and

(*d*) the total of the amounts of the items set forth in the Further Supplementary Estimates (3) for the fiscal year ending the 31st day of March, 1961, as contained in Schedule D, $43,000,000.00.

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, 1960.

Power to raise loan of $500,000,000 for public works and general purposes.

4. The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, by any Act heretofore passed, raise by way of loan, under the *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 five hundred million dollars, as may be required for public works and general purposes.

Account to be rendered.

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, 1960–61. The amount hereby granted is $2,334,958,326.56 being the total of the amounts of the items in the Estimates (less reduction of $26,710,000 in Resolution No. 125 which has been withdrawn and $250,000 in Resolution No. 72) as contained in this Schedule, less the amounts voted on account of the said items by the *Appropriation Act No. 2, 1960*, and the *Appropriation Act, No. 4, 1960.*

SUMS granted to Her Majesty, by this Act for the financial year ending 31st March, 1961, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	ADMINISTRATION BRANCH		
1	Departmental Administration, including Advisory Committee on Agricultural Services	777,657	
2	Information Division including a grant in the amount of $26,000 to the Agricultural Institute of Canada	638,410	
3	Contributions to Commonwealth Agricultural Bureaux in a total amount of £46,384, notwithstanding that payments may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1959, which is	123,516	
4	Economics Division	751,838	
	RESEARCH BRANCH		
5	Branch Administration including an amount of $166,610 for grants in aid of agricultural research in universities and other scientific organizations in Canada	1,856,156	
	Institutes, Stations, Farms, Laboratories and Services—		
6	Operation and Maintenance	21,945,838	
7	Construction or Acquisition of Buildings, Works, Land and Equipment	6,470,910	
	PRODUCTION AND MARKETING BRANCH		
8	Branch Administration including contributions to Agricultural Organizations to assist in the Marketing of Agricultural Products, subject to the approval of Treasury Board	908,741	
9	Agricultural Products Board Administration	10,000	
10	Agricultural Stabilization Act Administration	315,130	
11	Subsidies for Cold Storage Warehouses under the Cold Storage Act	62,667	
	Dairy Products Division—		
12	Operation and Maintenance	841,525	
13	Grants and other assistance in accordance with the Cheese and Cheese Factory Improvement Act	1,203,316	
	Fruit and Vegetable Division including Maple Products and Honey—		
14	Operation and Maintenance	1,721,850	
15	Assistance in construction of potato warehouses under terms and conditions approved by the Governor in Council	25,000	
	Health of Animals Division (including the former Administration of Animal Contagious Diseases Act and Meat and Canned Foods Act, and the former Animal Pathology)—		
16	Operation and Maintenance including authority, notwithstanding the Financial Administration Act, to spend revenue received during the year from packers requiring special services	8,778,641	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE—*Concluded*		
	PRODUCTION AND MARKETING BRANCH—*Concluded*		
17	Construction or Acquisition of Buildings, Works, Land and Equipment	343,540	
18	Compensation for Animals slaughtered	2,400,000	
19	Contributions to the Provinces, in accordance with regulations of the Governor in Council, of amounts not exceeding one-half of the amounts paid by the Provinces to owners of animals that have died as a result of rabies since the first day of April, 1958	18,538	
	Livestock Division—		
20	Operation and Maintenance including premiums on pure bred sires and contributions for livestock improvement; stockyard supervision and furs	2,571,087	
21	Supervision of Race Track Betting	589,374	
22	Grants to Agricultural Fairs, Exhibitions and Museums in accordance with regulations of the Governor in Council; payments pursuant to agreements in force on March 31, 1960, with Exhibitions covering the construction of buildings and other major undertakings; and a grant of $50,000 to the Royal Agricultural Winter Fair, Toronto, and Freight Assistance on Livestock Shipments for exhibition thereat	929,600	
23	Special Grant to Royal Agricultural Winter Fair, Toronto	10,000	
24	Grants to Agricultural Organizations as detailed in the Estimates	239,250	
25	Quality Premiums on High Grade Hog Carcasses and Administration Costs	7,340,000	
	Plant Products Division—		
26	Operation and Maintenance including Seeds, Feeds, Fertilizers, Insecticides and Fungicides Control	1,906,909	
27	Freight Assistance on Western Feed Grains	21,000,000	
28	Agricultural Lime Assistance	1,200,000	
29	Plant Protection Division	1,079,622	
30	Poultry Division	1,123,265	
	SPECIAL		
	Irrigation and Water Storage Projects in the Western Provinces including payments in the current and subsequent fiscal years in accordance with the Agreement of July 25, 1958, relating to the South Saskatchewan River Project; the Prairie Farm Rehabilitation Act Program; and Land Protection, Reclamation and Development—		
31	Administration, Operation and Maintenance	7,602,105	
32	Construction or Acquisition of Buildings, Works, Land and Equipment	16,422,810	
33	Maritime Marshland Rehabilitation Act including authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the share of the Province of Nova Scotia of the cost of the Annapolis River Aboiteau-Causeway Project	1,634,555	
34	Prairie Farm Assistance Act Administration	672,947	
			113,514,797
	ATOMIC ENERGY		
	ATOMIC ENERGY CONTROL BOARD		
35	Administration Expenses of the Atomic Energy Control Board	62,755	
36	Grants for Researches and Investigations with respect to Atomic Energy	650,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	ATOMIC ENERGY—*Concluded*		
	ATOMIC ENERGY OF CANADA LIMITED (RESEARCH PROGRAM)		
37	Current Operation and Maintenance, including expendable research equipment	23,109,900	
38	Construction or Acquisition of Buildings, Works, Land and Equipment and to authorize Central Mortgage and Housing Corporation to undertake construction of works at Deep River for Atomic Energy of Canada Limited	17,830,600	
			41,653,255
	AUDITOR GENERAL'S OFFICE		
39	Salaries and Expenses of Office		890,860
	BOARD OF BROADCAST GOVERNORS		
40	Salaries and Other Expenses		298,420
	CANADIAN BROADCASTING CORPORATION		
	CANADIAN BROADCASTING CORPORATION		
41	Grant in respect of the net operating requirements of the Radio and Television Services	62,085,000	
42	Grant for the capital requirements, including the replacement of existing capital assets, of the Radio and Television Services	7,647,000	
	INTERNATIONAL SHORTWAVE BROADCASTING SERVICE		
43	Maintenance and Operation including authority to credit to this Appropriation revenue from the rental of facilities in the Radio-Canada Building and at Sackville, N.B., to an amount of $331,500 and to spend these moneys for the purposes of the International Service	1,982,400	
44	Construction or Acquisition of Buildings, Works, Land and Equipment, including Supervision	25,000	
			71,739,400
	OFFICE OF THE CHIEF ELECTORAL OFFICER		
45	Salaries and Expenses of Office		76,925
	CITIZENSHIP AND IMMIGRATION		
46	Departmental Administration	824,266	
	CITIZENSHIP		
47	Citizenship Registration Branch	716,892	
48	Citizenship Branch	785,159	
49	Grants to Organizations as detailed in the Estimates	40,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	CITIZENSHIP AND IMMIGRATION—*Concluded*		
	IMMIGRATION BRANCH		
50	Administration of the Immigration Act	1,219,129	
51	Field and Inspectional Service, Canada, including $13,000 for Grants to Immigrant Welfare Organizations	6,871,904	
52	Field and Inspectional Service, Abroad	2,150,979	
53	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	2,100,000	
	INDIAN AFFAIRS BRANCH		
54	Administration	703,460	
	Indian Agencies—		
55	Operation and Maintenance	3,876,946	
56	Construction or Acquisition of Buildings, Works, Land and Equipment	1,214,500	
	Reserves and Trust—		
57	Operation and Maintenance	378,266	
	Welfare of Indians—		
58	Operation and Maintenance	8,193,245	
59	Construction or Acquisition of Buildings, Works, Land and Equipment	2,015,000	
	Economic Development of Indians—		
60	Operation and Maintenance, including an amount of $5,700 for Grants to promote Indian Agriculture, Handicrafts and Economic Enterprises Generally	938,688	
61	Construction or Acquisition of Buildings, Works, Land and Equipment	240,403	
	Education—		
62	Administration, Operation and Maintenance	19,578,651	
63	Construction or Acquisition of Buildings, Works, Land and Equipment including payments under agreements to provide Joint Educational Facilities to Indian Pupils	7,362,500	
64	Grant to provide Additional Services to the Indians of British Columbia	100,000	
			59,309,988
	CIVIL SERVICE COMMISSION		
65	Salaries and Contingencies of the Commission including compensation in accordance with the Suggestion Award Plan of the Public Service of Canada	.....	3,853,967
	DEFENCE PRODUCTION		
	A—DEPARTMENT		
66	Departmental Administration	8,323,356	
67	Care, Maintenance and Custody of Standby Defence Plants, Buildings, Machine Tools and Production Tooling	400,000	
68	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	2,731,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	DEFENCE PRODUCTION—*Concluded*		
	A—Department—*Concluded*		
69	Grants to municipalities in lieu of taxes on Crown-owned defence plants operated by private contractors	129,175	
70	To establish qualified sources for the production of component parts and materials, subject to the approval of Treasury Board and to authorize commitments against future years in the amount of $1,500,000	950,000	
71	To sustain technological capability in Canadian industry by supporting selected defence development programs, on terms and conditions approved by Treasury Board, and to authorize commitments against future years in the amount of $7,000,000	5,000,000	
	B—Crown Companies		
72	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	3,626,117	
	Canadian Arsenals Limited—		
73	Administration and Operation	1,349,120	
74	Construction, Improvements and Equipment	282,085	
			22,791,353
	EXTERNAL AFFAIRS		
	A—Department		
75	Departmental Administration	6,370,736	
76	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	10,042,971	
77	Representation Abroad—Construction, acquisition or improvement of buildings, works, land, equipment and furnishings, and to the extent that blocked funds are available for these expenditures, to provide for payment from these foreign currencies owned by Canada and provided only for governmental or other limited purposes	1,037,000	
78	Canada's civilian participation as a member of the International Commissions for Supervision and Control in Indo-China including authority, notwithstanding the Civil Service Act, for the appointment and fixing of salaries of Commissioners, Secretaries and staff by the Governor in Council	255,958	
79	Special Administrative Expenses including payment of 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 international staff of the North Atlantic Treaty Organization (part recoverable from the North Atlantic Treaty Organization), and authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the share of the North Atlantic Treaty Organization of such expenses	63,088	
80	Official Hospitality	40,000	
81	Relief and repatriation of distressed Canadian citizens abroad and their dependents and for the reimbursement of the United Kingdom for relief expenditures incurred by its Diplomatic and Consular Posts on Canadian account (part recoverable)	15,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Continued*		
	A—DEPARTMENT—*Continued*		
82	Canadian Representation at International Conferences	295,000	
83	Grant to the United Nations Association in Canada	11,000	
84	Grant to the Canadian Atlantic Co-ordinating Committee	2,500	
85	To assist in defraying the costs of the Commonwealth and Empire Law Conference to be held in Canada in 1960	15,600	
	CONTRIBUTIONS TO INTERNATIONAL ECONOMIC AND SPECIAL AID PROGRAMS		
	Bilateral Economic Aid Programs—		
86	Colombo Plan	50,000,000	
87	West Indies Assistance Program	4,510,000	
88	Technical Assistance to Commonwealth Countries and Territories other than those eligible for assistance under the Colombo Plan or West Indies Assistance Program	500,000	
89	Commonwealth Scholarship Plan	500,000	
	Multilateral Economic Aid Programs—		
90	Contribution to the United Nations Special Fund in an amount of $2,000,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1959, which is	1,903,750	
91	Contribution to the United Nations Expanded Program for Technical Assistance to Under-Developed Countries in an amount of $2,000,000 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1959, which is	1,903,750	
92	Contribution to the Operational Budget of the International Atomic Energy Agency	50,000	
	Special Aid Programs—		
93	Contribution to the Program of the United Nations High Commissioner for Refugees	290,000	
94	Contribution to the United Nations Children's Fund	650,000	
95	Contribution to the United Nations Relief and Works Agency for Palestime Refugees in the Near East	500,000	
96	Contribution towards the Far Eastern Program of the Intergovernmental Committee on European Migration	60,000	
97	Contribution towards the Malaria Eradication Program of the World Health Organization	100,000	
	OTHER PAYMENTS TO INTERNATIONAL ORGANIZATIONS AND PROGRAMS		
98	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; amount required in Canadian dollars, estimated as of December, 1959	4,207,526	
99	Contribution to the program of the North Atlantic Treaty Organization's Science Committee in an amount of $130,870 U.S., notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1959, which is	124,572	
100	Payment to the International Civil Aviation Organization in part reimbursement of compensation paid to its Canadian employees for Quebec income tax for the 1959 taxation year	12,000	
101	To provide the International Civil Aviation Organization with office accommodation at less than commercial rates	215,716	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	EXTERNAL AFFAIRS—*Concluded*		
	A—DEPARTMENT—*Concluded*		
	OTHER PAYMENTS TO INTERNATIONAL ORGANIZATIONS AND PROGRAMS—*Concluded*		
102	Contribution to the United Nations Technical Assistance Administration Training Centre at the University of British Columbia	10,000	
103	Grant to the International Committee of the Red Cross	15,000	
104	Grant to the Commonwealth Institute in an amount of £500, notwithstanding that payment may exceed or fall short of the equivalent in Canadian dollars, estimated as of December, 1959, which is	1,331	
	B—INTERNATIONAL JOINT COMMISSION		
105	Salaries and Expenses of the Commission including, subject to the approval of the Governor in Council and notwithstanding the International Boundary Waters Treaty Act, as amended, payment of salary of the Chairman at $17,500 per annum	102,808	
106	Canada's share of the expenses of studies, surveys and investigations of the International Joint Commission	73,500	
			83,878,806
	FINANCE		
	GENERAL ADMINISTRATION		
107	Departmental Administration	2,454,511	
108	Comptroller of the Treasury—Central Office and Branch Offices Administration	18,751,482	
	ADMINISTRATION OF VARIOUS ACTS AND COSTS OF SPECIAL FUNCTIONS		
109	Superannuation and Retirement Acts Administration	683,529	
110	The Bank Act—Salaries and Expenses of the Inspector General of Banks' Office	33,293	
111	Administration of the Farm Improvement Loans Act, the Veterans' Business and Professional Loans Act, the Fisheries Improvement Loans Act and the Prairie Grain Producers' Interim Financing Act	99,448	
	Tariff Board—		
112	Administration	168,298	
	Royal Canadian Mint—		
113	Administration, Operation and Maintenance	1,208,985	
114	Construction or Acquisition of Equipment	41,595	
	SUBSIDIES AND OTHER PAYMENTS TO PROVINCES		
	Special Payments to Provinces		
115	Payments to the Government of each Province, in respect of income tax collected from corporations whose main business is the distribution to or generation for distribution to the public of electrical energy, gas or steam, of amounts computed in accordance with section 6 of The Tax Rental Agreements Act, 1952, as if the last two lines of subsection (1) of that section read as follows:"...ending on the thirty-first day of December, one thousand nine hundred and fifty-eight"	9,000,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Continued*		
	PAYMENTS TO MUNICIPALITIES		
116	Grants to Municipalities in accordance with the Municipal Grants Act and Regulations made thereunder	22,750,000	
	CONTINGENCIES AND MISCELLANEOUS		
117	Miscellaneous minor or unforeseen expenses, subject to the approval of the Treasury Board, including authority to re-use any sums repaid to this appropriation from other appropriations, and for awards under the Public Servants Inventions Act	1,500,000	
118	Telephone Service at Ottawa for all Departments	1,458,800	
119	Losses incurred on foreign exchange tendered in payment of accounts receivable	500	
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
120	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	100,000	
121	To supplement other votes, subject to the approval of the Treasury Board, for the payment of salaries, wages and other paylist charges	3,000,000	
122	Government's contribution, as an Employer, to the Unemployment Insurance Fund in respect of Government Employees paid through the Central Pay Office	1,100,000	
123	Government's contribution to the Hospital Insurance (Ontside Canada) Plan and to authorize the Treasury Board to extend the scope of the regulations made pursuant to Vote 668 of the Appropriation Act, No. 5, 1958, to provide that the Plan established thereby, shall, subject to such conditions as the regulations prescribe, be for the benefit of the persons described therein for such period prior to their departure from Canada to serve abroad as the regulations prescribe	55,000	
124	Government's share of medical-surgical insurance premiums, determined on such bases and paid in respect of such persons (and their dependents), as the Governor in Council prescribes, who hold offices or positions or perform services the remuneration for which is payable out of the Consolidated Revenue Fund or by an agent of Her Majesty, or who are contributors as defined in the Public Service Superannuation Act, or who are members of the Canadian Forces or the Royal Canadian Mounted Police	8,250,000	
	MISCELLANEOUS GRANTS		
126	Canadian Association of Consumers	10,000	
127	Institute of Public Administration of Canada	6,000	
			70,671,441

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	GENERAL SERVICES		
128	Departmental Administration	411,500	
129	Information and Educational Service, including Grant of $3,000 to Nova Scotia Fisheries Exhibition	202,000	
130	Economics Service	328,100	
131	Industrial Development Service	942,185	
	FIELD SERVICES		
132	Field Services Administration	862,940	
	Conservation and Development Service—		
133	Operation and Maintenance	5,770,620	
134	Construction or Acquisition of Buildings, Works, Land and Equipment	1,464,250	
135	Inspection and Consumer Service	2,139,000	
136	Fishermen's Indemnity Plan Administration	243,850	
	SPECIAL		
137	Canadian share of expenses of the International Commissions detailed in the Estimates	895,210	
138	Acquisition of land for the International Pacific Salmon Fisheries Commission as required by Article VIII of the Convention (Chap. 11, Statutes of 1957)	6,000	
139	Newfoundland Bait Service	429,400	
140	Educational work in fisheries techniques and co-operative producing and selling among fishermen	90,000	
141	Fisheries Prices Support Act Administration	60,000	
142	Payment, subject to such terms and conditions as the Governor in Council prescribes, of assistance to producers of salted fish on products designated by the Governor in Council, in the amount of 50% of the laid down cost of salt purchased for their production, including authority to charge administrative costs to the Vote in these Estimates which provides for administration of the Fisheries Prices Support Act	600,000	
143	Assistance in the construction of vessels of the dragger or long liner type, subject to such terms and conditions as may be approved by the Governor in Council	350,000	
144	Assistance in the construction of bait freezing and storage facilities, subject to the regulations established by the Governor in Council	30,000	
	FISHERIES RESEARCH BOARD OF CANADA		
145	Headquarters Administration	186,310	
146	Operation and Maintenance including an amount of $53,000 for contributions towards 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	4,199,125	
147	Construction or Acquisition of Buildings, Works, Land and Equipment	552,100	
			19,762,590

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	GOVERNOR GENERAL AND LIEUTENANT-GOVERNORS		
148	Office of the Secretary to the Governor General	204,817	
149	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 follows: (*a*) where the population of the province at the last decennial census did not exceed 500,000, $5,000; (*b*) where the population of the province at the last decennial census exceeded 500,000, $5,000 plus $1,000 per each 100,000 or fraction of 100,000 of population over 500,000, but not exceeding $12,000 in any case	86,000	
			290,817
	INSURANCE		
150	Departmental Administration	.....	691,612
	JUSTICE		
	A—Department		
151	Departmental Administration including Annual Contribution of $200 to the Conference of Commissioners on Uniformity of Legislation in Canada	872,484	
152	Parole Act Administration including $60,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by Treasury Board	553,287	
	Supreme Court of Canada—		
153	Administration	225,327	
	Exchequer Court of Canada—		
154	Administration	136,900	
	Northwest Territories—		
155	Administration of Justice in the Northwest Territories including the Northwest Territories Territorial Court	120,234	
	Yukon Territory—		
156	Administration of Justice in the Yukon Territory including the Yukon Territorial Court	128,135	
	Combines Investigation Act—		
157	Restrictive Trade Practices Commission	87,555	
158	Office of Investigation and Research	478,704	
159	Bankruptcy Act Administration	55,780	
	Pensions and Other Benefits		
160	Payments of Gratuities to the widows or other dependents of Judges who die while in office	15,000	
	B—Penitentiaries		
161	Administration of the Office of the Commissioner of Penitentiaries including $90,000 for Grants to Recognized Prisoners' Aid Societies, as may be approved by the Treasury Board	641,516	
162	Operation and Maintenance of Penitentiaries including compensation to discharged inmates permanently disabled while in penitentiaries	14,878,797	
163	Construction, Improvements and Equipment	2,353,840	
			20,547,559

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
164	Departmental Administration including a grant of $10,000 to Frontier College and the expenses of the International Labour Conferences	1,118,255	
165	Economics and Research Branch including research grants and related expenses	688,895	
166	Annuities Act Administration	1,194,357	
167	Industrial Relations activities including the administration of the Industrial Relations and Disputes Investigation Act, the Canada Fair Employment Practices Act, the Female Employees Equal Pay Act, the Fair Wages and Hours of Labour Act, the Annual Vacations Act, and Regulations, and the promotion of labour-management co-operation	595,271	
168	Civilian Rehabilitation Branch including payments to the Provinces to implement a program for the rehabilitation of disabled persons, in accordance with terms and conditions approved by the Governor in Council	217,170	
	Special Services		
169	Special Services Branch including the promotion of a program for combatting seasonal unemployment, the organization and use of workers for farming and related industries and assistance to the Provinces under agreements entered into with the Provinces by the Minister of Labour with the approval of the Governor in Council	502,075	
	Vocational Training Co-ordination		
170	Administration	112,905	
171	To carry out the purposes of the Vocational Training Co-ordination Act and agreements made thereunder; to authorize the Minister of Labour to enter into agreements with any Province on terms approved by the Governor in Council to provide financial assistance to vocational and technical schools, and training under youth training projects and to provide for the expenditures thereunder and under vocational training agreements entered into in previous years, including authority, notwithstanding section 30 of the Financial Administration Act, to make commitments for the current fiscal year not to exceed a total amount of $8,857,600—Payments to the Provinces	8,497,600	
	Government Employees Compensation		
172	Administration of the Government Employees Compensation Act	112,170	
	B—Unemployment Insurance Commission		
173	Administration of the Unemployment Insurance Act, including expenditures incurred in connection with other duties and responsibilities assumed and carried out as required by the Governor in Council on the recommendation of the Minister of Labour in accordance with section 4 of the Act	36,136,000	
174	Transfer of labour to and from places where employment is available and expenses incidental thereto, in accordance with regulations of the Governor in Council	37,500	
			49,212,198

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LEGISLATION		
	THE SENATE		
	The Speaker of the Senate—		
175	Allowance in lieu of Residence	3,000	
176	General Administration	734,334	
	HOUSE OF COMMONS		
	The Speaker of the House of Commons—		
177	Allowance in lieu of Residence	3,000	
	Deputy Speaker of the House of Commons—		
178	Allowance in lieu of Apartments	1,500	
179	Allowance to the Deputy Chairman of Committees	2,000	
180	Expenses of the Canada-United States Joint Parliamentary Committee and delegates attending other Inter-Parliamentary Conferences	7,500	
181	Subscriptions to Publications of the Commonwealth Parliamentary Association to be distributed to Members of the House of Commons, and to provide for the Canadian share of expenses of the Commonwealth Parliamentary Association	11,000	
182	Grant to the Canadian North Atlantic Treaty Organization Parliamentary Association	14,000	
183	General Administration—Estimates of the Clerk	2,085,293	
184	Estimates of the Sergeant-at-Arms	871,855	
185	Pension to the unmarried sister of the late Colonel Harry Baker, M.P	700	
	LIBRARY OF PARLIAMENT		
186	General Administration	352,828	
			4,087,010
	MINES AND TECHNICAL SURVEYS		
	A—DEPARTMENT		
	ADMINISTRATION SERVICES		
	Departmental Administration—		
187	Administration, Operation and Maintenance	860,962	
188	Acquisition of Common-Use Field Survey and Other Equipment	198,300	
189	Explosives Act Administration	95,418	
190	Mineral Resources Division	321,524	
191	Assessment for Membership in the Pan-American Institute of Geography and History	9,150	
	SURVEYS AND MAPPING BRANCH		
192	Branch Administration, including the expenses of the Canadian Board on Geographical Names and a Grant of $1,000 to the Canadian Institute of Surveying and Photogrammetry	172,933	
193	Geodetic Survey of Canada	862,248	
194	International Boundary Commission including authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the share of the United States Government of the cost of binding annual reports and maintaining boundary range lights	82,839	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Continued*		
	A—Department—*Concluded*		
	Surveys and Mapping Branch—*Concluded*		
	Topographical Surveys—		
195	Administration, Operation and Maintenance	1,973,430	
196	Construction or Acquisition of Equipment	92,000	
	Canadian Hydrographic Service—		
197	Administration, Operation and Maintenance, including Canada's fee for membership in the International Hydrographic Bureau	4,729,528	
198	Construction or Acquisition of Buildings, Works, Land and Equipment	6,256,995	
199	Legal Surveys and Aeronautical Charts	793,495	
200	Provincial and Territorial Boundary Surveys including authority to make recoverable advances in amounts not exceeding in the aggregate the amounts of the shares of the Provincial Governments of the costs of the surveys	30,500	
	Map Compilation and Reproduction—		
201	Administration, Operation and Maintenance	1,484,957	
202	Construction or Acquisition of Equipment	166,700	
	Geological Survey of Canada		
203	Administration, Operation and Maintenance including Canada's share of the cost of the Geological Liaison Office, British Commonwealth Scientific Conference, London, England, and $50,000 for Grants in aid of Geological Research in Canadian Universities	3,769,929	
204	Construction or Acquisition of Equipment	217,490	
	Mines Branch		
205	Administration, Operation and Maintenance	3,798,711	
206	Construction or Acquisition of Equipment	267,352	
	Geographical Branch		
207	Administration, Operation and Maintenance including a Grant of $500 to the Canadian Association of Geographers and a Grant of $3,500 to the University of British Columbia in aid of Research in Foreign Geography	399,833	
	Dominion Observatories		
	Dominion Observatory, Ottawa and Field Stations—		
208	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 a Grant of $3,500 to the Royal Astronomical Society of Canada	1,238,231	
209	Construction or Acquisition of Buildings, Works, Land and Equipment	429,500	
	Dominion Astrophysical Observatory, Victoria, B.C.—		
210	Administration, Operation and Maintenance	204,952	
211	Construction or Acquisition of Buildings, Works, Land and Equipment	170,025	
	General		
212	Purchases of Air Photography and the expenses of the Interdepartmental committee on Air Surveys	1,550,000	
213	Polar Continental Shelf Project	1,134,400	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	MINES AND TECHNICAL SURVEYS—*Concluded*		
	B—Dominion Coal Board		
214	Administration and Investigations of the Dominion Coal Board	119,400	
215	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council	14,204,950	
216	Subventions in respect of eastern coal under agreements entered into pursuant to the Atlantic Provinces Power Development Act	1,700,000	
			47,335,752
	NATIONAL DEFENCE		
217	Departmental Administration	3,212,477	
	Inspection Services		
218	Operation and Maintenance	6,523,300	
219	Construction or Acquisition of Buildings, Works, Land and Equipment	431,100	
	Royal Canadian Navy		
220	Operation and Maintenance	197,041,557	
221	Construction or Acquisition of Buildings, Works, Land and Major Equipment	74,259,000	
	Canadian Army		
222	Operation and Maintenance	350,887,000	
223	Construction or Acquisition of Buildings, Works, Land and Major Equipment	70,410,000	
	Royal Canadian Air Force		
224	Operation and Maintenance	536,737,000	
225	Construction or Acquisition of Buildings, Works, Land and Major Equipment	228,192,000	
	Defence Research and Development		
	Defence Research Board—		
226	Operation and Maintenance	23,952,119	
227	Construction or Acquisition of Buildings, Works, Land and Equipment	6,528,245	
228	Development	14,216,000	
	Mutual Aid		
229	Contributions to infrastructure and 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 $54,800,000 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 $40,000,000 and provided by appropriations for those forces in the current and former years in respect of which, notwithstanding subsection (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	14,800,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL DEFENCE—*Concluded*		
	NATIONAL DEFENCE GENERAL		
230	To authorize, notwithstanding section 30 of the Financial Administration Act, and subject to allotment by the Treasury Board, total commitments of $2,950,656,748 for the purposes of the foregoing votes relating to National Defence, regardless of the year in which such commitments will come in course of payment (of which it is estimated that $1,420,466,950 will come due for payment in future years)...	1	
	GENERAL SERVICES		
231	Grants to Military Associations, Institutes and Others as detailed in the Estimates.....	223,795	
232	Grants to the Town of Oromocto, subject to the approval of Treasury Board, for municipal services including the maintenance and operation of schools and to promote the development of the Town.....	1,600,000	
233	Grants to Provinces and Municipalities for Civil Defence and Related Purposes (formerly provided under Department of National Health and Welfare—comparable amount in 1959–60, $2,000,000).....	4,000,000	
234	Grants to assist in the construction of the Soldiers' Memorial Hospital at Middleton, N.S., in a total amount of $135,588 subject to such terms and conditions as are approved by Treasury Board; amount required for 1960–61...	65,000	
	PENSIONS AND OTHER BENEFITS		
235	Civil Pensions, as detailed in the Estimates.....	2,457	
236	To authorize in respect of members of the Royal Canadian Air Force on leave without pay and serving as instructors with civilian training organizations operating under the British Commonwealth Air Training Plan who were killed, payment to their dependents of amounts equal to the amounts such dependents would have received under the Pension Act, as amended, had such service as instructors been military service in the armed forces 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 organizations.....	3,840	
	Defence Services Pension Act—		
237	Government's contribution to the Permanent Services Pension Account.....	53,279,356	
			1,586,364,247
	NATIONAL FILM BOARD		
238	Administration, Production and Distribution of Films and Other Visual Materials.....	4,493,504	
239	Acquisition of Equipment.....	153,964	
			4,647,468
	NATIONAL GALLERY OF CANADA		
240	Administration, Operation and Maintenance including Grants as detailed in the Estimates.....	929,145	
241	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.....	150,000	
			1,079,145

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE		
242	Departmental Administration	1,641,729	
	NATIONAL HEALTH BRANCH		
	Health Services, including Assistance to the Provinces—		
243	Administration	367,444	
244	Consultant and Advisory Services	762,288	
245	Laboratory and Advisory Services	1,880,791	
246	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 $63,591,941	42,000,000	
	Indian and Northern Health Services—		
247	Operation and Maintenance including Grants to Hospitals and Other Institutions which care for Indians and Eskimos	21,362,102	
248	Construction or Acquisition of Buildings, Works, Land and Equipment	1,786,600	
249	Medical Advisory, Diagnostic, and Treatment Services	3,863,807	
250	Administration of the Food and Drugs and the Proprietary or Patent Medicine Acts	1,984,777	
251	Administration of Opium and Narcotic Drugs Act	247,081	
	WELFARE BRANCH		
	Family Allowances and Old Age Security—		
252	Administration	3,077,462	
	Old Age Assistance, Blind Persons and Disabled Persons Allowances—		
253	Administration	113,390	
	GENERAL		
254	Grants to Health and Welfare and Related Organizations, as detailed in the Estimates	243,250	
255	Civil Defence Health, Welfare and Training Services	4,593,008	
			83,923,729
	NATIONAL RESEARCH COUNCIL		
256	Salaries and Other Expenses	27,965,857	
257	Construction or Acquisition of Buildings, Works, Land and Equipment	5,059,824	
			33,025,681
	NATIONAL REVENUE		
	CUSTOMS AND EXCISE DIVISIONS		
258	General Administration	4,807,852	
259	Inspection, Investigation and Audit Services	4,271,730	
	Ports—		
260	Operation and Maintenance including authority, notwithstanding the Financial Administration Act, to spend revenue received during the year from firms and individuals requiring special services	28,929,225	
261	Construction or Acquisition of Buildings, Works, Land and Equipment	587,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL REVENUE—*Concluded*		
	TAXATION DIVISION		
262	General Administration	3,414,200	
263	District Offices	29,576,139	
	TAX APPEAL BOARD		
264	Administration Expenses	116,500	
			71,703,146
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
265	Departmental Administration	986,595	
266	Northern Co-ordination and Research including a Grant of $10,000 to the Arctic Institute of North America, and an amount of $5,000 for grants in aid of northern research subject to approval by the Treasury Board	119,170	
267	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	800,000	
268	Contributions to the Provinces to assist in the development of roads leading to resources in accordance with agreements entered into by Canada and the Provinces	8,000,000	
	NATIONAL PARKS BRANCH		
269	Branch Administration	218,203	
	National Parks and Historic Sites Services—		
270	Administration, Operation and Maintenance	7,464,011	
271	Construction or Acquisition of Buildings, Works, Land and Equipment	14,424,012	
272	National Aviation Museum—Administration, Operation and Maintenance	130,610	
273	Grant to Jack Miner Migratory Bird Foundation	5,000	
274	Grant in aid of the development of the International Peace Garden in Manitoba	15,000	
275	To authorize payment to the National Battlefields Commission for the purposes and subject to the provisions of an Act respecting the National Battlefields at Quebec (Chap. 57, Statutes of 1908, as amended)	178,099	
276	Canadian Wildlife Service—Wildlife Resources Conservation and Development, including Administration of the Migratory Birds Convention Act	714,680	
	WATER RESOURCES BRANCH		
	Water Resources Branch—		
277	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 share of the Province of Manitoba of the cost of regulating the levels of Lake of the Woods and Lac Seul	1,508,354	
278	Construction or Acquisition of Buildings, Works, Land and Equipment	211,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES—*Continued*		
	WATER RESOURCES BRANCH—*Concluded*		
279	Studies and surveys of the Columbia River Watershed in Canada	98,745	
280	Saint John River—Federal expenditures in connection with investigations to be carried out by the Saint John River Board	15,000	
281	Fraser River—Federal expenditures in connection with investigations to be carried out by the Fraser River Board	250,000	
	NORTHERN ADMINISTRATION BRANCH		
282	Branch Administration	1,089,198	
	Education Division—		
283	Administration, Operation and Maintenance 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	5,204,138	
284	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	2,496,287	
	Welfare and Industrial Divisions—		
285	Administration, Operation and Maintenance	1,531,368	
286	Construction or Acquisition of Buildings, Works, Land and Equipment	542,700	
	Yukon Territory—		
287	Operation and Maintenance including grants and contributions as detailed in the Estimates	1,176,695	
288	Construction or Acquisition of Buildings, Works, Land and Equipment	3,706,900	
	Northwest Territories and Other Field Services—		
289	Operation and Maintenance including grants and contributions as detailed in the Estimates and authority to make recoverable advances for services performed on behalf of the Governments of the Northwest Territories and the Yukon Territory	5,308,685	
290	Construction or Acquisition of Buildings, Works, Land and Equipment including costs arising out of the relocation of the town of Aklavik and payment of such compensation as the Governor in Council prescribes to persons affected by such relocation	9,805,370	
	FORESTRY BRANCH		
291	Branch Administration	172,333	
	Forest Research Division—		
292	Operation and Maintenance	1,727,079	
293	Construction or Acquisition of Buildings, Works, Land and Equipment	221,147	
	Forestry Operations Division—		
294	Administration, Operation and Maintenance	349,390	
295	Construction or Acquisition of Buildings, Works, Land and Equipment	11,350	
296	Contributions to the Provinces for assistance in forest inventory, reforestation and forest fire protection in accordance with agreements entered into by Canada and the Provinces	2,450,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NORTHERN AFFAIRS AND NATIONAL RESOURCES—*Concluded*		
	FORESTRY BRANCH—*Concluded*		
	Forestry Operations Division—*Concluded*		
297	Contribution to the Province of New Brunswick for assistance in a program designed to combat the spruce budworm infestation, in accordance with an agreement entered into by Canada and the Province	550,000	
	Forest Products Laboratories Division—		
298	Operation and Maintenance	966,063	
299	Construction or Acquisition of Buildings, Works, Land and Equipment	60,685	
300	Grant to Canadian Forestry Association	20,000	
301	Eastern Rockies Forest Conservation Board—Remuneration and Expenses of the Federal member of the Board	5,575	
	NATIONAL MUSEUM OF CANADA		
302	Administration, Operation and Maintenance	736,904	
	CANADIAN GOVERNMENT TRAVEL BUREAU		
303	To assist in promoting the Tourist Business in Canada including a Grant of $5,000 to the Canadian Tourist Association	2,687,178	
			75,957,524
	POST OFFICE		
304	Departmental Administration including Canada's share of the upkeep of the International Bureaux at Berne and Montevideo	1,926,670	
305	Operations including salaries and other expenses of Staff Post Offices, District Offices, Railway Mail Service Staffs, and supplies, equipment and other items for Revenue Post Offices, including Administration	105,664,147	
306	Transportation—Movement of Mail by Land, Air and Water, including Administration	61,316,459	
307	Financial Services including audit of revenue, money order and savings bank business; and postage stamps	3,123,671	
			172,030,947
	PRIVY COUNCIL		
308	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	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PRIVY COUNCIL—*Concluded*		
	PRIVY COUNCIL OFFICE		
309	General Administration	503,171	
	PRIME MINISTER'S RESIDENCE		
310	Maintenance and Operation	25,000	
	EMERGENCY MEASURES		
311	Administration and Operation of the Emergency Measures Organization (including duties in the field of Civil Defence transferred to this Organization)	635,430	
	SPECIAL		
312	Expenses of the Royal Commission on railway problems including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board to officers, clerks or employees permanently employed in the Civil Service for services rendered by them to the Commission	181,000	
313	Expenses of the Royal Commission on Coal including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board to officers, clerks or employees permanently employed in the Civil Service for services rendered by them to the Commission	40,000	
	NATIONAL CAPITAL COMMISSION		
314	Administration, and Operation and Maintenance of parks, parkways and grounds adjoining Government Buildings at Ottawa and Hull	1,860,320	
315	Interest charges on outstanding loans that were made for the purpose of acquiring property in the National Capital Region	800,000	
316	Payment to the National Capital Fund	3,450,000	
			7,502,421
	PUBLIC ARCHIVES AND NATIONAL LIBRARY		
	A—PUBLIC ARCHIVES		
317	General Administration and Technical Services	569,613	
	B—NATIONAL LIBRARY		
318	General Administration	192,619	
319	Payment to the National Library Purchase Account for the purpose of acquiring books, in conformity with section 12 of the National Library Act	40,000	
			802,232

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC PRINTING AND STATIONERY		
320	Departmental Administration	675,523	
321	Purchasing, Stationery and Stores	1,139,999	
322	Distribution of Official Documents	426,888	
323	Printing and Binding Official Publications for Sale and Distribution to Departments and the Public	650,000	
324	Printing of Canada Gazette	130,000	
325	Printing and Binding the Annual Statutes	35,000	
326	Plant Equipment and Replacements	282,426	
			3,339,836
	PUBLIC WORKS		
327	General Administration	9,784,537	
	PUBLIC BUILDINGS CONSTRUCTION AND SERVICES		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
328	Newfoundland	150,000	
329	Nova Scotia	1,255,000	
330	Prince Edward Island	45,000	
331	New Brunswick	765,000	
332	Quebec	3,673,000	
333	Ottawa	11,590,000	
334	Ontario (other than Ottawa)	5,700,000	
335	Manitoba	1,265,000	
336	Saskatchewan	1,790,000	
337	Alberta	2,885,000	
338	British Columbia	1,285,000	
339	Yukon and Northwest Territories	3,447,000	
340	Improvements Generally—not more than $25,000 to be expended on any one project without the approval of Treasury Board	500,000	
341	Maintenance and Operation of Public Buildings and Grounds, and to authorize commitments against future years in the amount of $1,300,000	42,463,000	
342	Furniture and Furnishings for Government Departments	2,379,238	
343	Work in the interests of Fire Prevention including a grant of $5,000 to the Canadian Joint Fire Prevention Publicity Committee	186,753	
	HARBOURS AND RIVERS ENGINEERING SERVICES		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—		
344	Newfoundland	5,627,500	
345	Nova Scotia	3,036,000	
346	Prince Edward Island	628,500	
347	New Brunswick	2,187,000	
348	Quebec	4,006,300	
349	Ontario	8,662,000	
350	Manitoba and Saskatchewan	110,000	
351	Alberta and Northwest Territories	126,000	
352	British Columbia and Yukon	2,596,500	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS—*Concluded*		
	HARBOURS AND RIVERS ENGINEERING SERVICES—*Concluded*		
353	Construction or Acquisition of Buildings, Works, Land and Equipment	250,000	
354	Remedial works where damages are caused by, or endanger, navigation or Federal Government structures; and the completion of protection works already under way	700,000	
355	Repairs and Upkeep, including reconstruction and replacements for the maintenance of services; wharf repairs at Ste. Angele de Laval, Quebec; and to authorize commitments against future years in the amount of $420,000, no new works to be undertaken	2,800,000	
	Dredging—		
356	Maintenance and Operation of Plant and Contract and Day Labour Works	3,606,075	
357	Construction or Acquisition of Plant and Equipment	1,910,000	
358	Maintenance and Operation of Graving Docks, Locks and Dams	914,270	
	DEVELOPMENT ENGINEERING SERVICES		
359	Canada's share of the cost of International and Interprovincial bridges, as detailed in the Estimates	1,900,000	
360	Towards replacement of Low Level Burlington Canal Bridge	2,200,000	
361	Towards an investigation to determine the feasibility of constructing a proposed Causeway across Northumberland Strait, including the opening of a test quarry	50,000	
362	Towards installation of a water supply system at Churchill, Manitoba	300,000	
363	Roads and Bridges—Maintenance and Operation including authority to make recoverable advances in amounts not exceeding in the aggregate the amount of the operating expenses of the New Westminster bridge	324,405	
364	Testing Laboratories—Operation and Maintenance	1,061,641	
	Trans-Canada Highway—		
365	Construction through National Parks	9,581,000	
	GENERAL		
366	Advance planning of projects including acquisition of sites	1,500,000	
367	Balances required to complete any projects undertaken in previous fiscal years and for which no specific provision is made in the fiscal year 1960–61	800,000	
368	Miscellaneous Works not otherwise provided for: a maximum of $15,000 may be expended in respect of any one work and, with the approval of Treasury Board, that maximum may be increased to $25,000	2,000,000	
369	To supplement, on approval of Treasury Board except where less than $1,000 is required, any of the appropriations of the Department of Public Works	700,000	
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
370	Expenses incurred in constructing and supervising construction of married quarters, rental housing, schools and related services on behalf of the Department of National Defence	750,000	
371	Additional amount for Housing Research and Community Planning as contemplated by Part V of the National Housing Act, 1954, and to authorize commitments against future years in the amount of $510,000	390,000	
			147,880,719

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	ROYAL CANADIAN MOUNTED POLICE		
	Headquarters Administration and National Police Services—		
372	Operation and Maintenance	6,753,539	
373	Construction or Acquisition of Buildings, Works, Land and Equipment	101,276	
	Land, Air and Training Divisions—		
374	Operation and Maintenance	36,706,157	
375	Construction or Acquisition of Buildings, Works, Land and Equipment	3,804,029	
	Marine Services—		
376	Operation and Maintenance	1,779,918	
377	Construction or Acquisition of Buildings, Works, Land and Equipment	71,230	
378	Grant to the Canadian Association of Chiefs of Police	500	
379	Grant to the Royal Canadian Mounted Police Veterans' Association	300	
	PENSIONS AND OTHER BENEFITS		
380	Government's Contribution to the Royal Canadian Mounted Police Pension Account	1,546,939	
381	Pensions to families of members of the Mounted Police who have lost their lives while on duty, as detailed in the Estimates	14,352	
382	To provide, notwithstanding section 45 or other pertinent provisions of the Royal Canadian Mounted Police Act, being Chapter 241 Revised Statutes of Canada, 1952, that L. H. Nicholson, former Commissioner of the Royal Canadian Mounted Police, shall be paid, as of the day he ceased to be Commissioner, a pension for life of one fiftieth of his pay at the time of his retirement for each completed year of service	1	
			50,778,241
	SECRETARY OF STATE		
383	Departmental Administration	311,264	
384	Companies Division	119,558	
385	Trade Marks Division, including a contribution to the International Office for the Protection of Industrial Property	199,906	
386	Bureau for Translations	1,639,678	
	PATENT AND COPYRIGHT OFFICE		
387	Administration Division	197,442	
388	Patent Division	2,308,558	
389	Copyright and Industrial Designs Division, including a contribution to the International Office for the Protection of Literary and Artistic Works	31,325	
			4,807,731

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRADE AND COMMERCE		
	A—Department		
	General Administration		
390	Departmental Administration including fees for membership in the International Organizations listed in the Details of the Estimates	2,630,716	
	Trade Commissioner Service—		
391	Administration and Operation	3,855,447	
392	Construction or Acquisition of Buildings, Land, Equipment and Furnishings	106,000	
393	Exhibitions Branch	743,766	
394	Standards Branch	2,450,467	
395	Dominion Bureau of Statistics including the fee for membership in the Inter-American Statistical Institute and a contribution of $500 to the International Statistical Institute	10,789,333	
	Board of Grain Commissioners (Canada Grain Act)		
396	Administration	159,075	
397	Inspection and Weighing of Grain, and Related Services	4,295,426	
	Canadian Government Elevators—		
398	Operation and Maintenance including authority to purchase screenings	1,496,993	
399	Construction or Acquisition of Buildings, Works, Land and Equipment	142,000	
	Special		
400	Economic and Technical Assistance Branch	455,161	
	B—National Energy Board		
401	Administration	496,260	
			27,620,644
	TRANSPORT		
	A—Department		
402	Departmental Administration (including the former St. Lawrence River Joint Board of Engineers—Canadian Section)	2,732,470	
	Canal Services		
403	Administration	97,240	
404	Operation and Maintenance	2,127,773	
405	Construction or Acquisition of Buildings, Works, Land and Equipment, including payments to Provinces or Municipalities as contributions towards construction done by those bodies	1,040,685	
406	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	1,716,969	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	MARINE SERVICES		
407	Marine Services Administration including Agencies	904,250	
	Marine Service Steamers—		
408	Administration, Operation and Maintenance	18,363,133	
409	Construction or Acquisition of Vessels and Equipment	6,500,000	
	Aids to Navigation—		
410	Administration, Operation and Maintenance including fees for membership in the International Organizations listed in the Details of the Estimates	6,015,938	
411	Construction or Acquisition of Buildings, Works, Land and Equipment	2,844,830	
412	Nautical Services including Canada's share of the cost of the North Atlantic Ice Patrol; grants and contributions as detailed in the Estimates; rewards for saving life from vessels in distress; subsidy to a salvage company; and the payment of expenses, including excepted expenses, incurred in respect of Canadian distressed seamen as defined in section 306 of the Canada Shipping Act	604,524	
	Pilotage Service—		
413	Administration, Operation and Maintenance	1,571,976	
414	Construction or Acquisition of Buildings, Works, Land and Equipment	235,000	
415	Steamship Inspection Service including the carrying out of the provisions of the conventions for the safety of life at sea and load lines, and contributions as detailed in the Estimates	1,099,578	
416	Marine Reporting Service	157,918	
	Ship Channel Service—St. Lawrence and Saguenay Rivers—		
417	Administration, Operation and Maintenance	1,370,414	
418	Contract Dredging including Acquisition of Land for Ship Channel Improvements	3,272,903	
	RAILWAY AND STEAMSHIP SERVICES		
419	Repairs and expenses in connection with the operation and maintenance of Official Railway Cars under the jurisdiction of the Department	59,800	
	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 1960—		
420	Prince Edward Island Car Ferry and Terminals	2,299,000	
421	Newfoundland Ferry and Terminals	5,410,000	
422	Strait of Canso—Transportation Improvements and Facilities	15,000	
423	Enlargement of Dock and Terminal Facilities at North Sydney, Nova Scotia	420,000	
424	Construction of Dock and Terminal Facilities at Port aux Basques, Newfoundland	134,320	
425	Construction or Acquisition of Auto-Ferry Vessels and Equipment as listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended upon individual listed projects	3,090,000	
426	Newfoundland Coastal Services—Construction or Acquisition of Passenger-Cargo Vessels and Equipment, and Harbour Facilities	4,340,000	
427	Yarmouth, Nova Scotia—Bar Harbour, Maine, U.S.A., Ferry Service—Deficit, 1960	209,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Continued*		
	RAILWAY AND STEAMSHIP SERVICES—*Concluded*		
428	Degaussing Canadian Government vessels and Canadian-owned merchant ships, of 1,000 gross tons and over, of Canadian registry, or of United Kingdom registry if subject to re-transfer to Canadian registry under special inter-governmental arrangement	191,000	
429	Maritime Freight Rates Act—Payment to the Railway Companies operating in the select territory designated by the Act, of the difference occurring on account of the application of the Act, between the tariff tolls and normal tolls under approved tariffs (estimated and certified to the Minister of Transport by the Canadian National Railway Company and approved by auditors of the said Company respecting the Eastern Lines of the Canadian National Railways and in the case of the Other Railways by the Board of Transport Commissioners for Canada) on all traffic moved during the calendar year 1960	14,225,000	
	PENSIONS AND OTHER BENEFITS		
430	Amount required to pay pensions at the rate of $300 per annum to former pilots: Arthur Baquet; Adelard Delisle; Raoul Lachance; Jules Lamarre; Wilhelm Langlois; Auguste Santerre	1,800	
431	Railway Employees' Provident Fund—To supplement pension allowances under the Intercolonial and Prince Edward Island Railway Employees' Provident Fund Act so as to make the minimum allowance payable in the calendar year 1960 $30 per month instead of $20 per month as fixed by the said Act	8,600	
432	Supplemental Pension Allowances to former employees of Newfoundland Railways, Steamships and Telecommunication Services transferred to Canadian National Railways	80,000	
	AIR SERVICES		
	Administrative Branch		
433	Air Services Administration	1,470,637	
434	Construction Services Administration	3,142,055	
	Telecommunications Branch		
	Radio Aids to Air and Marine Navigation—		
435	Administration, Operation and Maintenance	17,617,753	
436	Construction or Acquisition of Buildings, Works, Land and Equipment	12,252,353	
	Radio Act and Regulations—		
437	Administration, Operation and Maintenance including Canada's share of the costs of the international radio, telegraph and telephone organizations listed in the Details of the Estimates	2,729,198	
438	Construction or Acquisition of Buildings, Works, Land and Equipment	360,200	
	Telegraph and Telephone Service—		
439	Administration, Operation and Maintenance	229,050	
440	Construction or Acquisition of Buildings, Works, Land and Equipment	238,300	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Continued*		
	A—DEPARTMENT—*Concluded*		
	AIR SERVICES—*Concluded*		
	Meteorological Branch		
441	Administration, Operation and Maintenance including Canada's assessment for membership in the World Meteorological Organization	15,210,370	
442	Construction or Acquisition of Buildings, Works, Land and Equipment	984,000	
	Civil Aviation Branch		
443	Control of Civil Aviation including the Administration of the Aeronautics Act and Regulations issued thereunder	2,557,538	
444	Airports and Other Ground Services—Operation and Maintenance	20,174,180	
445	Air Traffic Control	7,156,005	
446	Construction or Acquisition of Buildings, Works, Land and Equipment including Construction Work on Municipal Airports, payments to Municipalities as contributions towards construction done by those bodies, 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 year not to exceed a total amount of $58,100,000	52,000,000	
447	Grants for the development of Civil Aviation, in the amounts detailed in the Estimates	510,100	
448	Contributions to Municipalities or Public Bodies for Construction and Improvements of Airports on Land acquired by such Organizations including a contribution to an appropriate authority in respect of an airport at Lourdes-du-Blanc-Sablon, Quebec	65,000	
449	Contributions toward Airport Development and Other Airport Projects on Cost-Sharing Basis, in the amounts detailed in the Estimates	252,670	
450	Payments to Other Governments or International Agencies for the operation and maintenance of airports, air navigation and airways facilities, including authority to pay in the amounts and in the currencies in which the assessments are levied and to authorize a Grant in the amount of $122,500 to the South Pacific Air Transport Council; amount required in Canadian dollars, estimated as of December, 1959	275,894	
	B—GENERAL		
	AIR TRANSPORT BOARD		
451	Salaries and Other Expenses including the Canadian Delegation to the International Civil Aviation Organization	466,871	
	BOARD OF TRANSPORT COMMISSIONERS FOR CANADA		
452	Administration, Operation and Maintenance	1,100,512	
453	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	10,000,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	B—General—*Concluded*		
	Canadian Maritime Commission		
454	Administration	153,138	
455	Steamship Subventions for Coastal Services, as detailed in the Estimates	6,088,200	
	National Harbours Board		
456	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 1960 on any or all of the following accounts:		
	Reconstruction and Capital Expenditures—		
	Halifax $ 943,460		
	Saint John 1,077,000		
	Quebec 1,576,000		
	Churchill 570,000		
	Generally—		
	Unforeseen and Miscellaneous 200,000		
	$4,366,460		
	Less—Amount to be expended from Replacement and Other Funds 1,733,361		
		2,633,099	
			238,806,244
	VETERANS AFFAIRS		
457	Departmental Administration	2,367,981	
458	District Services—Administration	3,295,958	
459	Veterans' Welfare Services	3,544,272	
	Treatment Services—		
460	Operation of Hospitals and Administration including authority, notwithstanding the Financial Administration Act, to spend revenue received during the year for hospital and related services	44,634,594	
461	Medical Research and Education	350,000	
462	Hospital Construction, Improvements, Equipment, and Acquisition of Land	4,937,000	
463	Prosthetic Services—Supply, Manufacture and Administration including authority, notwithstanding the Financial Administration Act, to spend revenue received during the year for prosthetic and related services	1,286,275	
464	Veterans' Bureau	643,705	
465	War Veterans Allowance Board—Administration	155,960	
	War Veterans Allowances and Other Benefits		
466	War Veterans Allowances	62,079,000	
467	Assistance Fund (War Veterans Allowances)	3,000,000	
468	Treatment and Other Allowances	2,560,000	
	Miscellaneous Payments		
469	Burials and Memorials	1,417,150	
470	Grant to Army Benevolent Fund	18,000	
471	Grant to Canadian Legion	9,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	VETERANS AFFAIRS—*Concluded*		
	CANADIAN PENSION COMMISSION		
472	Administration Expenses	2,496,755	
473	Pensions for Disability and Death, including pensions granted under the authority of the Civilian Government Employees (War) Compensation Order, P.C. 45/8848 of November 22, 1944, which shall be subject to the Pension Act; and including Newfoundland Special Awards	148,939,700	
474	Gallantry Awards—World War II and Special Force	21,000	
	SOLDIER SETTLEMENT AND VETERANS' LAND ACT		
475	Administration of Veterans' Land Act; Soldier Settlement and British Family Settlement	5,152,000	
476	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	47,500	
477	Grants to veterans settled on Provincial Lands in accordance with agreements with Provincial Governments under section 38 of the Veterans' Land Act and 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	115,000	
478	Grants to Indian veterans settled on Indian Reserve Lands under section 39 of the Veterans' Land Act	60,000	
479	Reduction of indebtedness to the Director of Soldier Settlement of a settler in respect of a property in his possession, the title of which is held by the Director, or such Soldier Settler Loans which are administered by the Indian Affairs Branch of the Department of Citizenship and Immigration, by an amount which will reduce his indebtedness to an amount in keeping with the productive capacity of the property or his ability to repay his indebtedness under regulations approved by the Governor in Council	1,000	
480	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	5,700	
	TERMINABLE SERVICES		
481	Veterans Benefits, including Assistance and the training of certain Pensioners under regulations approved by the Governor in Council	713,900	
	Repayments 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 the Acts hereunder referred to, 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 last mentioned Act, they 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—		
482	Repayments under subsection (3) of section 12 of the Veterans Rehabilitation Act	15,000	
			287,866,450

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES		
	AGRICULTURE		
483	Loans to settlers in the Bow River Project in the current and subsequent fiscal years in accordance with regulations of the Governor in Council	250,000	
	ATOMIC ENERGY OF CANADA LIMITED		
484	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 an atomic reactor (CANDU) and auxiliary buildings near Kincardine, Ontario, and works to provide services in connection therewith; to finance the construction of housing and other works at Deep River; and to authorize Central Mortgage and Housing Corporation to undertake construction of the said housing and other works at Deep River for Atomic Energy of Canada Limited	5,675,000	
485	Working Capital Advances to Atomic Energy of Canada Limited, subject to such terms and conditions as the Governor in Council may approve	2,000,000	
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
486	Advances to the Northern Canada Power Commission for the purpose of capital expenditures in accordance with subsection (1) of section 15 of the Northern Canada Power Commission Act	1,825,000	
487	Advances in accordance with agreements entered into pursuant to the Atlantic Provinces Power Development Act	4,958,500	
	PRIVY COUNCIL		
	National Capital Commission		
488	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"	2,300,000	
489	Loans to the National Capital Commission, in the current and subsequent fiscal years, in accordance with section 16 of the National Capital Act for the purpose of acquiring property in that area of the National Capital Region commonly referred to as the "Greenbelt"	8,000,000	
	PUBLIC WORKS		
	Central Mortgage and Housing Corporation		
490	Advances to Central Mortgage and Housing Corporation for the purposes of subsection (1) of section 37 of the National Housing Act, 1954, in respect of housing projects for sale or for rental	5,000	
	TRANSPORT		
	Air Services		
491	Acquisition of land for control of properties in the vicinity of main terminal airports to prevent the erection of hazards to flying and for future development of new and existing main terminal airports including alternative facilities for relieving congestion thereat	3,000,000	

SCHEDULE A—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	LOANS, INVESTMENTS AND ADVANCES—*Concluded*		
	TRANSPORT—*Concluded*		
	Canadian Overseas Telecommunication Corporation		
492	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	17,000,000	
	National Harbours Board		
493	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 1960 on any or all of the following accounts: Reconstruction and Capital Expenditures— Montreal ..... $16,868,450 Vancouver ..... 1,257,000 $18,125,450 *Less*—Amount to be expended from Replacement and Other Funds 2,167,750	15,957,700	
	St. Lawrence Seaway Authority		
494	Loans to the St. Lawrence Seaway Authority in such manner and subject to such terms and conditions as the Governor in Council may approve	36,000,000	
	VETERANS AFFAIRS		
495	To increase to $400,000 the amount that may be charged at any time to the Revolving Fund established by Vote 517 of the Appropriation Act No. 5, 1958, for the purpose of financing the manufacture of Remembrance Day poppies and wreaths; additional amount required	50,000	
	Soldier Settlement and Veterans' Land Act		
496	Protection of security—Soldier Settlement, and refunds of surplus to veterans	4,550	
497	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 Veterans' Land Act	28,624,965	
			125,650,715
			*3,534,393,870

*Net total $2,334,958,326.56

SCHEDULE B

Based on the Supplementary Estimates, 1960-61. The amount hereby granted is $10,000,000.00, being the amount of the item in the Estimates as contained in this Schedule less the amount voted on account of the said item by the *Appropriation Act No. 4, 1960.*

SUMS granted to Her Majesty by this Act for the financial year ending 31st March, 1961, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	FINANCE		
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
498	To supplement other votes, subject to the approval of the Treasury Board, for the payment of salaries, wages and other paylist charges—Further amount required.....	.....	*15,000,000

* Net total $10,000,000.00

SCHEDULE C

Based on the Further Supplementary Estimates (2), 1960-61. The amount hereby granted is $65,025,485, being the amount of each 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, 1961, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION AND MARKETING BRANCH		
500	Subsidies for Cold Storage Warehouses under the Cold Storage Act—Further amount required	150,000	
	Dairy Products Division—		
501	Grants and other assistance in accordance with the Cheese and Cheese Factory Improvement Act—Further amount required	143,327	
	Fruit and Vegetable Division including Maple Products and Honey—		
502	Assistance in construction of potato warehouses under terms and conditions approved by the Governor in Council—Further amount required	113,775	
	Plant Products Division—		
503	Contributions to the Governments of the Provinces of Alberta, Saskatchewan, and Manitoba, in accordance with terms and conditions prescribed by the Governor in Council, of one-half the amounts paid by the Governments of those Provinces to farmers in respect of their 1959 unharvested crops to a maximum of $300 in respect of any one farm; and to authorize, in accordance with terms and conditions prescribed by the Governor in Council, contributions to the Governments of those Provinces (or their municipalities) in respect of the administrative costs incurred by them in making such payments to farmers	1,060,000	
504	Contributions to the Governments of the Provinces of Alberta, Saskatchewan and Manitoba, in accordance with terms and conditions prescribed by the Minister of Agriculture, of one-half the amounts paid by the Governments of those Provinces in respect of the transport of fodder, straw and other livestock bedding and the movement of cattle to feed from the 12th day of October, 1959, to the 30th day of April, 1960	261,500	
			1,728,602
	CITIZENSHIP AND IMMIGRATION		
	IMMIGRATION BRANCH		
505	Administration of the Immigration Act—Further amount required	25,000	
	INDIAN AFFAIRS BRANCH		
	Indian Agencies—		
506	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	61,500	
	Education—		
507	Construction or Acquisition of Buildings, Works, Land and Equipment, including payments under agreements to provide Joint Educational Facilities to Indian Pupils—Further amount required	392,500	
			479,000

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	DEFENCE PRODUCTION		
	A—Department		
508	Care, Maintenance and Custody of Standby Defence Plants, Buildings, Machine Tools and Production Tooling—Further amount required	390,055	
	B—Crown Companies		
509	Canadian Arsenals Limited— Administration and Operation Expenses—Further amount required	1,500,000	1,890,055
	EXTERNAL AFFAIRS		
	A—Department		
510	Representation Abroad—Construction, acquisition or improvement of buildings, works, land, equipment and furnishings —Further amount required	135,500	
	Contributions to International Economic and Special Aid Programs		
511	Purchase of flour to be given to the United Nations Relief and Works Agency for Palestine Refugees in the Near East	1,500,000	
512	Canadian participation in the work of the European Productivity Agency of the Organization for European Economic Co-operation	20,000	
	Other Payments to International Organizations and Programs		
513	Purchase and transfer of wheat flour to assist in the establishment of strategic stock piles of food supplies in member states of the North Atlantic Treaty Organization, subject to such terms and conditions as the Governor in Council prescribes	6,000,000	
514	To reimburse the Agricultural Commodities Stabilization Account for canned pork donated to international relief agencies	2,703,559	10,359,059
	FINANCE		
	Administration of Various Acts and Costs of Special Functions		
515	Superannuation and Retirement Acts Administration—Further amount required	43,400	
	Payments to Municipalities		
516	Grants to Municipalities in accordance with the Municipal Grants Act and Regulations made thereunder—Further amount required	1,700,000	

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	FINANCE—*Concluded*		
	GENERAL ITEMS OF PAYROLL COSTS INCLUDING SUPERANNUATION PAYMENTS		
517	To supplement other votes, subject to the approval of the Treasury Board, for the payment of salaries, wages and other paylist charges—Further amount required.....	25,000,000	
518	To authorize payment of a pension during the current and subsequent fiscal years, notwithstanding anything in the Financial Administration Act or any other Act or Law, to Percy L. Hoffman, a former locally-engaged employee, at an annual rate of £68.3.0, the equivalent in Canadian dollars for the current fiscal year being estimated at.....	191	
519	To authorize the Governor in Council to grant an allowance to Mrs. J. A. Lavoie, pursuant to The Civil Servants' Widows' Annuities Act, 1927, and to ratify all payments of an allowance purporting to have been granted pursuant to the Civil Service Superannuation Act.....	1	
520	To extend the purposes of Vote 513 of the Appropriation Act No. 5, 1959, to authorize the Treasury Board to designate those boards, commissions and corporations (including the Office of the Custodian of Enemy Property), whose employees join the Group Surgical-Medical Plan, that shall from time to time as required by the Minister of Finance pay into the Consolidated Revenue Fund an amount (as determined by the Minister of Finance) equal to the amount paid as the Government's share of the surgical-medical insurance premiums in respect of such employees.....	1	
			26,743,593
	FISHERIES		
	SPECIAL		
521	Destruction of dogfish and other predators.....	150,000	
	FISHERIES RESEARCH BOARD OF CANADA		
522	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	194,500	
			344,500
	JUSTICE		
	B—PENITENTIARIES		
523	Administration of the Office of the Commissioner of Penitentiaries, including authority for a Special Adviser to the Minister of Justice on Correctional Planning, having the rank and status of a deputy head of a department, and one additional Deputy Commissioner of Penitentiaries to be known as the Senior Deputy Commissioner, having the power and authority of the senior Deputy Commissioner under the Penitentiary Act; to be appointed by the Governor in Council to hold office during pleasure and to be paid such salary as may be fixed by the Governor in Council—Further amount required.....	17,792	
524	Operation and Maintenance of Penitentiaries—Further amount required.....	69,340	
525	Construction, Improvements and Equipment—Further amount required.....	632,250	
			719,382

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	LABOUR		
	A—Department		
	General Administration		
526	Annuities Act—To authorize the payment of interest, in the current and subsequent fiscal years, out of the Government Annuities Account, on premiums being refunded that were paid under a contract entered into with Her Majesty pursuant to subsection (3) of section 6 of the Government Annuities Act where such premiums are in excess of the amount required to purchase the maximum annuity payable under that Act to an employee of the purchaser; the said interest in respect of premiums being refunded shall be calculated at the rate of interest applicable to the premiums at the time they were received and such interest shall be payable for the period from the day on which the excess premiums were received by Her Majesty to the day on which the refund is made	1	
	Special Services		
527	To extend to the 31st day of May, 1960, the period in respect of which payments may be made to a province and in respect of Indian Bands under the Municipal Winter Works Incentive Program as contemplated by Vote 615 of the Appropriation Act No. 1, 1960	1	
	B—Unemployment Insurance Commission		
528	Transfer of labour to and from places where employment is available and expenses incidental thereto, in accordance with regulations of the Governor in Council—Further amount required	237,500	
			237,502
	LEGISLATION		
	House of Commons		
529	Expenses of the Canada-United States Inter-Parliamentary Group and delegates attending other Inter-Parliamentary Conferences—To extend the purposes of Vote 180 of the Main Estimates, 1960-61, to include Canada's fee for membership in the Inter-Parliamentary Union and to provide a further amount of	.....	12,500
	MINES AND TECHNICAL SURVEYS		
	A—Department		
	Mines Branch		
530	Construction or Acquisition of Equipment—To extend the purposes of Vote 206 of the Main Estimates, 1960-61, to include the Construction or Acquisition of Buildings and Works and to provide a further amount of	30,000	
	B—Dominion Coal Board		
531	Payments in connection with the movements of coal under conditions prescribed by the Governor in Council—Further amount required	883,000	
			913,000

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	NATIONAL HEALTH AND WELFARE		
	NATIONAL HEALTH BRANCH		
532	Health Services, including Assistance to the Provinces—Laboratory and Advisory Services—Further amount required	125,479	
	GENERAL		
533	Civil Defence Health, Welfare and Training Services—Further amount required	750,000	875,479
	NATIONAL RESEARCH COUNCIL		
534	Salaries and Other Expenses—Further amount required	177,000	
535	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required	63,400	240,400
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
536	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—Further amount required	1,000,000	
	WATER RESOURCES BRANCH		
537	Saint John River—Federal expenditures in connection with investigations to be carried out by the Saint John River Board—Further amount required	10,000	1,010,000
	PRIVY COUNCIL		
	SPECIAL		
538	Expenses of the Royal Commission on Coal—Further amount required	25,000	
539	Expenses of the Royal Commission on the Great Slave Lake Railway including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board, to officers, clerks or employees permanently employed in the Civil Service for services rendered by them to the Commission	6,000	
540	Expenses of the Royal Commission on price spreads of food products including the payment, notwithstanding the Civil Service Act, of honoraria or allowances as may be authorized by the Treasury Board, to officers, clerks or employees permanently employed in the Civil Service for services rendered by them to the Commission	10,000	41,000

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	PUBLIC WORKS		
	PUBLIC BUILDINGS CONSTRUCTION AND SERVICES		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, public buildings listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
541	Quebec	1	
542	Ottawa	1	
543	British Columbia	290,000	
544	Outside Canada	4,570,000	
545	Furniture and Furnishings for Government Departments—Further amount required	82,000	
	HARBOURS AND RIVERS ENGINEERING SERVICES		
	Construction, acquisition, major repairs and improvements of, and plans and sites for, harbour and river works listed in the details of the Estimates, provided that Treasury Board may increase or decrease the amount within the vote to be expended on individual listed projects—Further amounts required—		
546	Newfoundland	1	
547	Nova Scotia	1	
548	Quebec	1	
549	Ontario	1	
550	British Columbia and Yukon	1	
	CENTRAL MORTGAGE AND HOUSING CORPORATION		
551	To reimburse Central Mortgage and Housing Corporation for losses sustained by it during the fiscal year 1959-60 as a result of the operation of Federal-Provincial projects undertaken under section 36 of the National Housing Act, 1954...	153,760	5,095,767
	SECRETARY OF STATE		
	SPECIAL		
552	Special expenditure in connection with a Commission under the Inquiries Act to inquire into the workings of the Patent Act, the Copyright Act, the Industrial Designs Act, and other related legislation	.....	12,500
	TRADE AND COMMERCE		
	GENERAL ADMINISTRATION		
553	Departmental Administration—Further amount required	150,000	
	BOARD OF GRAIN COMMISSIONERS (Canada Grain Act)		
554	Inspection and Weighing of Grain and Related Services—Further amount required	46,645	196,645

SCHEDULE C—*Continued*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT		
	A—Department		
555	Departmental Administration—Further amount required...	68,350	
	Canal Services		
556	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	65,700	
557	Operating deficit and capital requirements of Canals and Works entrusted to the St. Lawrence Seaway Authority with the approval of the Governor in Council—Further amount required.....	497,000	
558	Payment to the Canada Starch Company Limited (hereinafter called the Company) on condition that the Company execute and deliver to Her Majesty a release in a form satisfactory to the Minister of Transport, in lieu of compensation payable to the Company on cancellation of a lease between Her Majesty and the Company in respect of certain lands along the Galops Canal that are affected by the St. Lawrence Seaway and Power Development.....	930,000	
	Marine Services		
	Marine Service Steamers—		
559	Administration, Operation and Maintenance—Further amount required.....	333,845	
	Aids to Navigation—		
560	Administration, Operation and Maintenance—Further amount required.....	1,376,445	
561	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	198,000	
	Pilotage Service—		
562	Administration, Operation and Maintenance—Further amount required.....	135,960	
563	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	29,000	
	Railway and Steamship Services		
	Prince Edward Island Car Ferry and Terminals—		
564	Construction or Acquisition of Buildings, Works, Land and Equipment.....	325,500	
565	To authorize the write-off, as an adjustment in respect to prior years transactions, of the sum of $7,500,000 that was advanced to the Canadian National Railway Company in the fiscal year 1957-58 under the Canadian National Railways Financing and Guarantee Act 1957 and that has not been accounted for in the Accounts of Canada.....	1	
	Air Services		
	Telecommunications Branch		
	Radio Act and Regulations—		
566	Administration, Operation and Maintenance—Further amount required.....	75,000	
	Meteorological Branch		
567	Construction or Acquisition of Buildings, Works, Land and Equipment—Further amount required.....	148,000	

SCHEDULE C—*Concluded*

No. of Vote	Service	Amount	Total
		$	$
	TRANSPORT—*Concluded*		
	AIR SERVICES—*Concluded*		
	Civil Aviation Branch		
568	Contributions to Municipalities or Public Bodies for Construction and Improvement of Airports on Land acquired by such Organizations—To extend the purposes of Vote 448 of the Main Estimates, 1960–61, to permit the payment of the contribution provided for airport construction at North West River, Newfoundland, notwithstanding that the land was transferred from the Province of Newfoundland to the Federal Government, rather than having been acquired by a municipality or public body	1	
569	Contributions toward Airport Development and other Airport Projects on Cost-Sharing Basis, in the amounts detailed in the Estimates—Further amount required	44,100	
	B—GENERAL		
	CANADIAN MARITIME COMMISSION		
570	Steamship Subventions for Coastal Services, as detailed in the Estimates—Further amount required	81,086	
			4,307,988
	VETERANS AFFAIRS		
571	Treatment Services—Operation of Hospitals and Administration—Further amount required	766,213	
572	Prosthetic Services—Supply, Manufacture and Administration—Further amount required	50,000	
	CANADIAN PENSION COMMISSION		
573	Gallantry Awards—World War II and Special Force—Further amount required	2,300	
			818,513
	LOANS, INVESTMENTS AND ADVANCES		
	NORTHERN AFFAIRS AND NATIONAL RESOURCES		
574	To authorize the operation of a revolving fund, in accordance with section 58 of the Financial Administration Act, for the purpose of acquiring and managing stores that are required for the purposes of the Northern Administration Branch; the amount to be charged to the revolving fund at any time not to exceed	500,000	
	PUBLIC WORKS		
	Central Mortgage and Housing Corporation		
575	Advances pursuant to sub-section (4) of section 36 of the National Housing Act, 1954, in respect of housing and land development projects undertaken jointly with the governments of the provinces during the fiscal year 1959–60	8,500,000	
			9,000,000
			65,025,485

SCHEDULE D

Based on the Further Supplementary Estimates (3), 1960-61. The amount hereby granted is $43,000,000.00, being the amount of each 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, 1961, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		$	$
	AGRICULTURE		
	PRODUCTION AND MARKETING BRANCH		
576	Payment of an amount, as a higher return for wheat used for human consumption in Canada, to Western grain producers to be distributed on the following basis, namely: $1.00 per cultivated acre up to a maximum of 200 acres per farm in accordance with regulations of the Governor in Council	42,000,000	
	EXTERNAL AFFAIRS		
	A—DEPARTMENT		
	CONTRIBUTIONS TO INTERNATIONAL ECONOMIC AND SPECIAL AID PROGRAMS		
577	Purchase of flour to be given to the United Nations Relief and Works Agency for Palestine Refugees in the Near East as a contribution to World Refugee Year	1,000,000	
			43,000,000